

Medical Malpractice Suits Deadline Hikes Insurance?



Legislation before New York state lawmakers would have a significant impact on medical malpractice law by permitting patients to sue years after an alleged misdiagnosis or mistreatment.

Presently, patients must file for such cases within 2.5 years after the alleged incident.

The bill would amend the statute of limitations to when a patient first suspects they were misdiagnosed or harmed by a medic so long as it was filed within ten years of the original treatment or diagnosis.

The Medical Society of the State of New York has opposed the change claiming it will increase the cost of medical malpractice insurance and could further lead to "disastrous" hikes in healthcare costs.

Supporters say that in the case of complex illnesses such as cancer, it can take longer for a patient to assess their diagnosis or treatment.

Critics argue that New York has the most limiting window in which patients can file suits for alleged malpractice. Many states are more lenient about time frames related to the treatment and diagnosis and discovery that there was malpractice.

The Medical Society, however says that 10 years is excessive and far longer than most other states.

"Given that many hospitals and physicians all across New York State are barely able to keep their door open now ... any increases of this nature would prompt a very serious access-to-care problem," said Elizabeth Dears, senior vice president of the Society.

The bill is supported by the state Assembly's Democratic but faces obstacles in the Republican-led Senate. No vote is scheduled.

Source: [The News and Observer](#)

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