

South Dakota Medical Malpractice Summary and Statistics

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Tort Reform Law: §21-3-11. Non-economic damage cap of \$500,000.
Effective 1976

	2012-2016 Average	State Rank
Annual Per Capita ¹ Malpractice costs: All Providers ²	\$10.01	21
Annual Per Capita Malpractice costs: MD/DO only	\$9.23	18
Annual Claims per 1 Million Residents	25.37	35
Annual Claims per 100 Practicing Physicians	0.79	33

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

Brief summary: South Dakota provides a good example of how damage caps for medical malpractice provide no guarantee that there won't be huge awards in certain cases. The cost of medical malpractice in South Dakota has been generally pretty low most years. In 2014, two really expensive cases that awarded over \$10 million in total damages shot South Dakota's per capita costs up to 3rd in the nation that year.

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/analysistool/>

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

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

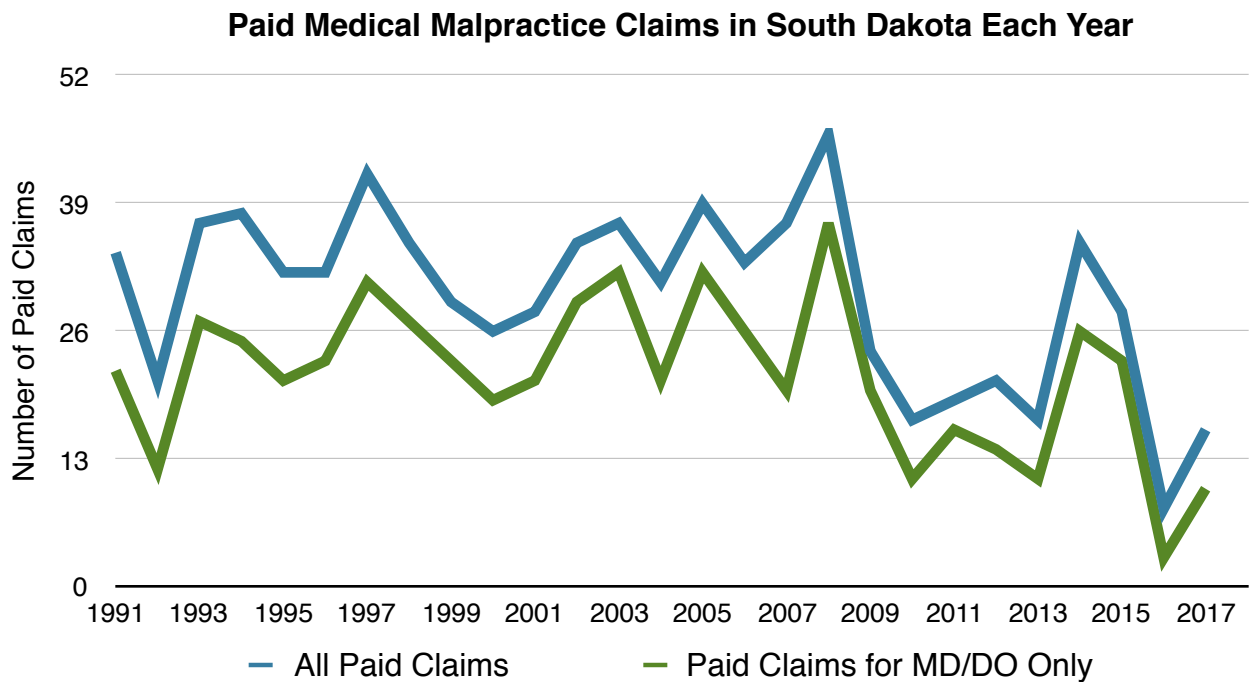


Figure 1: Total number of paid medical malpractice claims for South Dakota from 1991-2017 for all health care practitioners combined as well as for MD/DOs only.

