

COMMON GOOD

REFORMING AMERICA'S LAWSUIT CULTURE

CONTACT: Danielle Rhoades – Goodman Media
(212) 576-2700 x 242

HARRIS INTERACTIVE SURVEY FINDS THAT 62 PERCENT OF AMERICAN ADULTS SUPPORT THE CREATION OF SPECIAL HEALTH COURTS

63 Percent Think That Medical Malpractice Claims Are Often Brought Against Doctors And Hospitals When There Has Been No Malpractice

New York, NY – June 14, 2004 – A new national survey, conducted by Harris Interactive® and released today by Common Good, has found that 62 percent of American adults favor having medical malpractice lawsuits tried in special health courts. When asked the following question – “Specifically, would you favor or oppose having medical malpractice cases tried in special courts presided over by medical professionals and other experts to review and decide injury cases?” – the response was as follows:

Favor	Oppose	Don't Know
62 %	20 %	18 %

Interestingly, support for special health courts was greater than support for limiting medical liability, but limiting medical liability was still supported by a more than 3-to-1 margin.

“Would you favor or oppose new legislation to limit the costs of medical liability and reduce the costs of medical malpractice insurance?”

Favor	Oppose	Don't Know
54 %	17 %	29 %

“These results confirm that Americans see the need to restore reliability to justice in health care,” said Philip K. Howard, Chair of Common Good, the bipartisan legal reform coalition that sponsored the survey. “Interestingly, all the public debate about capping damages seems to have raised awareness in the public that there is a deeper problem with the ad hoc nature of modern justice. The public clearly supports the idea of creating special courts for health issues. Such courts already exist in areas of law such as taxes, workers compensation, and vaccine liability.”

In response to a separate question – “How often do you think that medical malpractice claims are brought against doctors and hospitals when there has been no malpractice?” – 63 percent of those surveyed said that such claims occur “somewhat often” or “very often.” The entire response was as follows:

Never	1 %
Only occasionally	24 %
Somewhat often	41 %
Very often	22 %
Don't know	13 %

Additionally, 55 percent of Americans think that malpractice suits against doctors and their fear of being sued harm patient care, while 31 percent believe that it improves care.

“Overall, do you think that malpractice suits against doctors and their fear of being sued:”

Harm the quality of patient care a lot	31 %
Harm the quality of patient care a little	24 %
Improve the quality of patient care a little	19 %
Improve the quality of patient care a lot	12 %
Don't know	14 %

Survey Methodology

The Harris Interactive survey was conducted online within the United States between May 13 and 17, 2004 among a nationwide cross section of 2,386 adults (aged 18 and over). Figures for age, sex, race, education, region and household income were weighted where necessary to bring them into line with their actual proportions in the population. “Propensity score” weighting was also used to adjust for respondents’ propensity to be online. In theory, with probability samples of this size, one could say with 95 percent certainty that the results have a statistical precision of plus or minus 2 percentage points of what they would be if the entire adult population had been polled with complete accuracy.

Harris Interactive® (www.harrisinteractive.com) is a worldwide market research and consulting firm best known for *The Harris Poll*®, and for pioneering the Internet method to conduct scientifically accurate market research. Headquartered in Rochester, New York, Harris Interactive combines proprietary methodologies and technology with expertise in predictive, custom and strategic research. The Company conducts international research from its U.S. offices and through wholly owned subsidiaries—London-based **HI Europe** (www.hieurope.com), Paris-based **Novatris** and Tokyo-based **Harris Interactive Japan**—as well as through the Harris Interactive Global Network of independent market- and opinion-research firms.

Common Good is a bi-partisan legal reform coalition dedicated to overhauling America's lawsuit culture. Its board is composed of leaders in a wide range of fields: former government officials, including Griffin Bell, Newt Gingrich, Eric Holder, George McGovern, Diane Ravitch, Alan Simpson, and Richard Thornburgh; current and former university presidents, including Tom Kean, George Rupp, and John Silber, and numerous other leaders in education, healthcare, law, business and public policy. The Chair of Common Good is Philip K. Howard, a lawyer and author of *The Death of Common Sense* and *The Collapse of the Common Good*. Further information on Common Good is available at www.cgood.org.