

Sample Letter to U.S. Senators On Malpractice Insurance

Honorable [Name of Senator, either Charles Schumer or Hillary Rodham Clinton]
United States Senate
Washington, DC 20510

Dear Senator:

The cost of malpractice insurance in New York State has become unaffordable for hospitals and physicians, threatening the health care received by all New Yorkers. We desperately need your help to secure legislative relief from the high costs of malpractice insurance this year by supporting the provisions contained in S.4, introduced by Senator Bill Frist (R-TN).

A recent survey by the Greater New York Hospital Association (GNYHA) showed that hospitals in the downstate New York area have experienced average annual malpractice premium increases of 27% per year from 1999 through 2004. The cumulative percentage increase in malpractice premiums was 147%. Here at {name of hospital} our malpractice insurance costs have increased {cite hospital-specific increases}, making it difficult for us to continue to afford to provide critical services.

Our physicians are struggling as well. New York is one of 20 states the American Medical Association (AMA) has designated medical malpractice “crisis states” for physicians. New York’s various attempts to ensure the availability and affordability of physician malpractice coverage include granting authority to the State Insurance Department (SID) Superintendent to set premium increases each year, creating a special program to insure providers who cannot obtain coverage through mainstream carriers, and establishing a taxpayer-funded pool to provide an extra layer of physician malpractice coverage. Despite these efforts, New York’s physician premiums are among the very highest in the nation and the number of providers relying upon the high-risk pool program is growing.

The worst aspect of this crisis is that it appears to be affecting patients’ access to services as obstetrician/gynecologists (OB/GYNs) report that they have stopped or decreased the amount or nature of obstetrical care they perform because they fear malpractice exposure. In New York, the number of OB/GYNs per 100,000 population caring for patients decreased by 4.1% from 1998 to 2002, while the number of patient care physicians per 100,000 overall declined by 1.5%. In addition, several New York hospitals have discontinued providing obstetrical services altogether in recent years.

For these reasons, we strongly urge you to support the medical malpractice provisions in S.4. At a time when New York’s hospitals are struggling financially, and Medicare has once again cut reimbursements to New York’s hospitals, the provisions in S.4 will at least help reduce one of the many cost pressures we face and enable us to continue to serve our community.

Sincerely,