

# Massachusetts Medical Malpractice Summary and Statistics

By David Belk MD

Tort Reform Law: Ch. 231 §60H. Non-economic damage cap of \$500,000 except in catastrophic injuries.  
Effective 1986

Population in 2015: 6,794,422

Number of Licensed Physicians<sup>1</sup> in 2015: 33,965

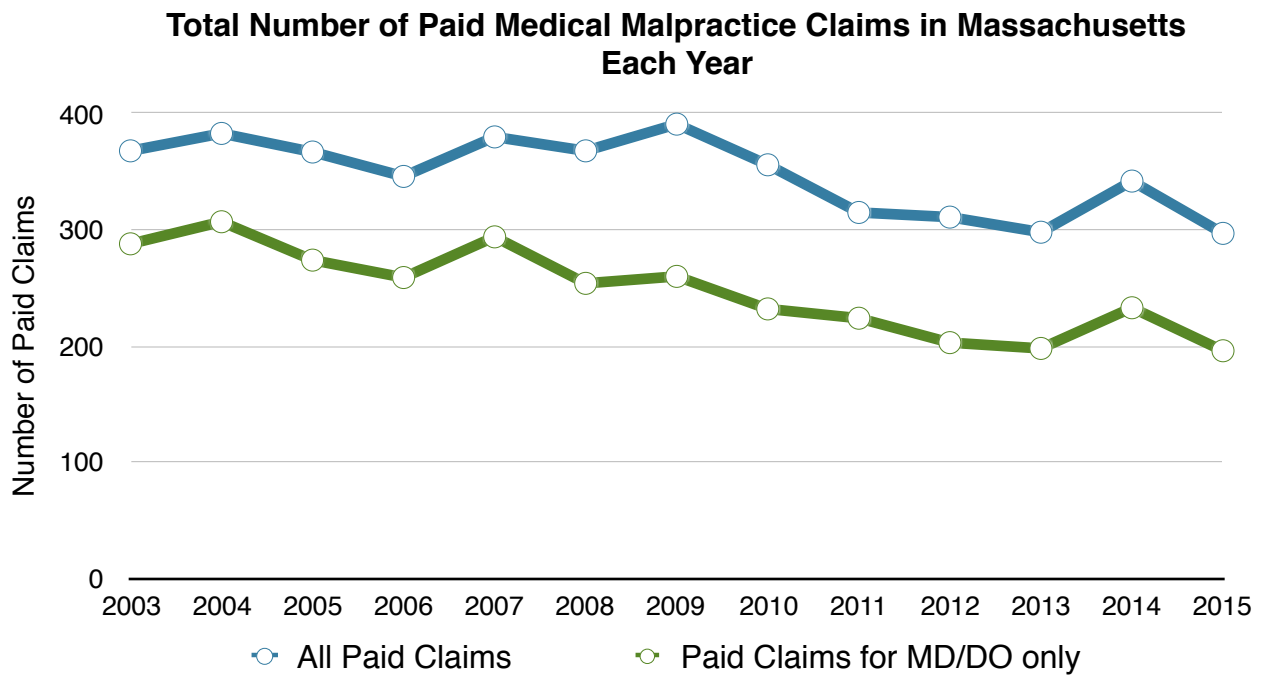
	2013	2014	2015	Average for 2013-2015
Per Capita <sup>3</sup> Amount Paid Against all Practitioners	\$20.66	\$26.70	\$25.60	\$24.32
State Rank	5	3	4	4
Per Capita <sup>3</sup> Amount Paid Against Physicians (MD/DO) Only	\$17.14	\$22.83	\$20.03	\$20.13
State Rank	6	3	5	5
Paid Claims/100 Physicians		0.69	0.58	
State Rank		17	25	

Table showing the amount paid per capita<sup>3</sup> in Massachusetts for medical malpractice claims against all practitioners each year as well as against physicians only. It also shows the number of claims won against physicians per 100 licensed physicians in Massachusetts in 2014 and 2015.

