

## **Louisiana Medical Malpractice Summary and Statistics**

**Tort Reform Law:** RS §40:1299.42. \$500,000 limit for total recovery. Health care provider liability limited to \$100,000. Any award in excess of all liable providers paid from Patient's Compensation Fund.

Effective 1991

Population in 2014: 4,649,676

Number of Licensed Physicians<sup>1</sup> in 2014: 16,346

Number of Paid Medical Malpractice claims per 100 physicians in 2014: 1.5

State Rank: 1st

Amount paid for malpractice claims against all practitioners<sup>2</sup> per capita<sup>3</sup> in 2014: \$12.15

State Rank: 16th

Amount paid for malpractice claims against all practitioners per capita in 2013: \$12.23

State Rank: 13th

Amount paid for malpractice claims against Physicians only per capita in 2014: \$11.26

State Rank: 15th

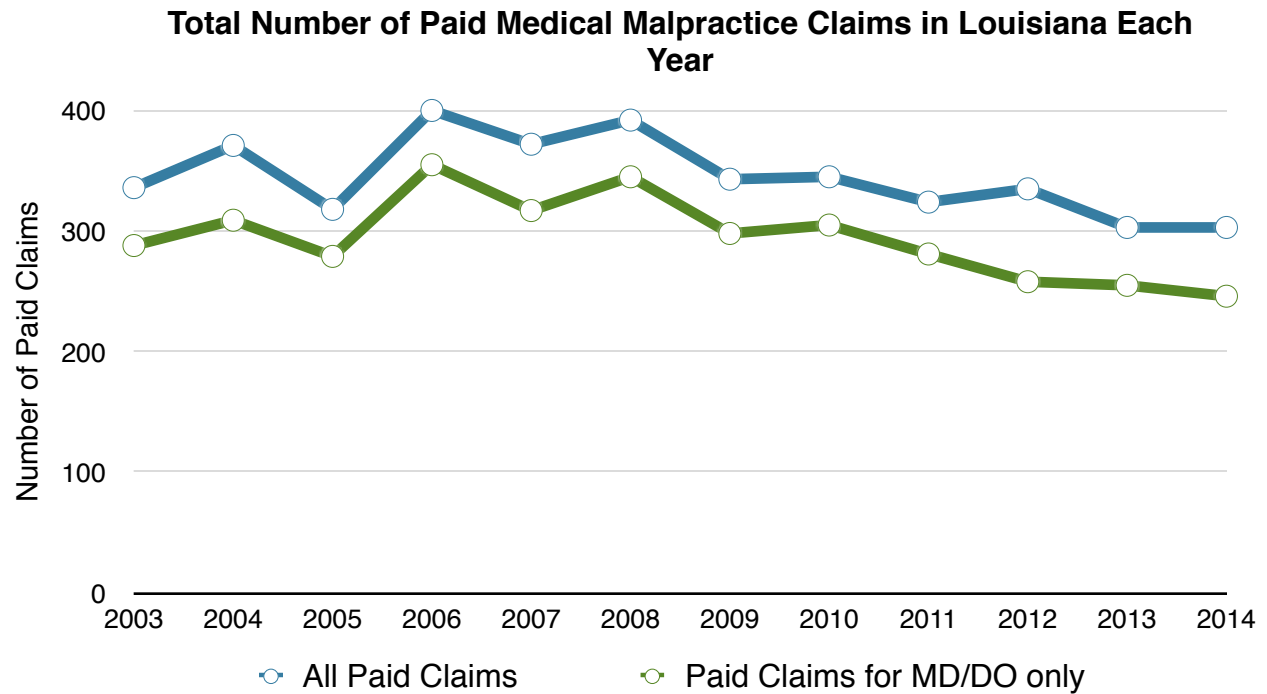
Amount paid for malpractice claims against Physicians only per capita in 2013: \$10.79

