

The Practicalities of Avoiding Medical Malpractice Litigation

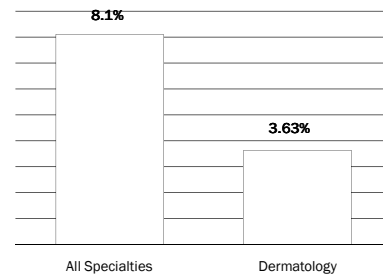
Kenneth J. Warner
MAG Mutual Insurance Company

THERE IS ONE FOOLPROOF METHOD TO GUARANTEE YOU WILL NEVER BE SUED FOR MEDICAL MALPRACTICE:

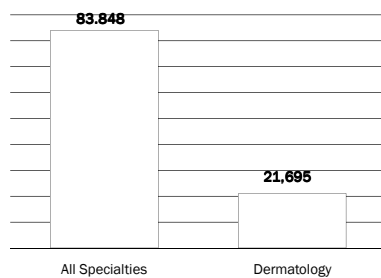
Never practice medicine.

Assessing Your Risk

CLAIM FREQUENCY (%)
2000 - 2010 Report Year



SEVERITY
2000 - 2010 Report Year



How to Avoid Being Sued

- A. Who is suing you and why?
1. The "toxic" patient - just because.
 2. The unrealistic patient - because they will never be happy with themselves.
 3. The guilty family member - because somebody has to be at fault.
 4. The "best" patient - when they perceive you've let them down.

**Can I Decrease the Risk These People
Will Sue Me?**

1. The "toxic" patient – You have little control.
2. The unrealistic patient – You have slightly more control.
3. The guilty family member – You have some control.
4. The "best" patient – You have more control.

HOW CAN I DECREASE THAT RISK?

1. Stating the obvious: practice the best medicine you can.
2. Your medical record: yes, it can keep you from being sued.
3. Beware of "overselling."
4. Consistent communications, especially at the point something has gone wrong.