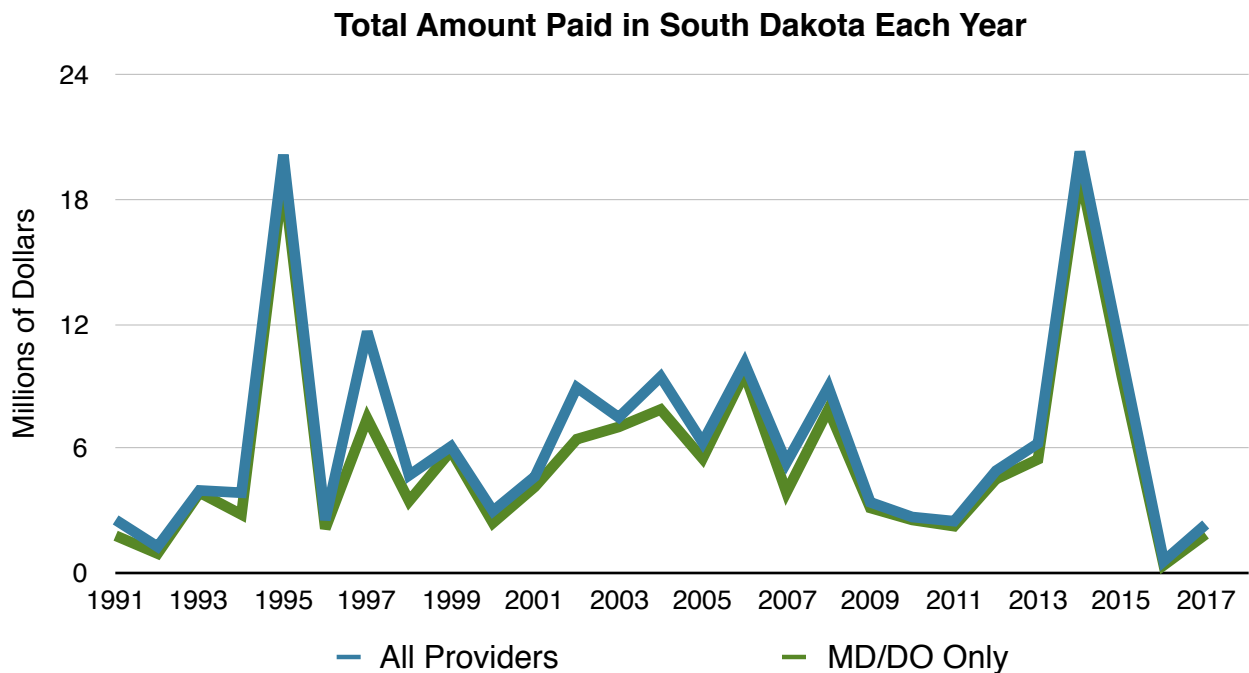


Figure 2: Total amount paid for all medical malpractice claims from 1991-2017 for all health care practitioners and MD/DOs only in South Dakota.

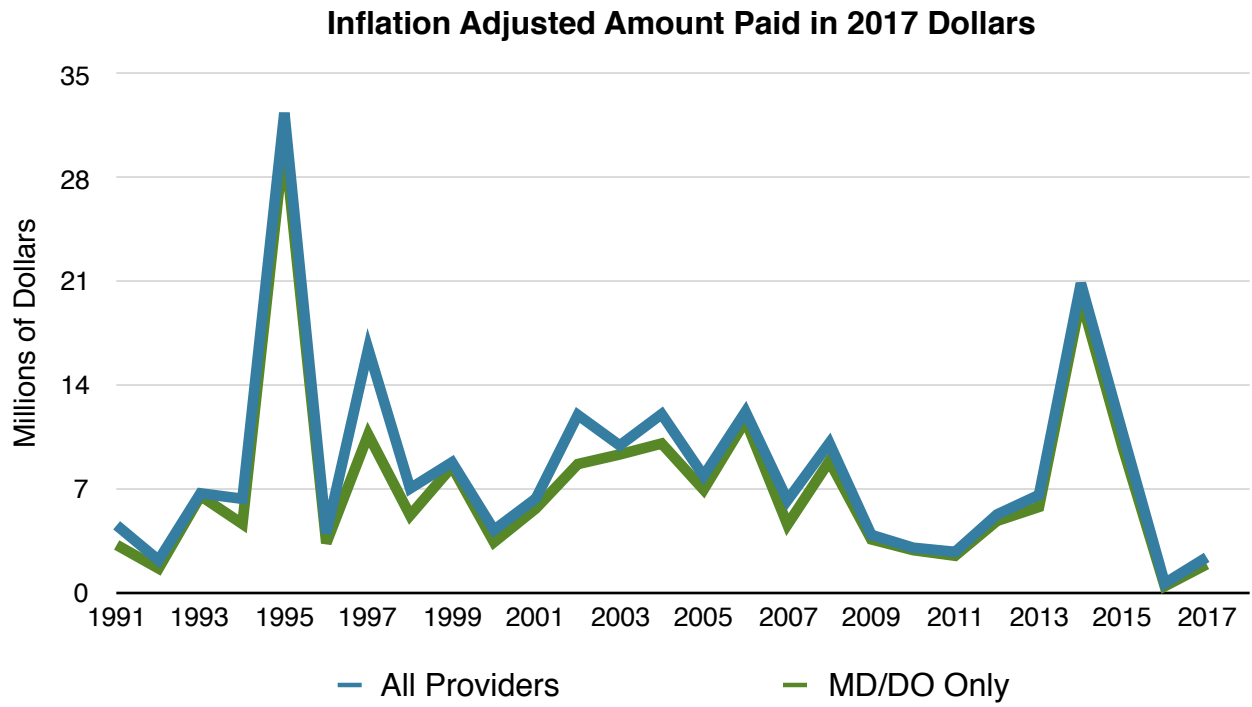


Figure 3: Figure 2 data when adjusted for inflation.