

Conn. Gov. wants malpractice cap special session

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HARTFORD — Gov. John G. Rowland is calling for a \$250,000 cap on non-economic damages in medical malpractice cases as a way to lower doctors' insurance costs.

Rowland wants lawmakers to take up the issue next month in a special session. He said the crisis of steeply rising insurance costs cannot wait because doctors are leaving the state and the profession.

"Inaction is really the enemy. If we don't do anything, these premiums will continue to rise ... we'll continue to lose doctors," he said.

Doctors say insurance rate increases over the past few years have threatened many practices, especially those of obstetricians and gynecologists. Another big rate increase is expected Oct. 1.

The rising cost of malpractice insurance was a major legislative issue this year, but lawmakers adjourned July 1 without passing a reform measure.

Doctors, insurance companies, trial lawyers and patients' rights group disagree about why rates are increasing and how to lower them.

Doctors and insurance companies say large jury awards are to blame for the rate increases. They're pushing for those awards to be limited to \$250,000 for non-economic damages.

Trial lawyers and patients' rights groups have argued vigorously against capping those awards, which they say unfairly punishes poor malpractice victims who cannot recoup as much in lost wages. They say women and children are hardest hurt by caps.

"It punishes the victims of malpractice," said Kathleen Natri, head of the Trial Lawyers Association for Connecticut.

Natri said award caps will not reduce insurance costs because jury awards are not fueling the increases. She said other remedies exist, such as requiring mediation before a jury trial.

Lawmakers have been studying the issue, and a spokesman for Speaker of the House Moira Lyons said she will likely talk to the group before deciding whether to take up the issue in a special session.

State Sen. Christopher Murphy, D-Southington, is co-chairman of the Public Health Committee. He said Rowland's suggestion for reform isn't enough to solve the problem.

He said reforms should hold companies accountable for double-digit rate increases, and he called for medical reforms that reduce physician errors.

"Any solution has to address it in a more comprehensive way," Murphy said. □