

## Malpractice rate hike hits local health care

By Delen Goldberg

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Pregnant women in Oswego County facing complicated births must go to Upstate Medical University in Syracuse to deliver their babies. "In Oswego County, there is no longer an obstetrician who will take on high-risk pregnancies, and attempts to get someone to come to that county to do that have not been successful," said Gerald Hoffman, executive vice president of the Onondaga County Medical Society, which serves Syracuse and Central New York. For expectant parents, that can mean a 45-minute drive to the hospital in good weather - far longer in bad weather - and added risk to both mother and child.

The situation is troubling, patients and those in the medical profession say, and it's likely to get worse. The state's top insurance administrator on Monday announced that doctors must pay 14 percent more for medical liability insurance this year than last. That's the biggest increase state physicians have seen for malpractice insurance in a decade. It comes on the heels of liability insurance rates almost doubling over the past five years.

The likely result: Higher healthcare costs and fewer doctors to treat patients, especially in high-risk specialties such as obstetrics and neurosurgery where doctors typically pay higher insurance premium because they face frequent lawsuits.

"The rate increase is another nail in the coffin for New York state physicians already facing reductions in reimbursement from health insurers and the proposed 40 percent decrease in Medicare reimbursement slated for the next nine years," said Dr. Richard Semeran, a local OB/GYN and president of the Onondaga County Medical Society. "Here in Syracuse, we are hearing about physicians who have had enough and have publicly stated their intention to close their practice."

New York faces a potential a health care crisis, as taxes and insurance costs force doctors out of state. "I am concerned that the increasing cost of medical liability insurance will drive some physicians out of the field and will discourage young people from entering the medical profession in the first place," state Health Commissioner Dr. Richard Daines said.

Central New York by no means has the highest premiums in the country, or even the state. Doctors' insurance costs here pale in comparison to those in cities such as St. Louis, Chicago and Philadelphia, said Dr. Walter Hall, chairman of the neurosurgery department at University Hospital.

Downstate doctors also have it bad. Malpractice premiums for obstetricians in Suffolk County, for example, will reach about \$196,000 this year, said Dr. Richard Waldman, a local OB/GYN and New York chairman for the American College of Obstetricians and

Gynecologists. But the increases do take a toll locally. Waldman, for example, said he has to deliver about 70 babies to cover his liability overhead. With annual insurance increases, that number rises. "This is a squeeze," Waldman said. "We have a total understanding that the insurance rates have to get increased because their surplus is dwindling. But people are working harder and harder and harder, and it's creating a lot of financial pressure for the obstetricians in the area. It's like having a noose around our necks that is slowly tightening year after year."

State Insurance Superintendent Eric Dinallo said he approved the increase to try to offset a crumbling insurance industry. Insurance carriers for years have asked for double-digit rate hikes, sometimes as much as 30 percent, and received increases ranging from nothing to 9 percent. Without higher premiums, Dinallo said, insurance companies could fold, further limiting healthcare access to state residents.

"After years of failing to confront the fundamental problems that have led to this current environment, we have inherited the worst of both worlds: Physicians who cannot afford to practice medicine and insurers whose financial condition is rapidly eroding," Dinallo said. "The cause is high medical liability costs, and this administration is going to address it."

Spitzer on Monday charged Dinallo with heading a new task force to examine why state medical malpractice costs are skyrocketing. The task force will comprise members of medical associations, insurance companies, consumer groups and the state Legislature and will be tasked to come up with short- and long-term reforms. Dinallo is expected to report to the governor by the end of the year.

"Physicians across the state have been pleading for years to the governor and the state Legislature that they needed to address this, what we feel is a crisis," Hoffman said. "It is encouraging to hear them say, "Hey, we've got a problem, and we need to take care of it." Delen Goldberg can be reached at [dgoldberg@syracuse.com](mailto:dgoldberg@syracuse.com) or 470-2274.