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RESEARCH ARTICLE

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The Forgotten Third: Liability Insurance And The Medical Malpractice Crisis

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PUBLISHED: JULY/AUGUST 2004 **No Access** <https://doi.org/10.1377/hlthaff.23.4.10>

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Abstract

Although the most visible manifestations of medical malpractice involve patient safety and the legal process, the availability and affordability of liability insurance largely determine the direction of medical malpractice policy. Scientific and industrial developments since the first modern malpractice crisis in the 1970s reveal major problems with the structure and regulation of liability insurance. Comprehensive reforms that approach medical malpractice insurance as a health policy problem are needed, and the Medicare program may have a major role to play.

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