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## Does Litigation Influence Medical Practice? The Influence of Community Radiologists' Medical Malpractice Perceptions and Experience on Screening Mammography<sup>1</sup>

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### Abstract

**PURPOSE**—To assess the relationship between radiologists' perception of and experience with medical malpractice and their patient-recall rates in actual community-based clinical settings.

**MATERIALS AND METHODS**—All study activities were approved by the institutional review boards of the involved institutions, and patient and radiologist informed consent was obtained where necessary. This study was performed in three regions of the United States (Washington, Colorado, and New Hampshire). Radiologists who routinely interpret mammograms completed a mailed survey that included questions on demographic data, practice environment, and medical malpractice. Survey responses were linked to interpretive performance for all screening mammography examinations performed between January 1, 1996, and December 31, 2001. The odds of recall were modeled by using logistic regression analysis based on generalized estimating equations that adjust for study region.

**RESULTS**—Of 181 eligible radiologists, 139 (76.8%) returned the survey with full consent. The analysis included 124 radiologists who had interpreted a total of 557 143 screening mammograms. Approximately half (64 of 122 [52.4%]) of the radiologists reported a prior malpractice claim, with 18 (14.8%) reporting mammography-related claims. The majority ( $n = 51$  [81.0%]) of the 63 radiologists who responded to a question regarding the degree of stress caused by a medical malpractice claim described the experience as very or extremely stressful. More than three of

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### Author contributions:

Guarantor of integrity of entire study, J.G.E.; study concepts and design, all authors; literature research, J.S.F., P.A.C., J.G.E.; data acquisition, J.S.F.; data analysis/interpretation, R.E.H., G.R.C., L.A.A., S.H.T., W.E.B., J.G.E.; statistical analysis, L.A.A., W.E.B.; manuscript preparation, J.S.F.; manuscript definition of intellectual content, editing, revision/review, and final version approval, all authors.

# The Influence Of Litigation On Medical Practice

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corporations are showing more caution in product innovation than ever before The contributors focus on five sectors of the economy where the liability system appears to have had the greatest effects positive or negative the private aircraft automobile chemical and pharmaceutical industries and the medical profession They suggest that in many sectors liability law has hampered innovation In others it has stimulated safety improvements although perhaps not so much as vigilant safety regulations

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**Medical Liability** United States. Congress. Senate. Committee on Health, Education, Labor, and Pensions, 2007 Causality of Psychological Injury Gerald Young, Andrew W. Kane, Keith Nicholson, 2007-05-31 This sequel to the authors Psychological Knowledge in Court offers a welcome expansion on key concepts terms and issues in causality bringing much needed clarity to psychological injury assessments and the legal contexts that employ them Focusing on PTSD traumatic brain injury and chronic pain and grounding readers in salient U S

and Canadian case law Causality sets out a multifactorial causality framework to facilitate admissibility of psychological evidence in court Issues concerning malingering are examined in depth as are clinical gray areas that can jeopardize validity At the same time the book clearly explains what lawyers and clinicians need to understand about each other s work of crucial importance since the two sides often seem to speak at cross purposes The authors and six guest contributors Illustrate the roles of preexisting vulnerabilities traumatic events and post event occurrences in psychological impairment and disability Review the literature on PTSD TBI and chronic pain for legal relevance Identify current challenges and controversies in the field as well as emerging areas for research Recommend methods and instruments for conducting more courtworthy assessments Provide a detailed critical review of malingering and related phenomena Propose a more accurate shared terminology of causality Valid causality judgments are based on sound knowledge of research on large populations and careful testing of individuals at the same time they must conform to stringent legal standards of relevance and reliability to be accepted for testimony Forensic practitioners and attorneys will turn to Causality of Psychological Injury as their professional paths increasingly cross in seeking comprehensive and state of the art information     Medical liability : new ideas for making the system work better for patients : hearing ,

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