

# Massachusetts Medical Malpractice Summary and Statistics

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Tort Reform Law: Ch. 231 §60H. Non-economic damage cap of \$500,000 except in catastrophic injuries.  
Effective 1986

	2012-2016 Average	State Rank
Annual Per Capita <sup>1</sup> Malpractice costs: All Providers <sup>2</sup>	\$25.12	4
Annual Per Capita Malpractice costs: MD/DO only	\$21.10	5
Annual Claims per 1 Million Residents	45.59	11
Annual Claims per 100 Practicing Physicians	0.71	36

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

Brief summary: Massachusetts has had among the highest medical malpractice costs in the U.S. for many years in spite of their cap on awards for non-economic damages. What's interesting is the fact that the damage cap in Massachusetts is essentially the same as Florida's damage cap was. So, why did this law appear to work so well in Florida when it doesn't appear to have any effect on medical malpractice costs in Massachusetts?

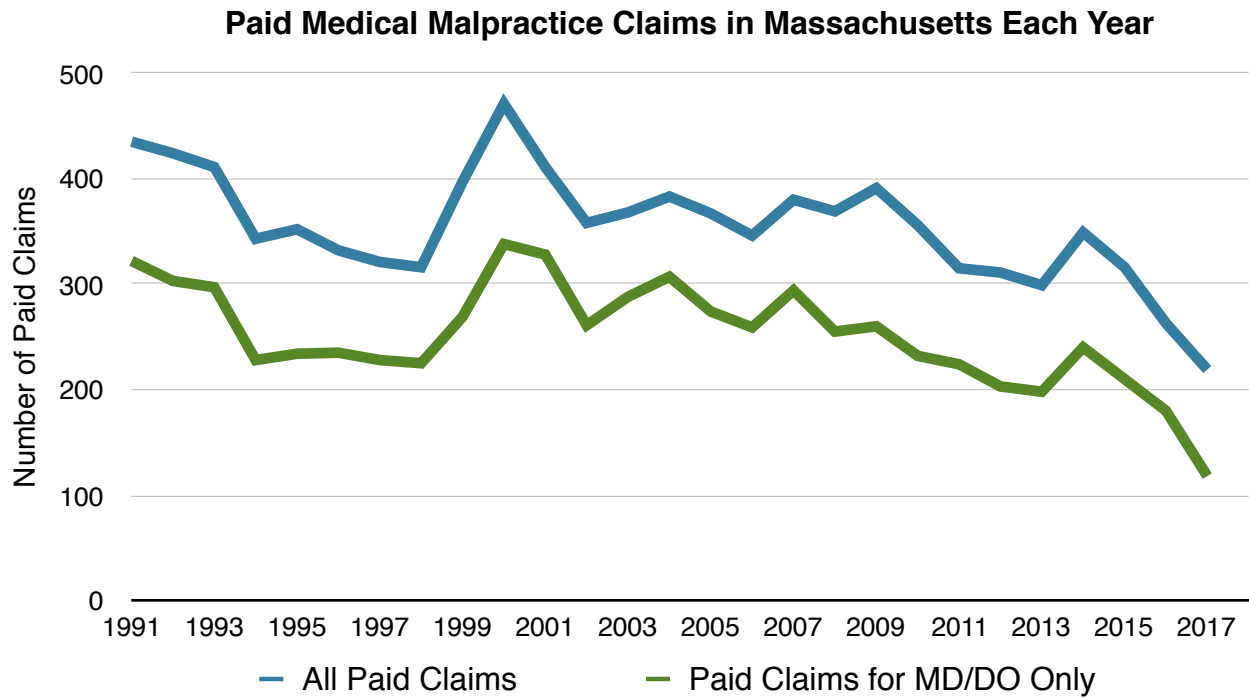
## Notes

- 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...

