

# Oklahoma Medical Malpractice Summary and Statistics

By David Belk MD

Tort Reform Law: 23 §61.2 (2011 Chapter 14). Non-economic damages are capped at \$350,000 in all civil cases seeking compensation for injury unless the case involves wrongful death or the court finds “clear and convincing” evidence that the defendant acted with: gross negligence, reckless disregard for the rights of others, fraudulent intent, and/or with malice or the intent to cause harm. Effective 2003

	2012-2016 Average	State Rank
Annual Per Capita <sup>1</sup> Malpractice costs: All Providers <sup>2</sup>	\$9.53	24
Annual Per Capita Malpractice costs: MD/DO only	\$8.49	23
Annual Claims per 1 Million Residents	40.64	13
Annual Claims per 100 Practicing Physicians	1.46	10

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

Brief summary: Oklahoma passed a tort reform bill very similar to the one in Ohio in 2003 which caps non-economic damages in medical malpractice cases. The effect of this bill, though, has been muted at best. Rather than having malpractice costs plummet the way they did in Ohio, these costs fell only slightly in Oklahoma, if at all.

## 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>

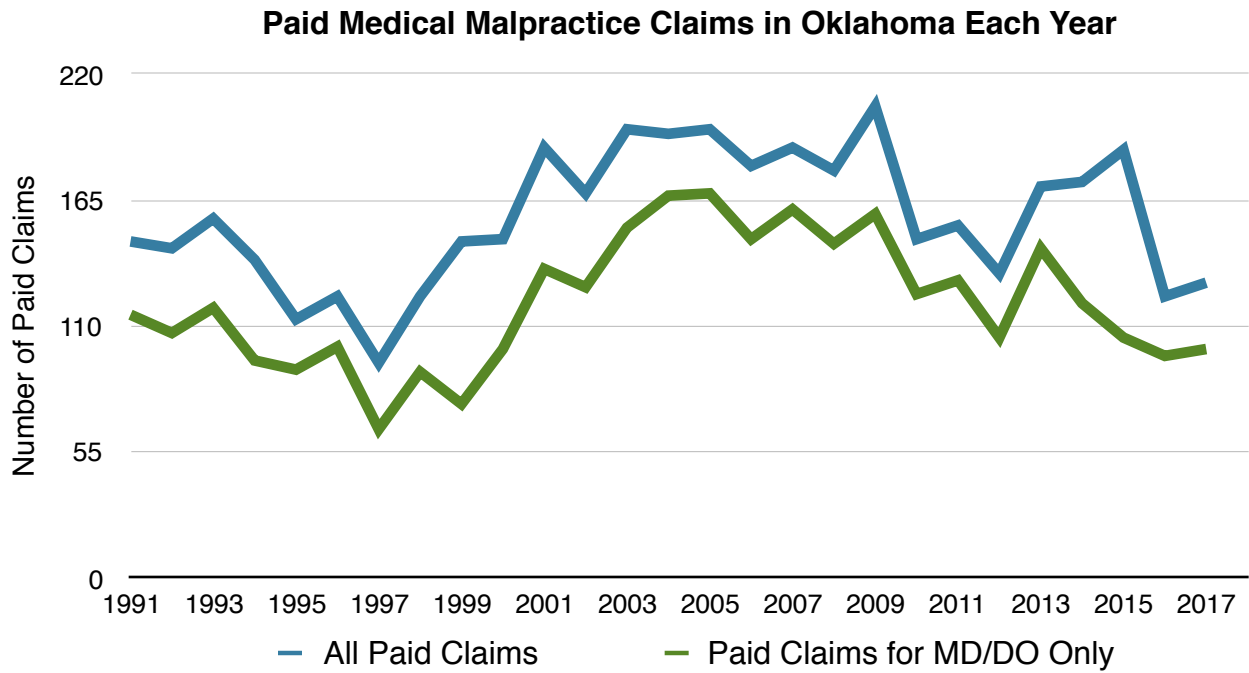
<http://www.ncsl.org/research/financial-services-and-commerce/medical-liability-medical-malpractice-laws.aspx>

