

# Montana Medical Malpractice Summary and Statistics

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Tort Reform Law: §25-9-411. Non-economic damage cap of \$250,000.  
Effective 1995

	2012-2016 Average	State Rank
Annual Per Capita <sup>1</sup> Malpractice costs: All Providers <sup>2</sup>	\$10.36	17
Annual Per Capita Malpractice costs: MD/DO only	\$9.63	17
Annual Claims per 1 Million Residents	40.23	14
Annual Claims per 100 Practicing Physicians	1.44	11

Table showing the average amount paid per capita<sup>1</sup> each year in Montana from 2012-2016 for medical malpractice claims against all practitioners as well as against physicians (MD and DO's) only. It also shows the number of paid claims per million residents and per 100 practicing physicians in Montana those years.

Brief summary: Montana's per-capita medical malpractice costs and paid claims are often well above the national average in spite of having a very strict \$250,000 cap on non-economic damage awards. Clearly this cap isn't working nearly as well in Montana as it has in some other states.

## Notes

- 1) Total amount paid in medical malpractice claims in the state each year/ the state's Population.
- 2) All practitioners includes physicians, podiatrists, dentists, nurses, hygienists, pharmacists, pharmacy techs, lab techs, physical therapists, etc...

## Sources

<http://www.alllaw.com/articles/nolo/personal-injury/effect-tort-reform.html>

<http://www.nolo.com/legal-encyclopedia/state-state-medical-malpractice-damages-caps.html>

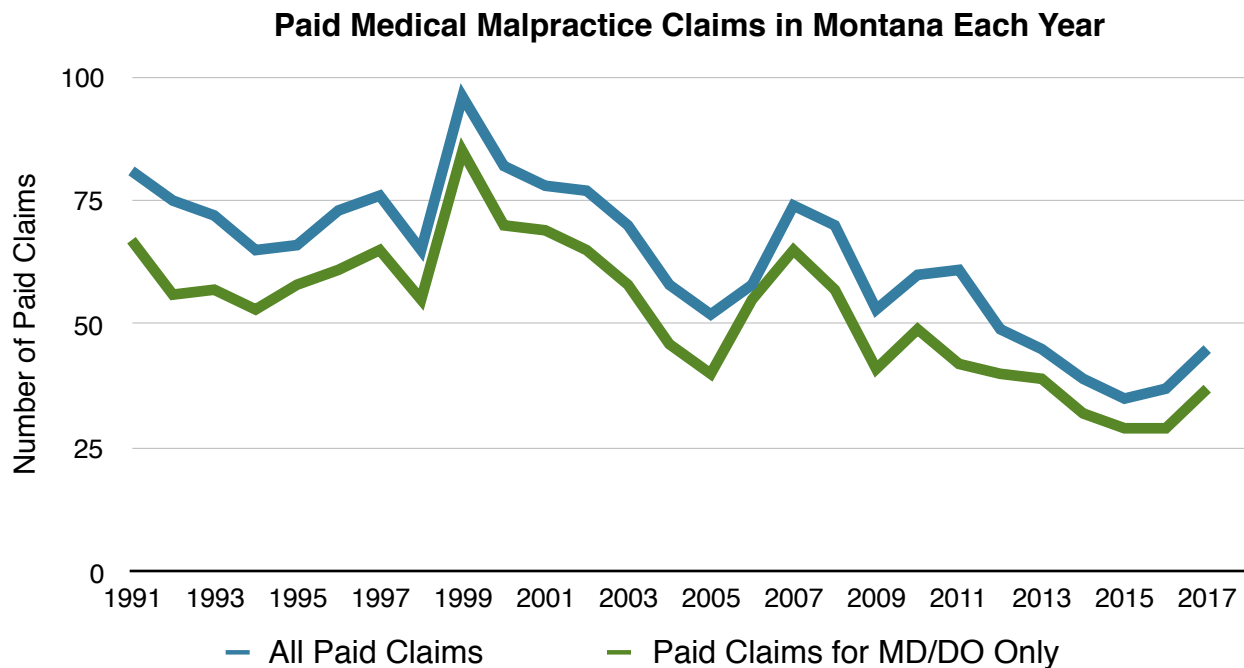
<http://www.ncsl.org/research/financial-services-and-commerce/medical-liability-medical-malpractice-laws.aspx>

[http://truecostofhealthcare.net/malpractice\\_statistics/](http://truecostofhealthcare.net/malpractice_statistics/)