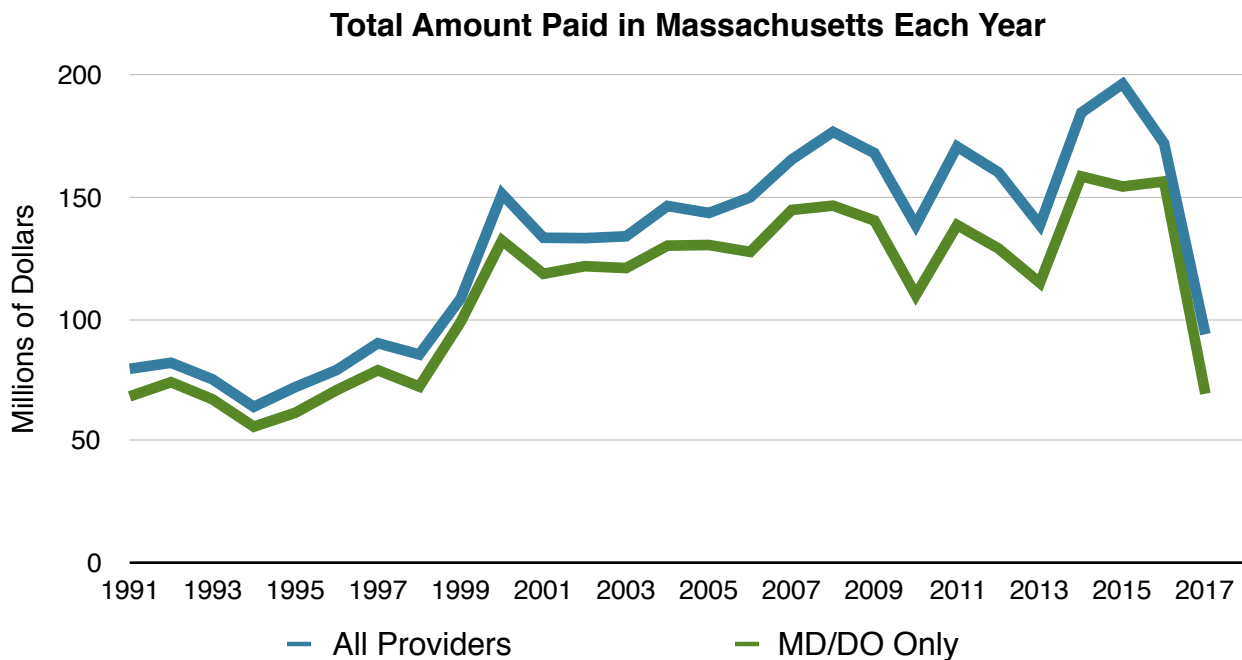
## Sources

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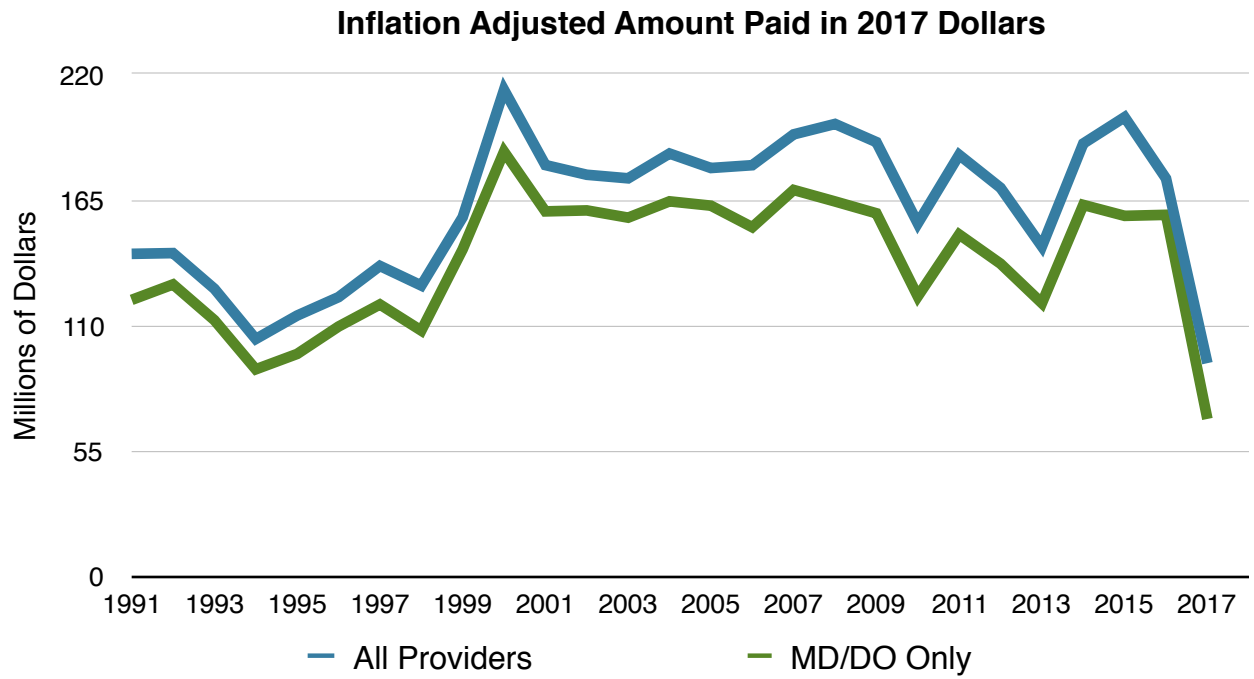
**Graphic Summary of Medical Malpractice Incidence and Cost for Massachusetts from 1991-2017**



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



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