West Virginia Medical Malpractice Summary and Statistics

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Tort Reform Law: §55-7B-8. Non-economic damage cap of $250,000, adjusted for inflation annually with an absolute maximum of $375,000. In catastrophic cases, $500,000 adjusted annually up to a max of $750,000.
Effective 2003

Population in 2015: 1,844,128

Number of Licensed Physicians[1] in 2015: 7,493

	2013	2014	2015	Average for 2013-2015
Per Capita[3] Amount Paid Against all Practitioners	$15.77	$14.41	$24.02	$18.07
State Rank	9	12	5	8
Per Capita[3] Amount Paid Against Physicians (MD/DO) Only	$13.98	$12.30	$19.65	$15.31
State Rank	8	12	6	8
Paid Claims/100 Physicians		1.2	1.32	
State Rank		5	4	

Table showing the amount paid per capita[3] in West Virginia 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 West Virginia 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 West Virginia from 2003-2015

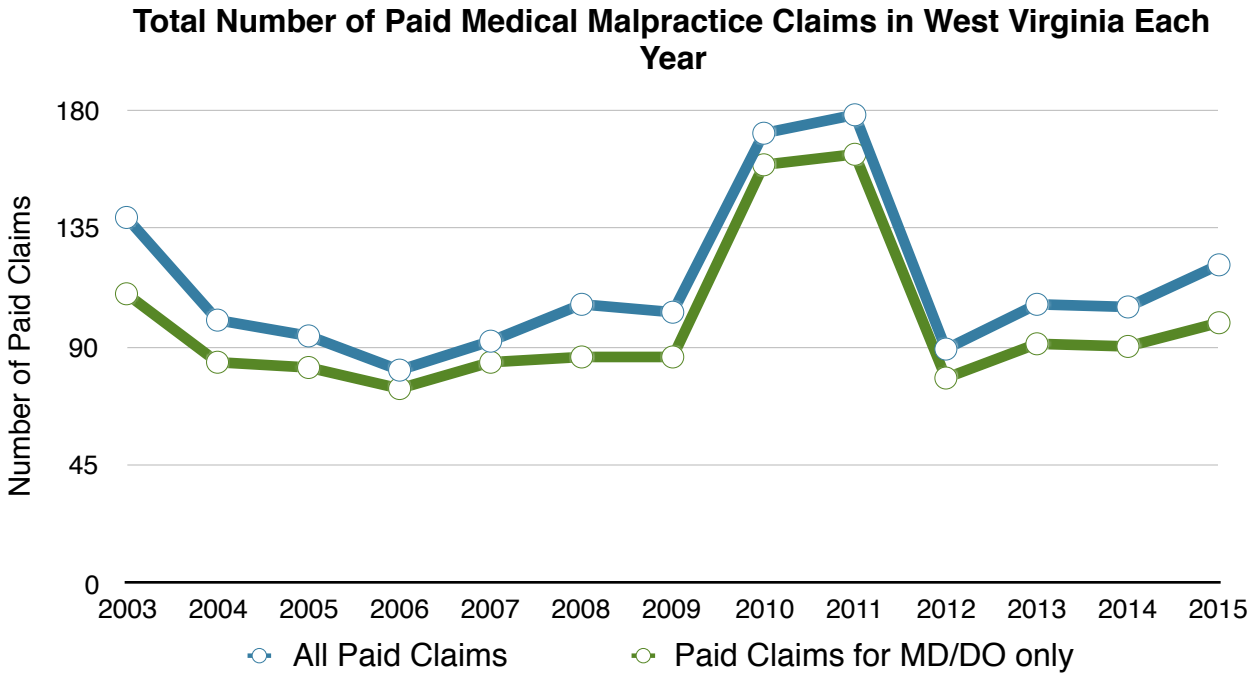

Figure 1: Total number of Paid Medical Malpractice Claims for West Virginia from 2003-2015 for All Health Care Practitioners Combined as Well as for MD/DOs Only.

