

Massachusetts primary care malpractice claims related to alleged misdiagnoses

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Most of the primary care malpractice claims filed in Massachusetts are related to alleged misdiagnoses, according to study in *JAMA Internal Medicine* by Gordon D. Schiff, M.D., of the Harvard Medical School and Brigham and Women's Hospital, Boston, and colleagues.

The focus for improving patient safety and [malpractice](#) risk is increasingly on outpatient care, according to the study background.

Researchers examined the types, causes and outcomes of [primary care malpractice claims](#) by studying closed (resolved) claims data from two Massachusetts insurance carriers that covered most of the state's physicians from 2005 through 2009.

Of 7,224 malpractice claims during the 5-year study period, 551 were from primary care practices. Allegations were primarily related to diagnosis, comprising 397 cases (72.1 percent), most often failures to diagnose or delays in diagnosis of cancer. Less frequent allegations were related to medications in 68 cases (12.3 percent), other medical treatment in 41 cases (7.4 percent), communication in 15 cases (2.7 percent), patients' rights in 11 cases (2 percent) and patient safety or security in eight cases (1.5 percent), according to the study results. Researchers also found that primary care malpractice cases were more likely to be settled or result in a verdict for the plaintiff compared with non-general [medical malpractice claims](#).

"Compared with malpractice allegations in other settings, primary care

ambulatory claims appear to be more difficult to defend, with more cases settled or resulting in a verdict for the plaintiff," the study concludes.

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