

Child Injury Laws *Blog*

Congressman Who Sponsors Limits On Medical Malpractice Lawsuits Has History Of Suspect Care

Posted by [Jonathan Rosenfeld](#) on March 03, 2011

For some reason there's an ongoing belief amongst some conservative politicians that imposing arbitrary limits on the amount an injured person can recover from a negligent doctor, hospital or pharmaceutical giant is good thing.

The New York Times had a [recent story](#) regarding the congressman behind the latest push of medical malpractice 'reform'-- Representative Phil Gingrey (R- GA). Congressman Gingrey knows firsthand about medical malpractice lawsuits. As practicing doctor, Gingrey was named in at least four lawsuits brought by injured patients.

In fact, at least three of the lawsuits brought against Dr. Gingrey, an obstetrician, resulted in recoveries for the patients.

The most recent lawsuit Dr. Gingrey was involved in stemmed from an incident in which Dr. Gingrey and his colleagues failed to diagnose appendicitis in a pregnant woman. As a result of the missed diagnosis, the woman's appendix burst resulting in a systemic infection that killed her fetus and left her disabled.

Jonathan Rosenfeld offers legal services relating to: birth injuries, medical malpractice, day care abuse, foster care abuse, swimming pool injuries, automobile accidents, school bus accidents, dog bites, food poisoning, product liability, amusement park accidents and clergy abuse. For more information please visit Child Injury Laws Blog (<http://www.childinjurylaws.com/>) or call Jonathan directly at (888) 424-5757. (www.rosenfeldinjurylawyers.com.)

Gingrey settled the case shortly before trial for \$500,000.

Now, Gingrey proposes that the government impose limits on the amount people, such as those involved in his lawsuits, can recover. Under his proposal, people injured due to medical negligence would be limited to less than \$250,000 in non-economic damages (pain and suffering) and would restrict any award of punitive damages.

Gingrey continues to ignore the empirical evidence from studies related to medical malpractice cases-- in that there is no reduction in insurance premiums paid by patients--- or physicians. Additionally, Gingrey's proposal fails to address the restrictive recoveries would have on social services and governmental agencies that would be responsible for providing care for patients who were unable to recover sufficient damages to provide for their care.

Ironically, this latest proposal from Dr. Gingrey-- a Georgia native-- fails to acknowledge the recent developments in his home-state. Just last year, the Georgia Supreme Court unanimously ruled that caps on medical malpractice violated the constitution and separation of powers.

Tell Dr. Gingrey that his bill is universally unfair today. 202-225-2931

Jonathan Rosenfeld offers legal services relating to: birth injuries, medical malpractice, day care abuse, foster care abuse, swimming pool injuries, automobile accidents, school bus accidents, dog bites, food poisoning, product liability, amusement park accidents and clergy abuse. For more information please visit Child Injury Laws Blog (<http://www.childinjurylaws.com/>) or call Jonathan directly at (888) 424-5757. (www.rosenfeldinjurylawyers.com).



Related:

As Congress Debates Health Reform Measures, Some Still Want To Strip Injured People Of Their Legal Rights

Let's Stick To The Facts About Healthcare Reform & Medical Malpractice

Who Benefits From Damage Caps In Nursing Home Lawsuits?

Jonathan Rosenfeld offers legal services relating to: birth injuries, medical malpractice, day care abuse, foster care abuse, swimming pool injuries, automobile accidents, school bus accidents, dog bites, food poisoning, product liability, amusement park accidents and clergy abuse. For more information please visit Child Injury Laws Blog (<http://www.childinjurylaws.com/>) or call Jonathan directly at (888) 424-5757. (www.rosenfeldinjurylawyers.com.)