

Prior paid medical malpractice claims predict future claims risk

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A single prior paid medical malpractice claim is associated with

substantial, long-lived higher future claim risk, according to a study published online Feb. 10 in *JAMA Health Forum*.

David A. Hyman, J.D., M.D., from Georgetown University in Washington, D.C., and colleagues examined the association of prior paid medical malpractice claims with future paid claims. The analysis included all 881,876 [physicians](#) licensed to practice in the United States.

The researchers found that 3.3 percent of physicians with no paid claims in the prior period had one or more claims in the future period versus 12.4 percent of the physicians with one paid claim in the prior period, 22.4 percent of physicians with two paid claims in the prior period, and 37 percent of physicians with three paid claims in the prior period. For both high medical malpractice-risk and lower-risk specialties, the association between prior claims and future claims was similar, with one prior-period claim associated with a 3.1 times higher likelihood of a future-period claim for high-risk specialties versus a 4.2 times higher likelihood for lower-risk specialties. With increasing time since the prior claim, the predictive power of a prior paid claim for future claims declined gradually. Public disclosure did not affect the association between prior and future paid claims.

"The findings of this study suggest that paid medical malpractice claims are not random events; timely noncoercive intervention has the potential to reduce future claims," the authors write.

More information: David A. Hyman et al, Association of Past and Future Paid Medical Malpractice Claims, *JAMA Health Forum* (2023). [DOI: 10.1001/jamahealthforum.2022.5436](https://doi.org/10.1001/jamahealthforum.2022.5436)

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