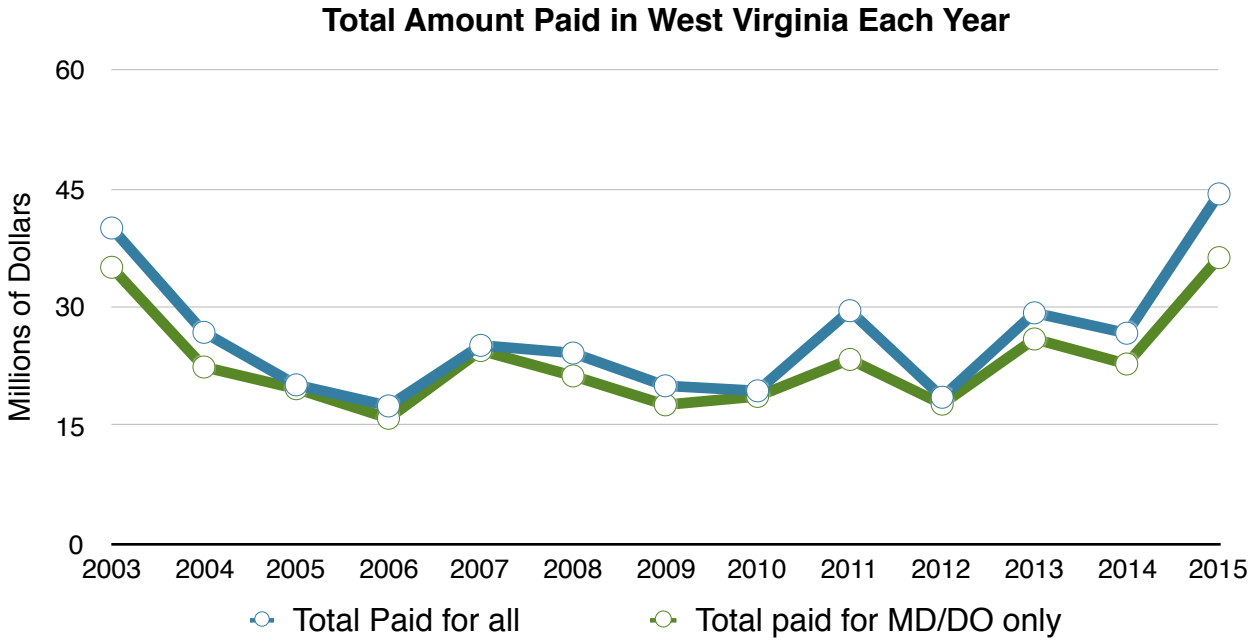

Figure 2: Total Amount Paid for All Medical Malpractice Claims from 2003-2015 for All Health Care Practitioners and MD/DOs Only in West Virginia.

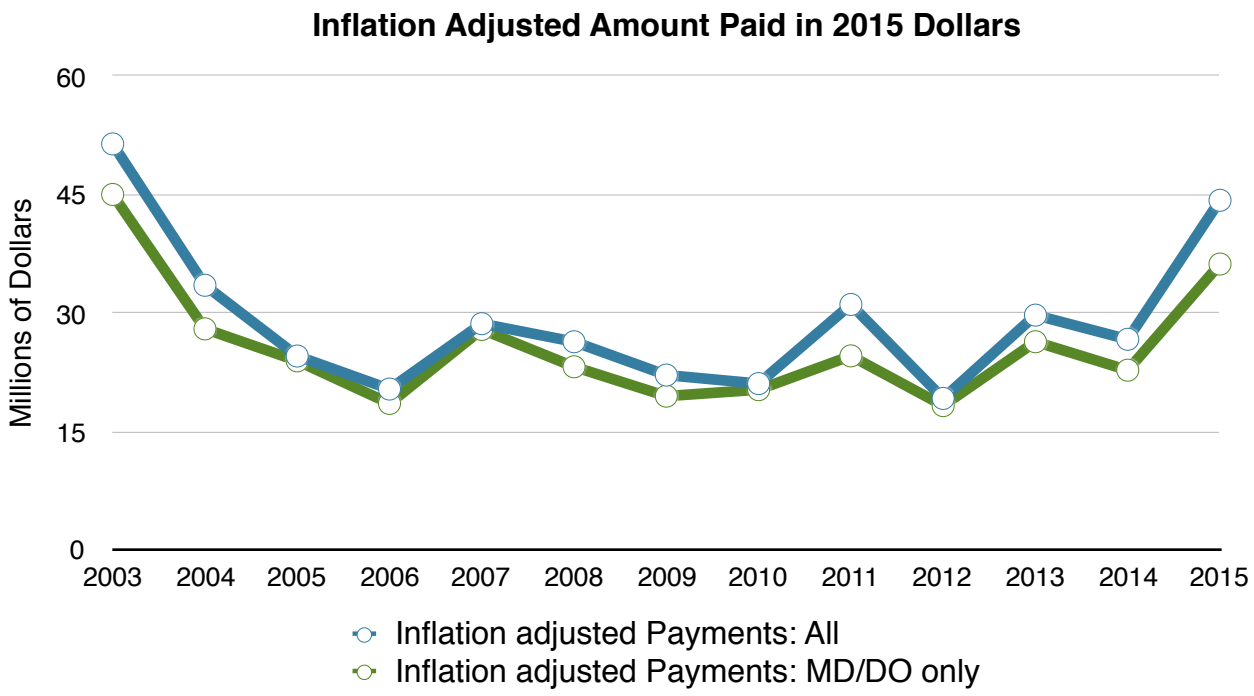

Figure 3: Figure 2 Data When Adjusted for Inflation.

Brief summary: West Virginia, like Texas, passed a law in 2003 that caps non-economic damages in medical malpractice cases at $250,000. The effect in West Virginia was hardly as dramatic as it was in Texas though. Malpractice costs in West Virginia dropped a bit after 2003, only to go back up again. In fact, their per capita malpractice costs have been among the highest in the U.S. in recent years

Sources

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