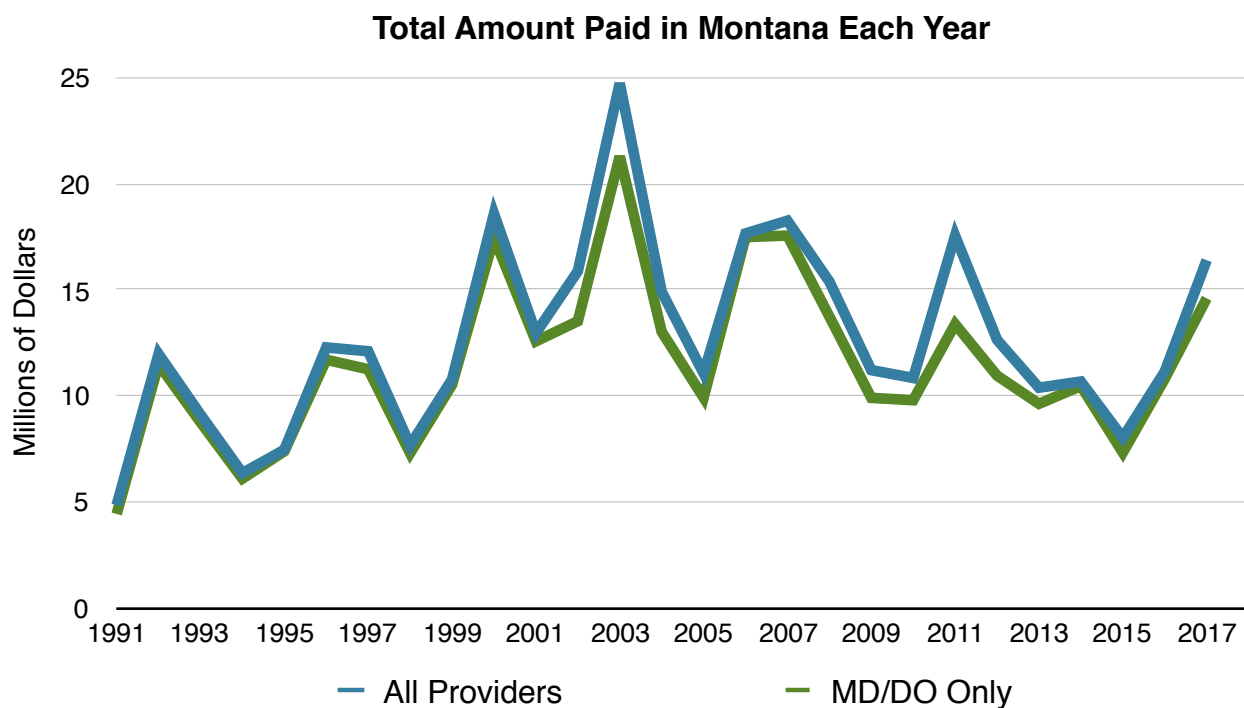
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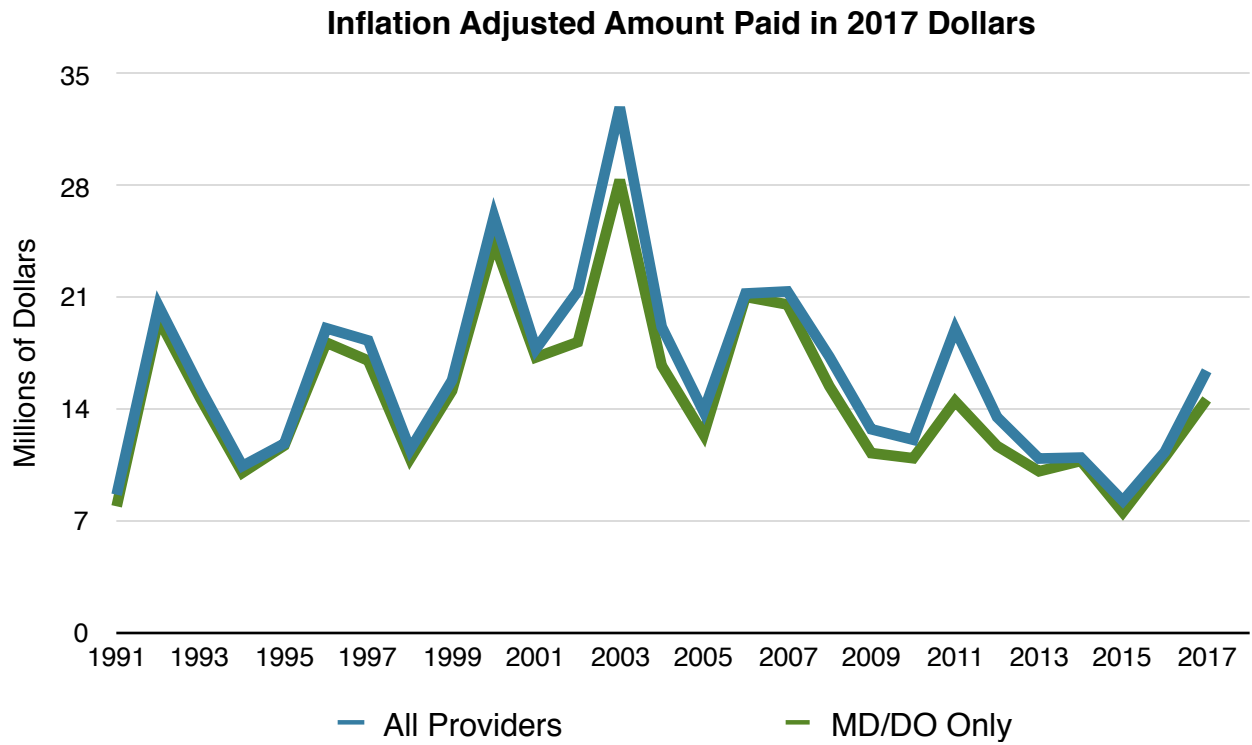
**Graphic Summary of Medical Malpractice Incidence and Cost for Montana from 1991-2017**



**Figure 1:** Total number of paid medical malpractice claims for Montana from 1991-2017 for all health care practitioners combined as well as for MD/DOs only.



**Figure 2:** Total amount paid for all medical malpractice claims from 1991-2017 for all health care practitioners and MD/DOs only in Montana.



**Figure 3:** Figure 2 data when adjusted for inflation.