

**THE EFFECTS OF THE MEDICAL
MALPRACTICE INSURANCE CRISIS**

Mr. FANNIN. Mr. President, recently one of my constituents, John Anusewicz, a physician's assistant trainee, wrote to me concerning the effects of the medical malpractice insurance crisis on physicians and their ability to practice. His concern that this crisis may drive many physicians out of medical practice and into other health care endeavors or to early retirement is one which I share as well. Because Mr. Anusewicz's letter deserves wider circulation as an example of the effects of the crisis in malpractice insurance, I ask unanimous consent that his letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

GILA VALLEY CLINIC,
Safford, Ariz., August 9, 1975.

Senator PAUL FANNIN,
U.S. Senate,
Washington, D.C.

DEAR SENATOR FANNIN: I am writing to you concerning a problem that I consider to be of the greatest importance to the people of Arizona and the country as a whole. I am referring to the medical malpractice insurance crisis.

I am presently a Medex (Physicians Assistant) student completing my training with a group of three family practitioners in Safford. There are a total of eight physicians in Safford, and they are the only physicians in Graham County with a population of 20,000.

Last week my doctors, who are fine people and dedicated physicians, lost a malpractice suit involving a child with brain damage from meningitis. I will not go into the details of the case except to say that after the trial was over one of the jurors told us that nobody on the jury thought the doctors guilty of malpractice or any error in judgment. They awarded \$250,000 to the family simply on the basis that the child needed it and the money was coming from an insurance company.

It is very painful for me to see how hurt these doctors are who have done so much for this community. One of them has definitely decided to move to another state and involve himself with academic medicine. The other two doctors are as yet undecided, but are contemplating similar moves.

As for me, if this is the kind of professional security that I can look forward to throughout my medical career, with my very home, property, and reputation in constant jeopardy, then I too will have no recourse other than to leave clinical medicine for a research position.

I do believe that malpractice does occur, and that people should have the right to redress their grievances under the law. But I also believe the physicians should have the right to practice medicine without living under the constant shadow of a lawsuit whenever the results of treatment fall short of God-like infallibility.

I urge you to sponsor or support any sensible legislation that will protect the rights of patients and physicians alike. I fear that if some radical changes are not made soon, the people of Arizona will find access to medical care more and more difficult, especially in the rural areas.

Sincerely yours,

JOHN ANUSEWICZ, *M.D.*