

Louisiana Medical Malpractice Summary and Statistics

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Tort Reform Law: RS §40:1299.42. \$500,000 limit for total recovery. Health care provider liability limited to \$100,000. Any award in excess of all liable providers paid from Patient's Compensation Fund.

Effective 1991

	2012-2016 Average	State Rank
Annual Per Capita ¹ Malpractice costs: All Providers ²	\$11.99	13
Annual Per Capita Malpractice costs: MD/DO only	\$10.56	13
Annual Claims per 1 Million Residents	65.23	4
Annual Claims per 100 Practicing Physicians	2.17	2

Table showing the average amount paid per capita¹ each year in Louisiana 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 Louisiana those years.

Brief summary: It would be hard to imagine a more glaring example of a tort reform failure than the case of Louisiana. Louisiana has one of the most draconian caps on malpractice awards in the U.S. Their law doesn't just cap non-economic damages, they cap *total* damages at \$500,000! In spite of this cap, Louisiana has had among the highest per-capita medical malpractice costs and number of claims in the U.S.

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/

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

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

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

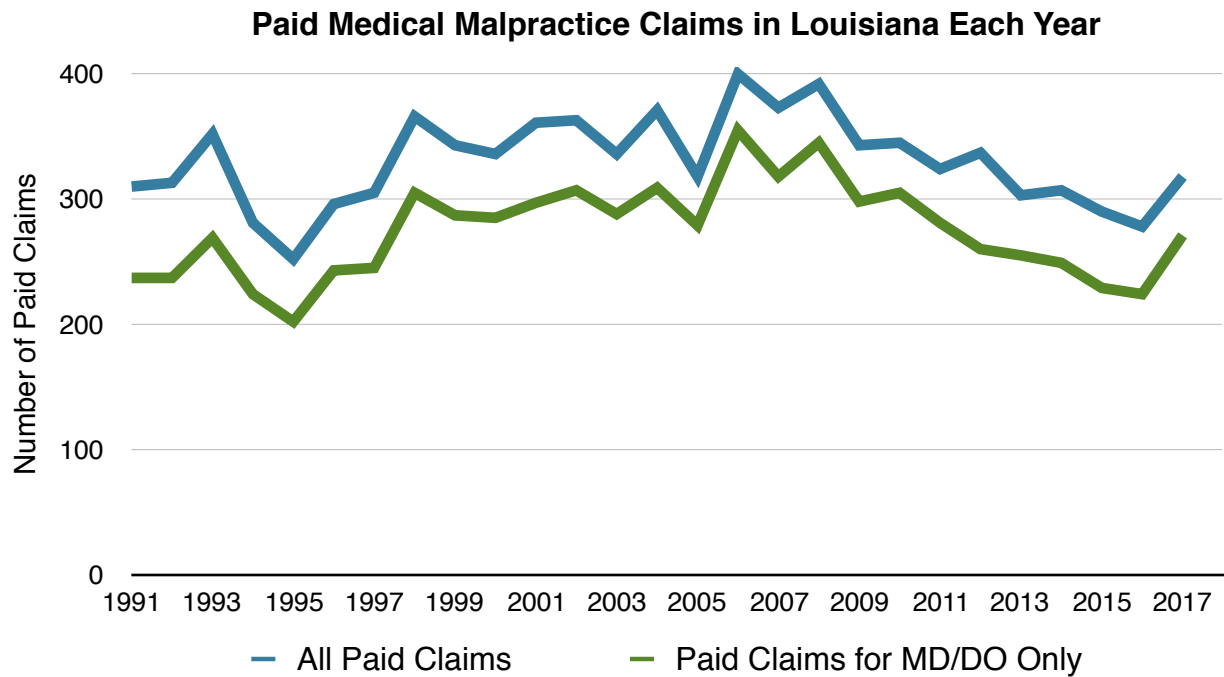


Figure 1: Total number of paid medical malpractice claims for Louisiana from 1991-2017 for all health care practitioners combined as well as for MD/DOs only.

