

INTRODUCTORY NEWSLETTER



DISCLAIMER

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INTRODUCTION



I'm Dr. Victor Waters. After approximately 25 years working as an Internal Medicine and Emergency Medicine Physician, I took a sabbatical and went to law school. It is my intention to pass along some of the malpractice pearls I learned through years of practice and in law. If I can keep just one physician from the unnecessary pain of a lawsuit, I have served my purpose.

WHY THE LAW-4-DOCS.COM WEBSITE?

1

There is a serious **GAP** in physician education and knowledge about malpractice law. I remember back to my one medical school lecture given by a Physician Attorney in 1981. Since then I have seen very little in the way of formal curriculum development to help prepare medical students and resident physicians to avoid the legal **MINEFIELDS** of malpractice.

2

The second reason is to help you understand and manage your **RISK**. ALL physicians are in **clear and present danger** to be sued. It doesn't matter your age, race, quality of medical education, or whether you've graduated top of your class or residency. It also doesn't matter if you are an expert in your field, current in your practice, or in academic, group or private practice. We are all in danger.

FACTS

- According to a report released by the AMA, 95 out of every 100 physicians are sued!
- Nearly half of doctors between the ages of 40 and 54 have been sued
- 61% of docs over the age of 55 have been sued.
- A recent NEJM study found that 75% of physicians in **LOW RISK** specialties are sued, compared to 99% of physicians in high risk specialties.¹
- Risk of lawsuits may vary by specialty, but the fact remains - **NO ONE** wants to be sued and most of us will be – at least once.

¹"Policy Research Prospective, Medical Liability Claims Frequency" by Carol Kane (www.ama-assn.org/ama1/pub/upload/mm/363/prp-201001-claim-freq.pdf).

** Malpractice Risk According to Physician Specialty". NEJM Aug 18, 2011.

THE RISKS



- 1) Pressure to see more patients in less time paves the way to decreased patient engagement, difficulty creating trusting relationships and more medical errors.
- 2) Medical and surgical care has become increasingly complex – leading to a greater likelihood of poor outcomes.
- 3) Complex meds and polypharmacy may lead to increased drug interactions and worse outcomes.
- 4) Electronic medical records may be a barrier to doctor/patient engagement. Patients may feel they are not heard when the doctor is focused on the computer.
- 5) Internet access to medical information may lead to patient doubts and/or distrust in their care and physician.
- 6) There is a greater patient expectation of “perfect” care management.
- 7) Organizational systems issues: Delays in communication that are out of our control can result in delay in diagnosis. The root cause may however be a systems issues in reporting lab, MRI, CT or Xray results. Unfortunately, you are the one the patient blames, whether it is a system fault or not.

MORE RISKS

LAW VS MEDICINE



In the U.S., there are **200 law schools** graduating **45,000 students per year** and that number is on the rise. Compare that to **160 medical schools (including Osteopathic Schools)** graduating **16,000 students per year**. Additionally, there are fewer residency slots available because of programmatic and financial constraints. Just to illustrate this point, in 2009 there were - **730,000 US physicians** compared to **1.1 million attorneys**.

Let's say if third to half of all graduating law students practice some form of malpractice or civil law, that would mean that for every graduating doctor there is at least one graduating law student ready and willing to sue us. Ironically, with all of these known risk factors, there is little formal action to create programs to educate and reduce our liability.

HARMS OF A LAWSUIT

3

The third reason I created Law-4-Docs - is to help you understand the **HARMS** of a liability claim. Regardless of whether a doctor wins, loses or settles, a lawsuit hurts us in **3 ways**.

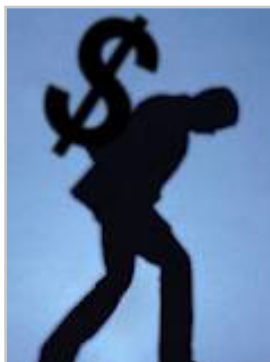


EMOTIONALLY

The lawsuit may create self-doubt, low-self esteem, depression, anger, resentment, and isolation.

PROFESSIONALLY

It may reduce career mobility, result in license restriction or revocation, job loss, or diminished reputation amongst peers and the public.



FINANCIALLY

Exposure to excess awards from runaway juries that exceed insured liability could lead financial ruin or at the least, strong financial impact. Attorney fees against State Board Actions can easily exceed \$100,000.

LIFE SAVING

LAW-4-DOCS.COM IS A “LIFE SAVING” RESOURCE.

The Law-4-Docs web site is designed to be a **life saving resource** for doctors, students, residents, physician assistants, nurses and really all who come in contact with patients.

This is the first web-training site specifically designed to educate medical professionals about malpractice. The site will regularly add new topics.

As a physician and attorney it has been a career goal of mine to educate and support doctors in reducing their liability risk. I want to help you understand the process before becoming a victim to the tragic consequences of malpractice. I have seen too many doctors' and residents' lives turned upside down by a lawsuit.

Here's a site that can and will make a difference in your life.

WELCOME TO LAW-4-DOCS.COM. I'M HONORED TO SERVE YOU.