

Tort reform stimulates health care across Texas



Joe Nixon

SAN FRANCISCO — After the Texas Legislature enacted landmark tort reform legislation, it was a matter of time before defenders of the old status quo launched a counterattack.

The most notable attack has come from self-styled “consumer advocates,” who have claimed baselessly that Texas might now be a dumping ground for bad doctors.

One advocacy group, Texas Watch, recently charged that the state's new laws eliminating frivolous lawsuits against doctors are bad for consumers.

But in reality, the state is a healthier place because of the

reforms — and such reckless charges run aground on some hard facts.

Before passage of lawsuit-abuse reforms in 2003, Texas had great difficulty recruiting physicians. But since then, more than 7,000 new doctors have come here, and the Texas Medical Board has an additional 3,000 applications pending. Indeed, doctors are leaving world-renowned hospitals like the Mayo Clinic to come to the Lone Star State.

For instance, in addition to neurosurgeons, obstetricians, anesthesiologists, oncologists and thousands of other outstanding specialists that have moved to Texas this year, 26 desperately needed pediatric sub-specialists recently agreed to work for the Memorial Hermann Healthcare System in Houston.

Before passage of tort reforms, a normal year would only bring two of these physicians.

These doctors aren't coming because consumer advocates asked them. They're coming because the regulatory climate for their practices has greatly improved and because there's a strong need for their expertise.

The state's consumer-advocacy groups balk when presented with such evidence, claiming that lawsuits breed stronger patient safety standards, stricter accountability measures and better health care.

But excess litigation only serves to discourage doctors from working in Texas, leading to severe shortages in rural and other underserved areas of the state. And Texas already holds doctors accountable.

Even before the tort reforms, the Texas Medical Board was willing to aggressively pursue grievances against negligent physicians.

And today, the board thoroughly examines the application of every physician who wishes to move to the Lone Star State, a process that takes almost one year to complete.

In other words, even though consumer groups claim to have patients in mind, it often seems as if they've chosen more lawsuits rather than better health care by uniformly siding with trial lawyers over doctors.

Across the state, patients are enjoying the influx of new medical talent, and medical liability reform is a big reason for the growing number of health care professionals in Texas.

Entrenched interests might try to obstruct legal reform, but the increase in access to health care and the quality of that care speaks for itself.

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