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State Responses to the Malpractice Insurance “Crisis” Of the 1970s: An Empirical Assessment

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Almost all states enacted legislation in response to the rapid rise in malpractice insurance premiums which occurred during the mid-1970s. After describing the types of statutory changes enacted, this study evaluates the influence of these changes on levels and growth of premiums paid by general practitioners, ophthalmologists, and orthopedic surgeons during 1974–78. The empirical results of the study presented here give no indication that individual state legislative actions, or actions taken collectively, had their intended effects on premiums. Several explanations for this result are explored.

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