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Consumer Group Releases New Study Critiquing Georgia's Patient Compensation System Proposal

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NEW STUDY: PATIENT COMPENSATION SYSTEM PROPOSAL: A TERRIBLE IDEA FOR GEORGIA

(New York) - The Center for Justice & Democracy at New York Law School (CJ&D) released a new study today entitled, "Georgia's Patient Compensation System - A New State Agency That Will Harm Patients." The study critiques a legislative proposal circulating in Georgia that would repeal the right to jury trial for all patients injured by medical malpractice, replacing juries with a new government agency consisting of political appointees and government bureaucrats, pulled from the medical and business establishments.

Joanne Doroshow, CJ&D's Executive Director, said, "This proposal is nothing short of a government takeover of the medical malpractice system, instituting a rigid, dictatorial system of compensation schedules and liability standards for doctors, and replacing what is now a free-market approach to holding health care providers accountable for their negligence with government regulation."

Continued Doroshow, "It is certainly astounding that Georgia would even consider abolishing judges and juries in medical malpractice cases just two years after the state Supreme Court unanimously struck down a law 'capping' compensation for patients, a far more subtle intrusion into the jury system. What's more, because of the cost involved with implementing this proposal, compensation to seriously-hurt patients, including catastrophically-harmed children, would be well below their actual losses, likely forcing them onto other government health and disability programs, such as Medicaid. This proposal would not only harm these patients, but also, makes no fiscal sense."


The authors also set the record straight on several national policy points cited by proponents of this proposal, including debunking myths about the widespread existence of so-called "defensive medicine" and the connection between a state's liability laws and where physicians decide to practice.

Said Doroshow, "This proposal's wholesale dismissal of the constitutional jury system, the creation of an entirely new state governmental agency to handle what are a relatively small

percentage of medical malpractice cases in our court system, and the likely costs of maintaining such a system, are why proposals like this have gone nowhere in Congress or in any state in the nation. It should be rejected as bad public policy for Georgia, as well.”

For a copy of the full report, [click here](#).

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