

# Nebraska Medical Malpractice Summary and Statistics

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Tort Reform Law: §44-2825. Total damages limited to \$1,750,000. Health care provider liability limited to \$500,000. Any excess of total liability of all health care providers paid from Excess Liability Fund.

Effective 1984

	2012-2016 Average	State Rank
Annual Per Capita <sup>1</sup> Malpractice costs: All Providers <sup>2</sup>	\$7.45	34
Annual Per Capita Malpractice costs: MD/DO only	\$6.80	30
Annual Claims per 1 Million Residents	26.91	34
Annual Claims per 100 Practicing Physicians	0.92	23

Table showing the average amount paid per capita<sup>1</sup> each year in Nebraska 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 Nebraska those years.

Brief summary: Nebraska has a cap on medical malpractice damages, but it's a rather high cap of \$1.75 million. It's hard to see how a cap this high would have an effect on malpractice costs in Nebraska when they've only had 25 settlements of over a million dollars since 1991. Still, the per capita cost on medical malpractice in Nebraska is lower than it is in many states that have much tighter caps on damages.

## 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>

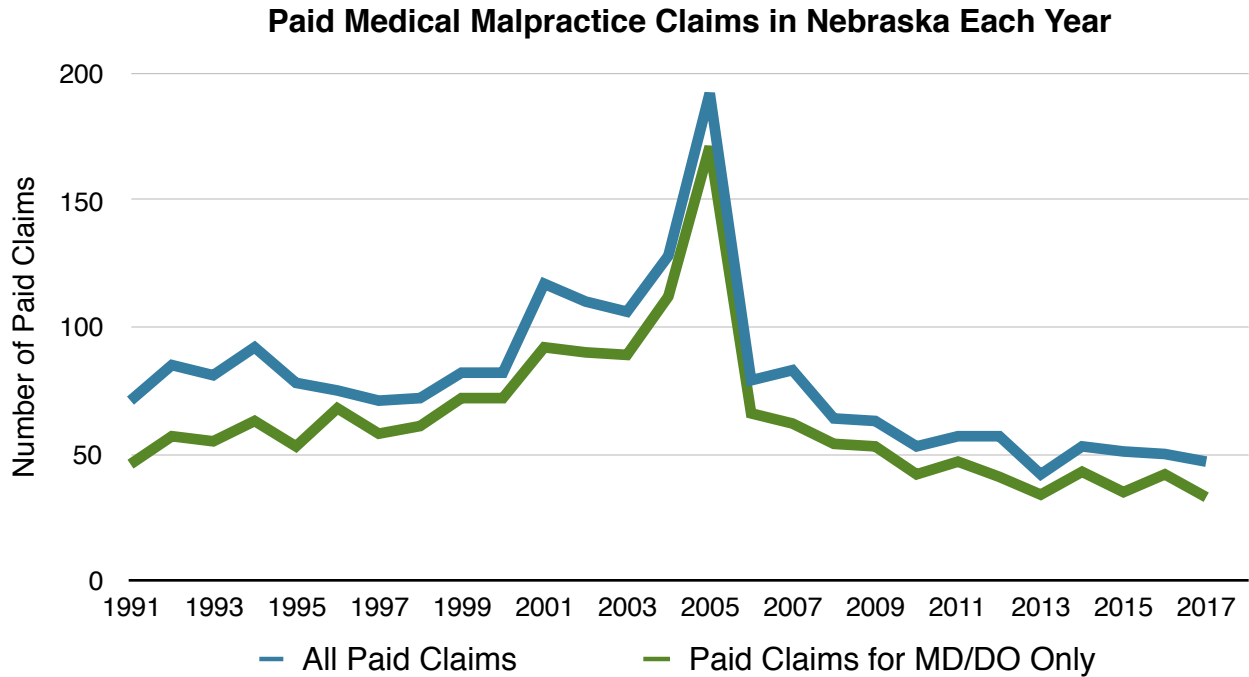
<http://www.ncsl.org/research/financial-services-and-commerce/medical-liability-medical-malpractice-laws.aspx>