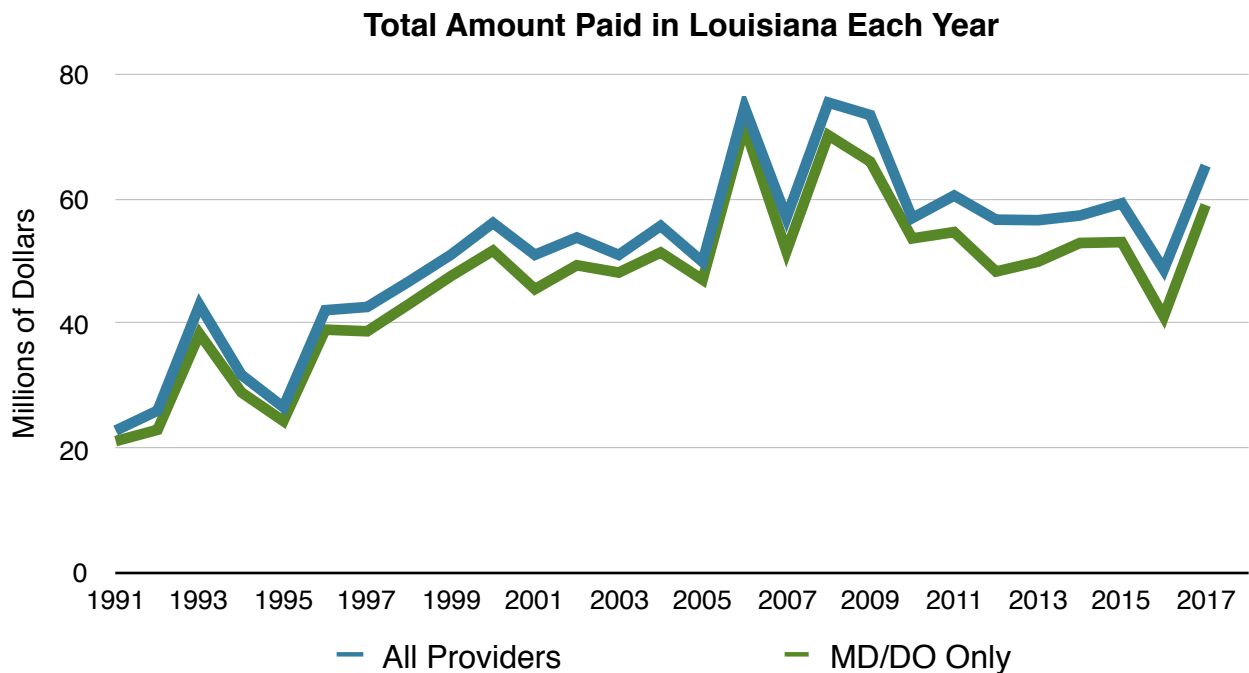


Figure 2: Total amount paid for all medical malpractice claims from 1991-2017 for all health care practitioners and MD/DOs only in Louisiana.

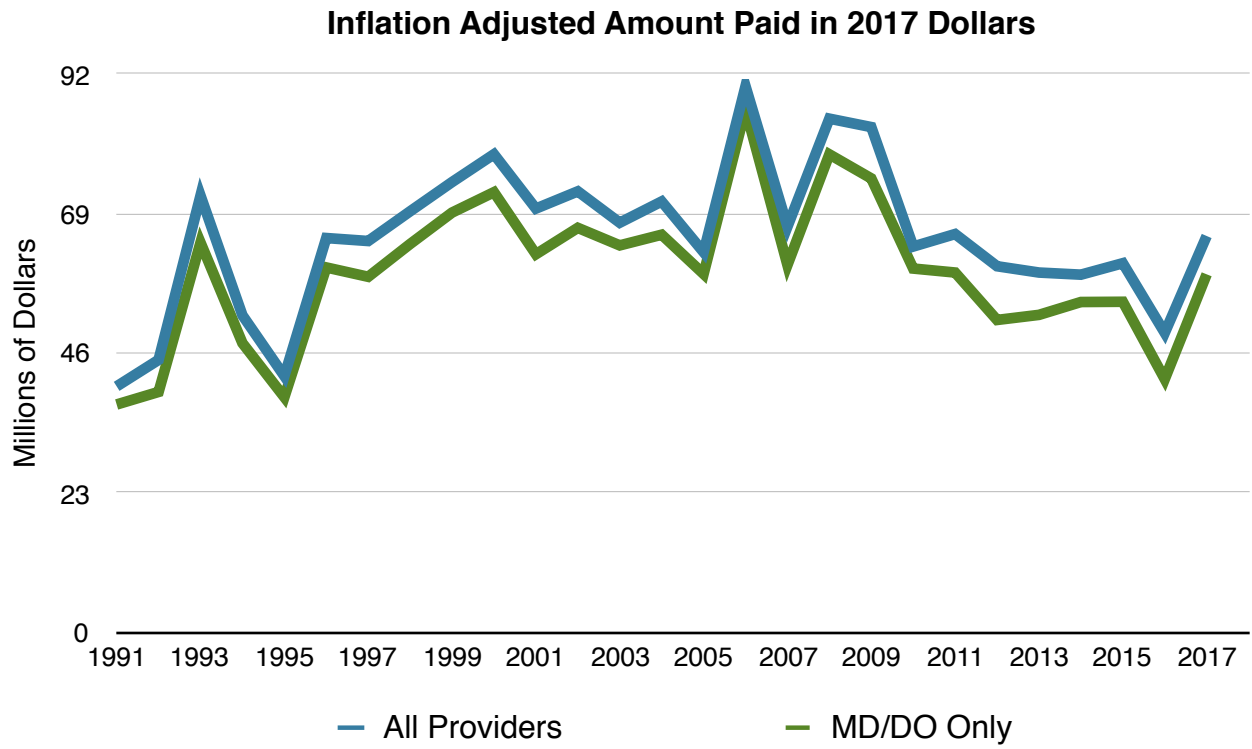


Figure 3: Figure 2 data when adjusted for inflation.