State Rankings for Medical Malpractice Costs and Number of Paid Claims

By David Belk MD

The following pages contain four graphs that rank each of the 50 states plus the District of Columbia by:

1. The average annual per-capita medical malpractice costs in each state from claims against all medical providers from 2012-2016 (page 2). All medical providers include physicians (MDs and DOs), dentists, dental hygienists, podiatrists, chiropractors, nurses, nurse practitioners, optometrists, pharmacists, physician assistants, social workers, therapists, technicians and counselors. Annual per-capita cost is total amount spent on all claims each year/state population for each year.
2. The average annual per-capita medical malpractice costs in each state from claims against physicians (MDs and DOs) only from 2012-2016 (page 3).
3. The average number of medical malpractice claims against all medical providers paid per million residents in each state from 2012-2016 (page 4).
4. The average number of medical malpractice claims against physicians-only paid per 100 practicing physicians in each state from 2012-2016 (page 5).

In addition to ranking each state by per-capita medical malpractice costs and number of paid claims, the following graphs show which states have tort reform laws that attempt to reduce the cost of medical malpractice claims in the state. Tort reform laws for each state are indicated by:

1. An asterisk (*) by the state’s name indicates the state has a tort reform law intended to reduce the cost of medical malpractice claims in that state.
2. A red bar (darker bar in black and white) indicates that the state has a more robust tort reform law that either caps non-economic damages in medical malpractice claims to $500,000 or less, caps total damages to $1 million or less or both. Florida (*/*) had a non-economic damage cap of $500,000 that was repealed by their state Supreme Court in 2014 (halfway through the allotted time period of 2012-2016)
3. States without any tort reform addressing medical malpractice have blue bars and no asterisk.

The details of each state’s medical malpractice paid claims from 1991-2017 can be found at:
https://www.npdb.hrsa.gov/analysis/tool/
http://truecostofhealthcare.org/malpractice_statistics/

The details of each state’s tort reform laws can be found at:

And the number of practicing physicians in each state can be found at:
https://www.aamc.org/data/workforce/
Average Annual Per-Capita Medical Malpractice Costs for All Practitioners From 2012-2016

- New York
- New Jersey
- Pennsylvania
- Massachusetts
- Rhode Island
- New Hampshire
- Connecticut
- New Mexico
- Maryland
- West Virginia
- Illinois
- Maine
- Louisiana
- District of Columbia
- Florida
- Georgia
- Montana
- Oregon
- Arizona
- Indiana
- South Dakota
- Delaware
- Missouri
- Oklahoma
- Washington
- Wyoming
- Kentucky
- Hawaii
- Kansas
- Alaska
- Virginia
- South Carolina
- Idaho
- Nebraska
- Utah
- Colorado
- Arkansas
- Nevada
- Michigan
- Iowa
- Tennessee
- California
- Ohio
- Alabama
- Minnesota
- Mississippi
- Vermont
- North Carolina
- Texas
- North Dakota
- Wisconsin

Costs range from $0 to $40 per capita.