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

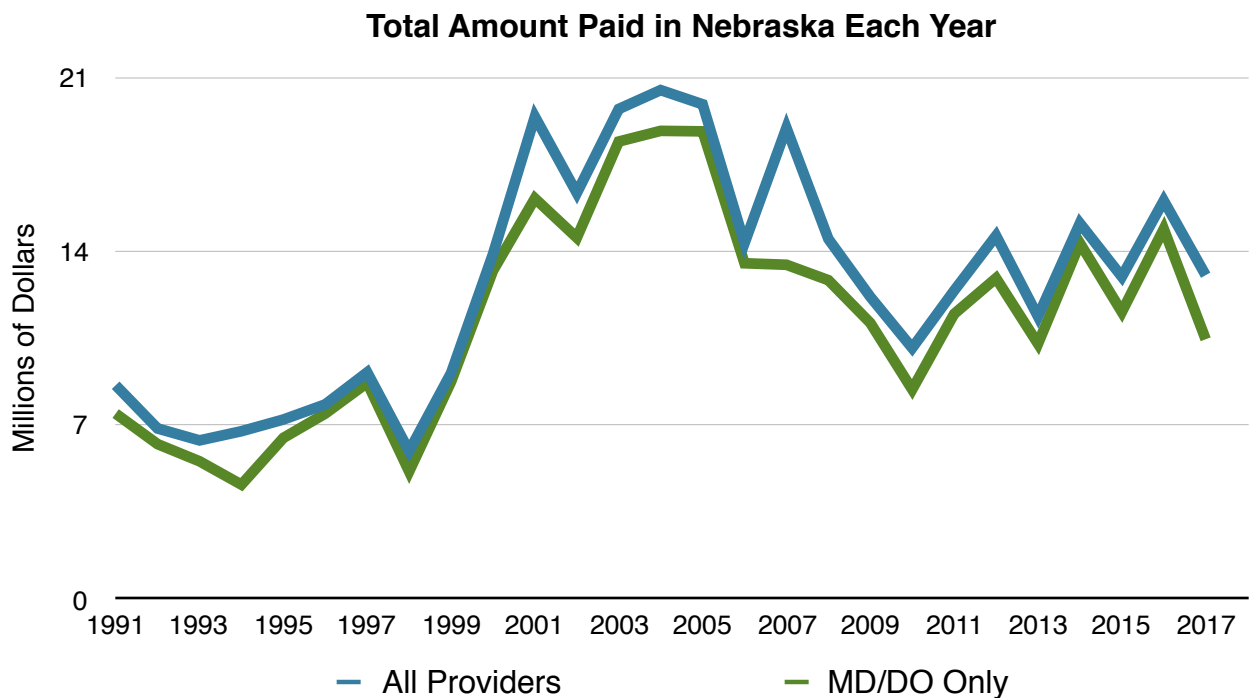
<https://www.npdb.hrsa.gov/analysisistool/>

<http://www.atra.org/issues/noneconomic-damages-reform>

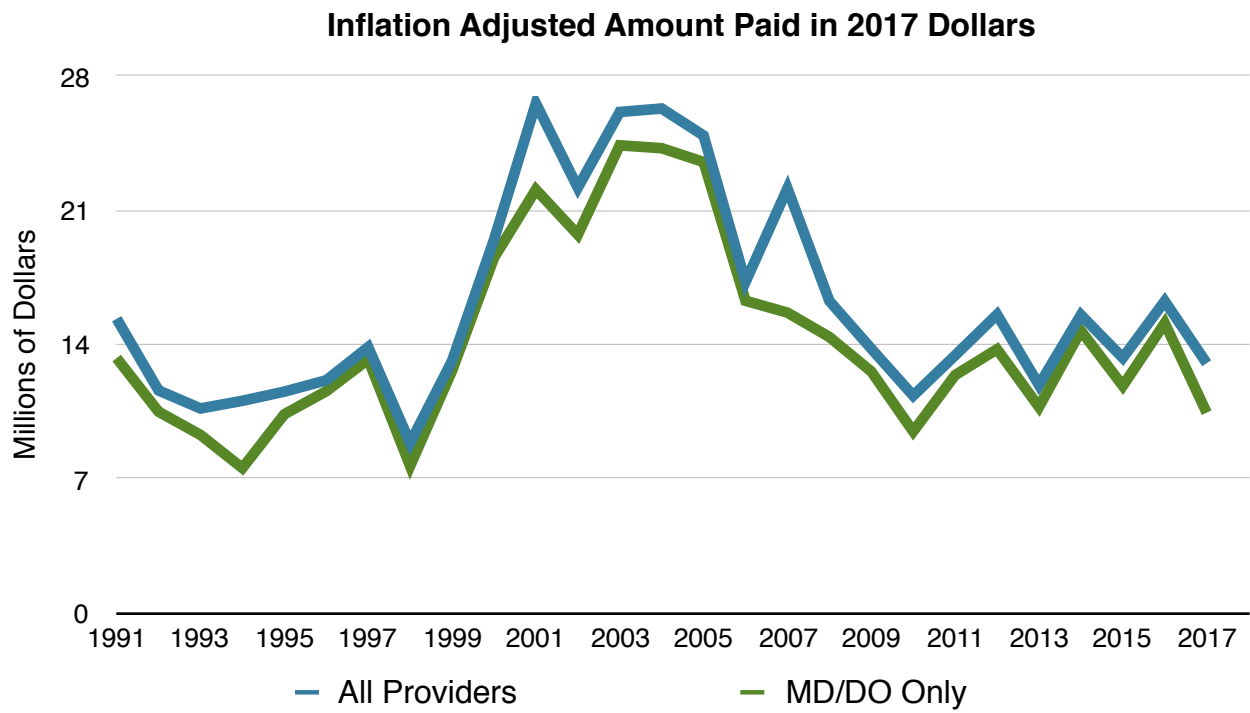
**Graphic Summary of Medical Malpractice Incidence and Cost for Nebraska from 1991-2017**



**Figure 1:** Total number of paid medical malpractice claims for Nebraska 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 Nebraska.



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