

Medical errors

Managed-care organizations and hospitals do not comply with federal programs requiring them to protect patients from incompetent doctors.

According to the National Practitioners Databank, 84 percent of all managed-care organizations—1,176 out of 1,401—have never reported a single disciplinary or censure action. Further, between September 1, 1990, and September 30, 1999, only 715 actions were actually reported. With 100 million individuals enrolled in managed-care organizations, and hundreds of thousands of doctors and dentists associated with them, fewer than 1,000 incident reports in more than a decade serves, for all practical purposes, as nonreporting. The Institute for the Advancement of Medicine reported that medical errors lead to approximately 98,000 deaths annually.

How can you select a good doctor?

- Get referrals from people you trust and verify hospital admitting privileges.
- Call state medical boards and consumer groups for names of disciplined physicians.
- Check credentials in the American Medical Association's *American Medical Directory*.
- Consult an attorney with any questions.

Juries and awards

People read about juries making large awards to plaintiffs and think, "How could they do that?"

Here's one jury's story. A jury awarded six people a total of \$107 million in actual damages and \$4.9 billion in punitive damages for being severely burned in a General Motors car. The media sensationalized the verdict but didn't detail evidence the jury heard—secret internal memos showing:

- GM knew the fuel tanks would explode in collisions.
- Executives weighed the costs to fix the problem against lawsuit losses.
- GM chose not to fix the problem, with one executive saying, "Let them burn."

The jury was conscientious, fair, and open-minded about reviewing the facts. Since they knew GM's profits were \$3 billion that year, jurors decided the automaker should have been more concerned with customers than earnings and recommended their award.

As the "consciences of our communities," juries help protect the innocent from wrongdoers.

Most large jury awards—especially punitive damages for outrageous misconduct—are reduced on appeal or in settlement negotiations.