

We Are Your Doctors: Please be Kind

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“The biggest cost of suits brought under the malpractice system is the emotional injury that physicians experience when they believe they did the best possible under difficult circumstances.”
~ AMA Board of Trustees

Much has been written recently in the local news about medical malpractice—escalating premiums, physicians leaving medicine due to threat of lawsuits or inability to obtain coverage, the right of an injured patient to appropriate redress... but little about its impact on the physician as an individual.

A great physician strives for perfection, seeks and accepts responsibility, and is willing to sacrifice. But what makes us great also opens us to the injuries and burnouts of medical practice. Our medical culture demands time from our families and ourselves. We have high rates of substance abuse. We have 20% higher rates of divorce. Male physicians are twice as likely to commit suicide as the general population; female physicians have four times that rate. We are in a high profile, high stress occupation but have chosen this road and embrace this journey. Being your physician is not just what we do, it is who we are.

A medical malpractice case doesn't simply question our care, it attacks our being. It leads to shock, distress, shame, and depression. We begin to doubt our medical abilities. The secrecy or infamy isolates us from our family, friends, and colleagues.

When faced with a recent medical malpractice case, I examined my own words and actions with diligence—had I done everything that I should? I was “negligent, incompetent, reckless, careless”—was this so?

My case dragged on for more than a year before it was dismissed, and for most of those days the specter of my alleged mistakes rode upon my shoulder. The thick cream envelope from my lawyer sapped me daily, full of arcane motions, actions, and requests for more information. These missives in foreign tongues did nothing to comfort me; they just kept the wound open.

Did this continued onslaught affect my care of my patients? Yes it did. Although I still took great care with them and their medical needs, I was less trusting, less open, more cautious. I practiced “defensively”, and bonded with them more selectively.

Now, almost two years later, the case has caused me to follow a different path—to practice part-time medicine and spend more time writing and speaking to help medical caregivers to learn to first “turn care inward”.

But am I a sole case of damage wrought by our malpractice system, a weak link? Statistics prove that this is not so. Each year, twenty-five percent of all physicians will be sued for malpractice. Sixty percent of physicians will be sued at least once in their career. Obstetricians will face up to an eighty-five percent likelihood of a lawsuit. All agree that the odds of a “bad outcome” with a patient are higher the more ill he or she is, thus doctors taking on the sickest patients are more likely to be sued. Yet, despite the “large number” of lawsuits turned away by lawyers as being without merit, two of three malpractice suits brought will be closed without settlement. Less than ten percent of suits will be tried to conclusion, and of those that make it to court, there is an expected 81% defense verdict according to data provided by PMSLIC of Pennsylvania, another state facing a malpractice crisis.

So, nothing much happened did it? But defending oneself in our legal system is akin to protecting against a personal attack. It can lead to defensive physician-patient relationships, impaired decision making confidence, and burnout. This puts us at future risk, as burned out physicians are even more likely to be sued again.

The lawsuits create shortages of physicians, as those sued are more likely to stop seeing certain types of patients, retire early from medicine, and discourage their children from following in their footsteps.

Please remember that we physicians are both human and vulnerable. Writing of his physician father in "The Art of Healing", the poet W.H. Auden said:

Most patients believe
Dying is something they do,
Not their physician,
That white-coated sage,
Never to be imagined
Naked or married.

We are your doctors. We are vulnerable. Please care for us, too.

Virginia Beach gastroenterologist, Patricia L. Raymond M.D. FACG is an author and consultant, who speaks to nurses and physicians through hospital systems and medical conventions. With her company Rx For Sanity™, she humorously leads physicians and nurses to rediscover their joy in medicine and to learn to first "Turn Care Inward". Her book, "Don't Jettison Medicine: Resuscitate Your Passion For The Career You Loved!" is available now. Visit www.RxForSanity.com soon for complimentary information and links to better care for yourself and for your staff, and to subscribe to our FREE monthly newsletter, Rx For Sanity™ eNews, with medical humor and simple tips to enhance your life in Medicine.
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