Texas Medical Malpractice Summary and Statistics

By David Belk MD

Tort Reform Law: Civil Practice & Remedies §74.301. Non-economic damages: $250,000 cap for physicians or providers. An additional $250,000 against each health care institution. Effective 2003

<table>
<thead>
<tr>
<th></th>
<th>2012-2016 Average</th>
<th>State Rank</th>
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</thead>
<tbody>
<tr>
<td>Annual Per Capita Malpractice costs: All Providers</td>
<td>$3.33</td>
<td>49</td>
</tr>
<tr>
<td>Annual Per Capita Malpractice costs: MD/DO only</td>
<td>$2.77</td>
<td>49</td>
</tr>
<tr>
<td>Annual Claims per 1 Million Residents</td>
<td>21.11</td>
<td>45</td>
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<tr>
<td>Annual Claims per 100 Practicing Physicians</td>
<td>0.73</td>
<td>34</td>
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Table showing the average amount paid per capita each year in Texas 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 Texas those years.

Brief summary: In 2003 Texas passed a tort reform bill that caped non-economic damages at $250,000. Over the next two years, paid claims dropped by over 50%, malpractice costs dropped by over 60%. Both have gone down even further in the years since. In addition to the damage cap, Texas also imposed additional restrictions regarding how and when plaintiffs can file suits. These restrictions make the filing of any medical malpractice suit inconvenient enough to further reduce malpractice claims.

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://truecostofhealthcare.net/malpractice_statistics/
https://www.npdb.hrsa.gov/analysistool/
http://www.atra.org/issues/noneconomic-damages-reform
Graphic Summary of Medical Malpractice Incidence and Cost for Texas from 1991-2017

**Paid Medical Malpractice Claims in Texas Each Year**

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

**Total Amount Paid in Texas Each Year**

Figure 2: Total amount paid for all medical malpractice claims from 1991-2017 for all health care practitioners and MD/DOs only in Texas.
In Figure 3, we can see the data from Figure 2 adjusted for inflation, presented in millions of 2017 dollars. The graph shows the trend of Inflation Adjusted Amount Paid over the years from 1991 to 2017, distinguishing between All Providers and MD/DO Only. The data highlights the impact of inflation on healthcare costs and provider reimbursement.