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

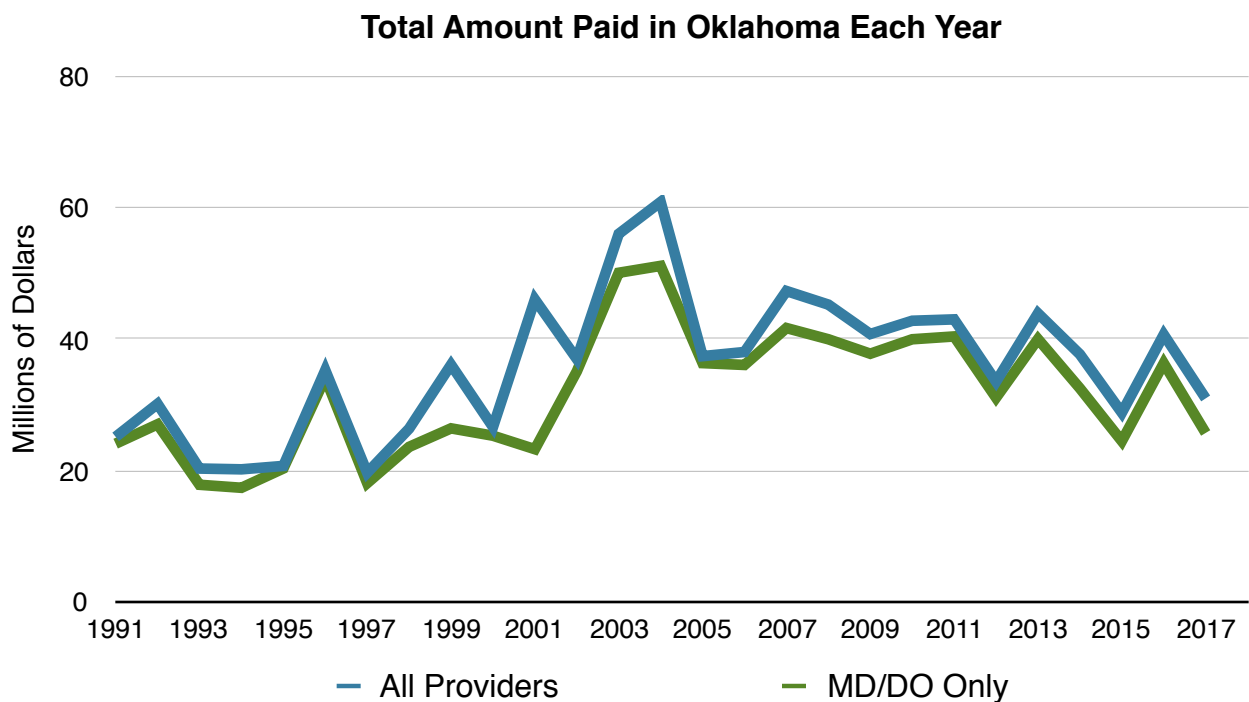
<https://www.npdb.hrsa.gov/analysisistool/>

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

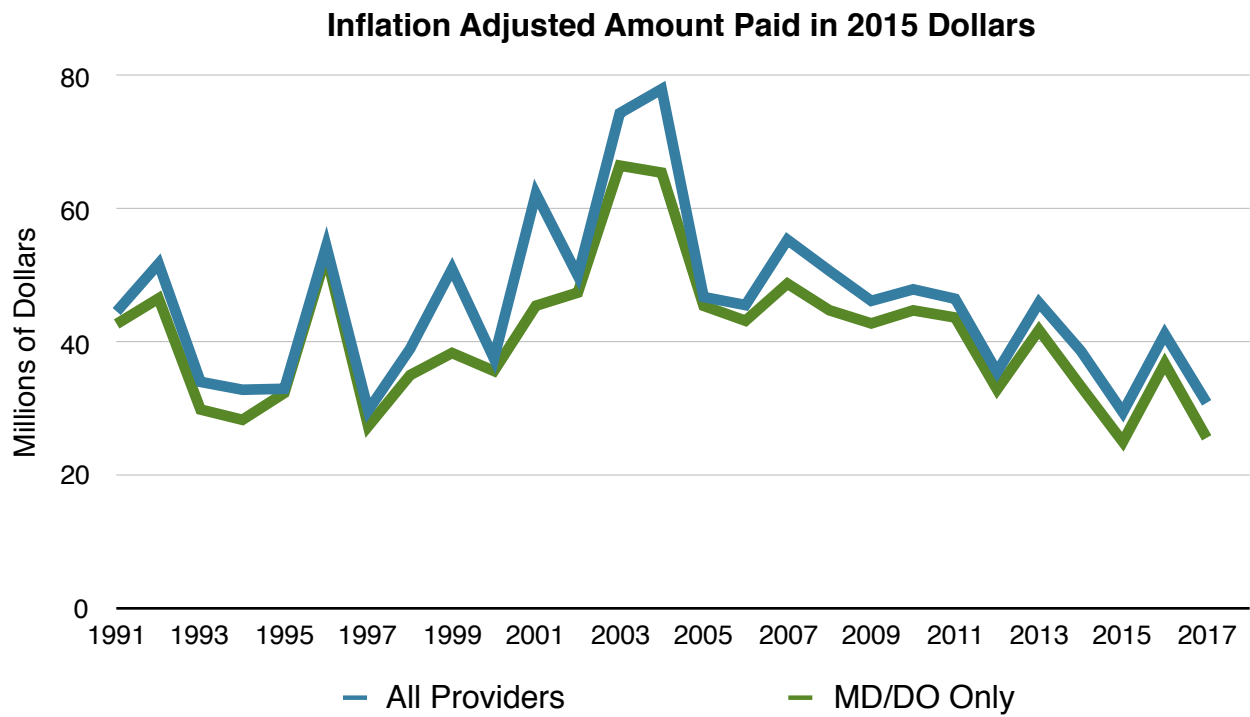
**Graphic Summary of Medical Malpractice Incidence and Cost for Oklahoma from 1991-2017**



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



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