State Rank: 12th

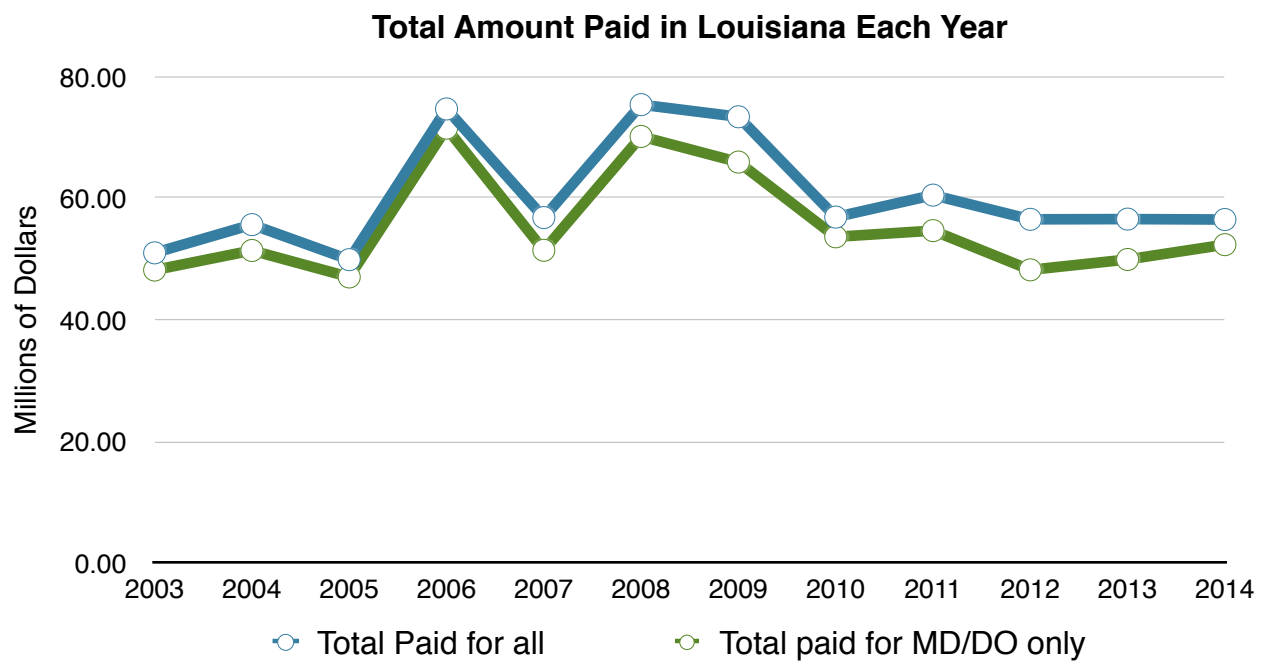
### Notes

- 1)** MDs and DOs only. Many physicians are licensed in more than one State which is why the total number of physicians in all of the States exceeds the total number of physicians in the US.
- 2)** All Practitioners includes MDs, DOs, podiatrists, dentists, nurses, hygienists, pharmacists, pharmacy techs, lab techs, physical therapists, etc...
- 3)** Total amount paid in medical malpractice claims in the State that year/ the State's Population

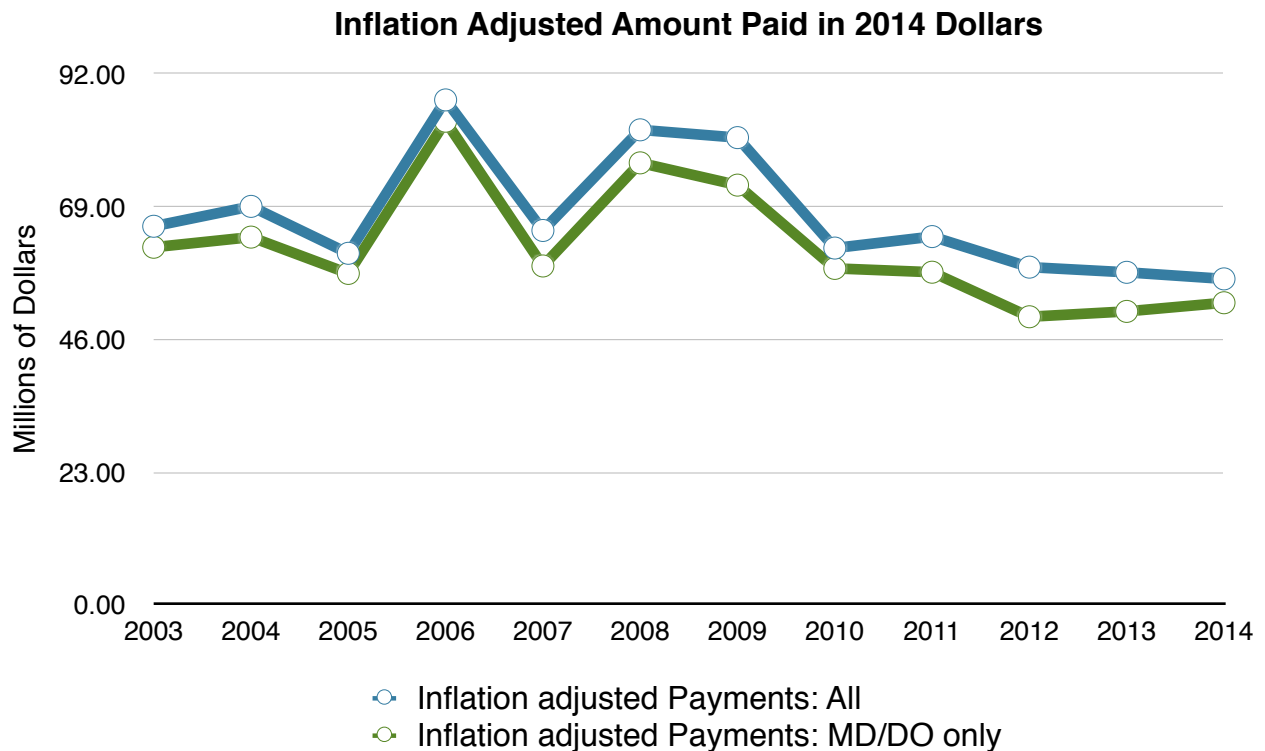
**Graphic Summary of Medical Malpractice Incidence and Cost for Louisiana from 2003-2014**



**Figure 1: Total number of Paid Medical Malpractice Claims for Louisiana from 2003-2014 for All Health Care Practitioners Combined as Well as for MD/DOs Only**



**Figure 2: Total Amount Paid for All Medical Malpractice Claims from 2003-2014 for All Health Care Practitioners and MD/DOs Only in Louisiana.**



**Figure 3: Figure 2 Data When Adjusted for Inflation.**

Brief summary: It would be hard to imagine a more glaring example of the failure of tort reform to control medical malpractice costs than the case of Louisiana. Louisiana has one of the most draconian caps on malpractice awards in the US. It doesn't just cap non-economic damages, the cap in Louisiana is \$500,000 on *total* damages! In spite of this cap, Louisiana had the highest number of paid claims per 100 physicians in the US in 2014 and per capita malpractice costs that are well above the national average every year since 2003.

#### Sources

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