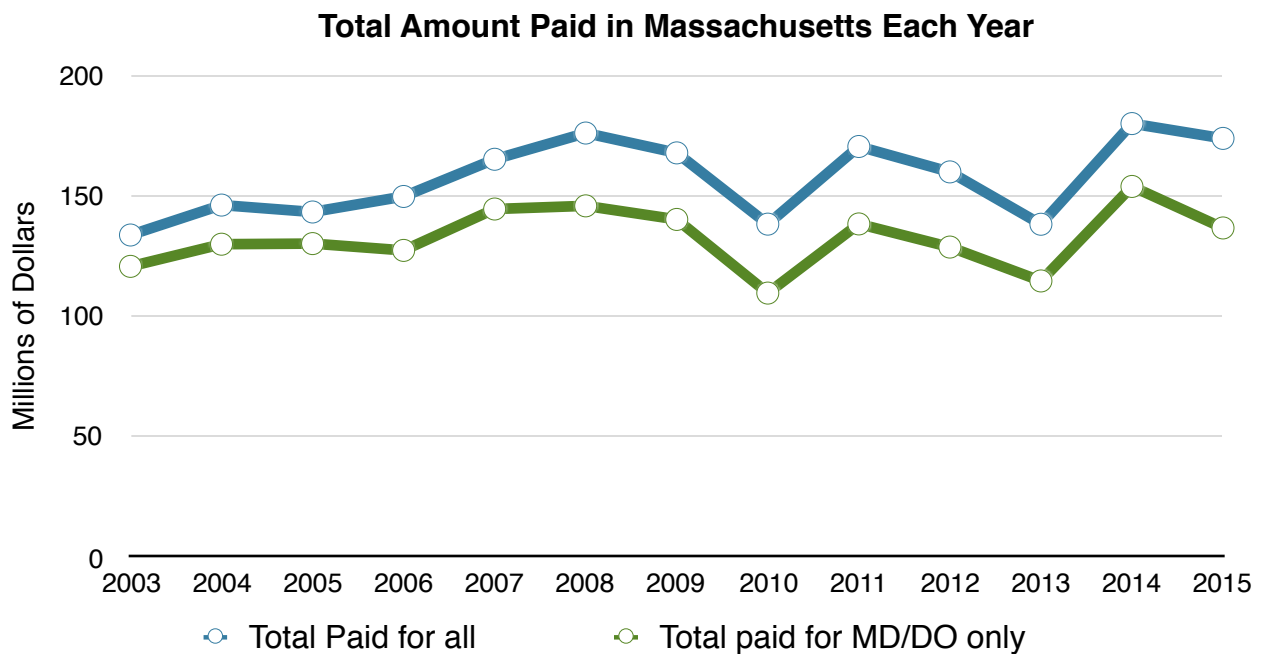
## Notes

- 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

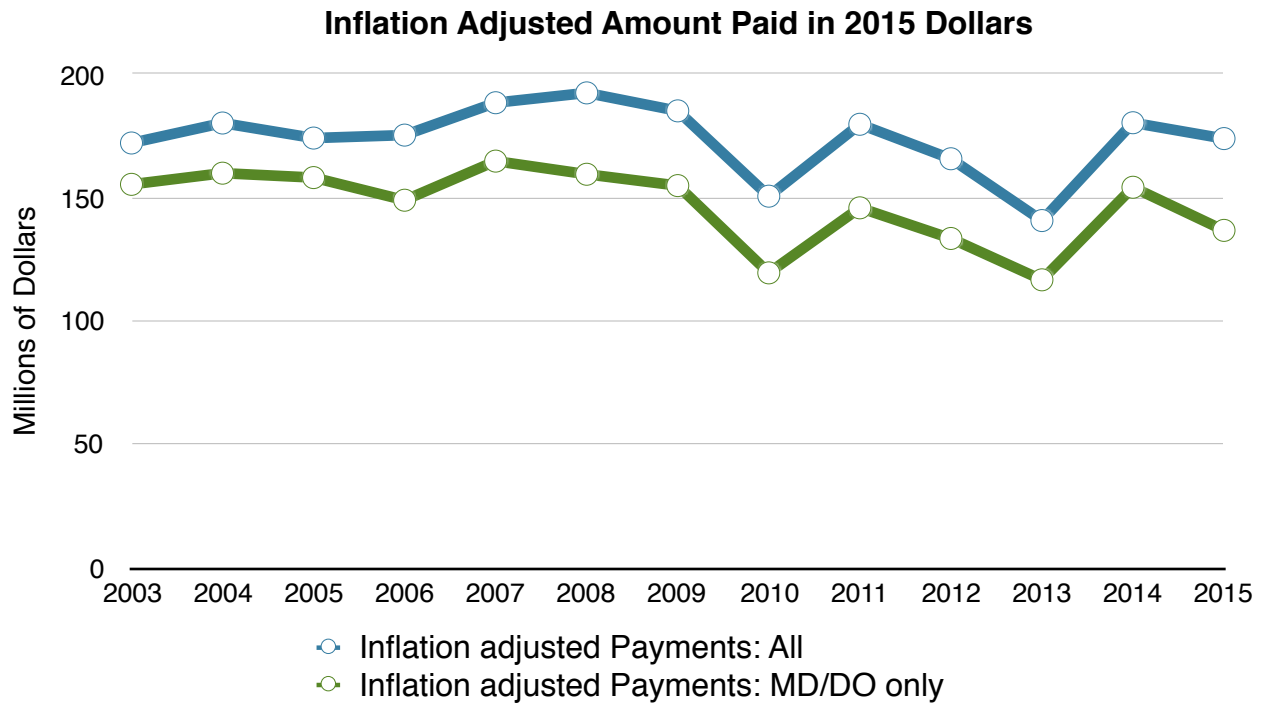
**Graphic Summary of Medical Malpractice Incidence and Cost for Massachusetts from 2003-2015**



**Figure 1:** Total number of Paid Medical Malpractice Claims for Massachusetts from 2003-2015 for All Health Care Practitioners Combined as Well as for MD/DOs Only.



**Figure 2:** Total Amount Paid for All Medical Malpractice Claims from 2003-2015 for All Health Care Practitioners and MD/DOs Only in Massachusetts.



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

Brief summary: Massachusetts has had among the highest medical malpractice costs in the U.S. for many years in spite of their cap on awards for non-economic damages. What's interesting is the fact that the damage cap in Massachusetts is essentially the same as Florida's damage cap was. So, why did this law appear to work so well in Florida when it doesn't appear to have any effect on medical malpractice costs in Massachusetts?

#### Sources

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