

Rising Insurance Rates Put City Doctors Out of Business

BY ELIZABETH SOLOMONT - Special to the Sun

The New York Sun, July 6, 2007

URL: <http://www.nysun.com/article/57934>

Dr. Scott Berlin has delivered close to 2,000 babies since 1994, but an increase in malpractice insurance rates announced this week prompted a decision to close up shop.

The Long Island obstetrician will owe \$190,000 in liability costs after the state's Department of Insurance announced a 14% insurance rate hike, effective July 1.

"You can't do enough deliveries to pay for this. It's undoable at this point," Dr. Berlin, 45, who will join a gynecology practice at Lincoln Hospital in the Bronx, said. "It's a rotten taste in every obstetrician's mouth right now in New York."

With many doctors soul-searching in the days following the largest increase in malpractice insurance rates since 1993, some in the medical community are warning of physician shortages as doctors retire early or leave their specialties for ones with lower liability costs.

"We are deeply concerned that, in fact, this latest increase will have an effect on physicians' decision both as to how they practice and in some cases whether they continue to practice in this state," the senior vice president for government affairs at the Medical Society of the State of New York, Gerard Conway, said.

Yesterday, the New York Chapter of the American College of Physicians issued a statement warning that the rate increase could bring about a primary care physician shortage.

At least one family practitioner in Brooklyn, Mark Krotowski, said he has stopped accepting new patients. "I've been slowing down. I'll go into retirement slowly and then take a teaching position," Dr. Krotowski, who heads the Department of Family Medicine at Brookdale University Hospital and Medical Center, said.

According to a report by the Manhattan Institute's Center for Legal Policy, malpractice premiums are directly linked to litigation awards. According to the report, between 1999 and 2001, the average malpractice insurance premium for a New York doctor was \$42,916. That amount was double the national average of \$20,000, the report stated.

Analysts said that high liability costs likely will impact patients and drive up health care bills.

"It results in people leaving or not practicing here in the first place, and it results in higher medical costs for those who are treated by the specialists who stay behind, which in turn drives high health insurance premiums," the director of the Manhattan Institute's Empire Center for New York State Policy, E.J. McMahon, said.

The head of the obstetrics and gynecology department at Lutheran Medical Center in Brooklyn, Iffath Hoskins, said five physicians in her practice have stopped delivering babies within the past two years.

Dr. Hoskins, who for 30 years has specialized in high-risk pregnancies, said of her own practice, "It will get to a point, probably sooner rather than later, when it cannot sustain itself."

For specialists like brain surgeons, who in parts of the city will now pay \$267,000 for insurance, the cost is proving to be a last straw for some.

One neurosurgeon in Westchester, N.Y., Ezriel Kornel, said a partner in his group practice recently announced he will quit. "It just becomes almost impossible to stay in practice when you have to pay insurance premiums that are that high," Dr. Kornel said.

Another increase could put him out of business, too, he said. "I'm not going to allow myself to become economically disadvantaged, to say nothing of the emotional and mental misery of this constant expectation of being sued."

Dr. Berlin, who said he chose obstetrics because he enjoyed "bringing life into the world," the decision to stop practicing has been emotional. "But it's a matter of waiting until you're bankrupt or trying to do something before that happens, which is the path I'm taking," he said.