

# Consumers should demand a tru

By Jennifer Dingman

An Oklahoma woman sued a doctor because her newborn daughter suffered alleged medical negligence. The jury sided with the doctor. The doctor's lawyer said they couldn't have won the case without the husband's videotape of the woman giving birth.

But now doctors, hospitals and insurance companies are banning some videotaping during childbirth and other medical procedures.

The Harvard Medical Study estimates that 80,000 to 300,000 Americans die or are injured every year as a result of medical mistakes. An American Medical Association report last fall put the figure even higher, with 3 million killed or hurt in hospitals alone at a cost of \$200 billion.

St. Johns Hospital in Smithtown, N.Y., was cited by the state for substandard care, and Newsday covered the story. It reported July 27, "More than 100 people called to tell stories. Scores of others who contacted Newsday since the hospital was



**GUEST COMMENTARY**

put under state monitoring May 28 described a daily toll of indignities they say jeopardized their recovery and caused additional stress and suffering."

With this many "bad outcomes," I am shocked that the medical community and its insurers believe citizens would allow a ban on use of video equipment.

The primary goal of a medical malpractice insurance company's risk-management agents is to "keep physicians out of trouble." Obstetricians are advised to consider the risk before allowing cameras into the delivery room.

What about our risk? In 1997, Colorado's largest insurer of physicians received more than 4,000 incident reports

that could have resulted in lawsuits. The insurance company, COPIC (originally Colorado Physicians Insurance Co.), is a profit-sharing enterprise created by and for physicians. Such physician-owned insurers mean lower malpractice rates and, of course, profit sharing.

In 1997, 33,434 cases were filed in Colorado courts, with only 171 claiming medical negligence or malpractice. Only 63 plaintiff verdicts have been rendered since 1983 in medical cases. Risk management must be a very rewarding career.

The push to ban videos for an industry that needs no further protection is unjustifiable. Videos bring the truest record to a courtroom, ensuring swift justice. So true that perhaps a physician will concede a mistake and settle fairly to keep the case from going to a jury. Medical lawsuits aren't brought by greedy victims, but by stingy insurance companies refusing to acknowledge incidents occur.

American medicine has no federal overseers, only underfunded and under-