

**THE NEW YORK COUNTY MEDICAL SOCIETY
CME PROGRAM**

**Physicians Under Siege: Medical Liability
What the Plaintiff's Lawyer and the Defendant's Lawyer Really Think**

Tuesday, January 24, 2012

5:30 p.m. registration: 6:00 p.m. to 8:00 p.m. Dinner and Seminar

**O'Casey's Restaurant, 22 East 41 Street, (Between Fifth and Madison) New York City
\$25.00 per person (members & staff); \$75.00 non-members (join now for member discount)**

The Conference

According to the 2010 Legislative Agenda of the Medical Society of the State of New York, "While there has been some moderating in the total number of malpractice payments in the last few years, the average award has steadily increased, from \$380,009 in 2003 to \$466,412 in 2008, according to Kaiser State Health Facts. MLMIC data present an even more stark picture of this disturbing trend, with their average closed claim severity increasing 27% between 2005 and 2010, from \$433,628 in 2005 to \$551,212 in 2010. . . . Moreover, malpractice payouts in New York State continue to be far out of proportion to the rest of country. For example, in 2008, New York State had by far and away the highest number of paid medical liability claims in the country (1,373), more than 50% greater than the next highest state, California (901), and more than 60% greater than the state with the third highest number, Florida (842)." The MSSNY report adds that while approximately 2/3 of all medical liability cases brought result in no payment, even the costs of defending these cases are extensive and significantly add to the astronomical cost of medical liability insurance."

Physicians are aware of the consequences of lawsuits, even in those cases in which the defendant wins. Because of the cloud the medical liability system casts on physicians, whether it be from the high premiums paid or the debilitating effects of a suit being brought, physicians are concerned about the best ways to render good care and avoid problems with the state disciplinary body and lawsuits. Manhattan physicians need to know what they can do to protect themselves from risk in medical liability situations and the steps they must take to avoid medical liability troubles. The ideal state is one in which physicians incorporate medical liability issues in all their clinical decision making.

The Objectives

Physicians attending this program will be able to:

- understand the medical liability situation from the plaintiff's viewpoint
- institute steps to decrease risk and increase quality of care in their practice
- be aware of what to do before a patient sues
- re-engineer the practice so as to prevent liability issues

The Target Audience

The program is directed towards physicians in Manhattan. The conference is aimed at private practitioners who are solo or in small groups, and who are responsible for ensuring their own compliance.

Speakers

Honorable Douglas E. McKeon, Supreme Court, Bronx County
Edward J. Amsler Esq., Fager & Amsler, and Vice President, MLMIC
Stephen Mackauf, Esq., (Plaintiff's Attorney), Gair, Gair, Conason, Steigman, Mackauf, Bloom & Rubinowitz
Michael Kelton Esq. (Defendant's Attorney), Abrams, Fensterman, Fensterman, Eisman, Greenberg, & Einiger, LLP
Eugene E. Weise MD, Trustee, New York County Medical Society
Michael Goldstein, MD, Esq., Board of Censors, New York County Medical Society

RSVP REQUIRED: Pay \$25.00 per member or \$75.00 per non-member for each attendee by check and return to New York County Medical Society, 12 E. 41 Street, 15 floor, New York, NY 10017, att: Lisa Joseph. Fax credit card number to (212) 684-4741 or call (212) 684-4670, ext. 222.

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Accreditation Statement

The New York County Medical Society is accredited by the Medical Society of the State of New York (MSSNY) to provide continuing medical education for physicians. The New York County Medical Society designates this live activity for a maximum of two **AMA PRA Category One Credits**[™]. Physicians should claim only the credit commensurate with the extent of their participation in the activity.