

Wisconsin Medical Malpractice Summary and Statistics

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Tort Reform Law: §893.55. As of April 2006, a non-economic damage cap of \$750,000 for medical negligence. Wrongful death actions: \$500,000 for minors and \$350,000 for adults.

§895.043. Punitive damages received by the plaintiff may not exceed twice the amount of any compensatory damages recovered by the plaintiff or \$200,000, whichever is greater.

Population in 2015: 5,757,564

Number of Licensed Physicians¹ in 2015: 25,774

	2013	2014	2015	Average for 2013-2015
Per Capita ³ Amount Paid Against all Practitioners	\$4.51	\$2.85	\$1.71	\$3.02
State Rank	47	50	51	51
Per Capita ³ Amount Paid Against Physicians (MD/DO) Only	\$3.86	\$2.60	\$1.55	\$2.67
State Rank	45	49	51	50
Paid Claims/100 Physicians		0.16	0.11	
State Rank		49	50	

Table showing the amount paid per capita³ in Wisconsin for medical malpractice claims against all practitioners each year as well as against physicians only. It also shows the number of claims won against physicians per 100 licensed physicians in Wisconsin in 2014 and 2015.

Notes

- 1) MDs and DOs only. Many physicians are licensed in more than one state which is why the total number of physicians in all of the states exceeds the total number of physicians in the US.
- 2) All Practitioners includes MDs, DOs, podiatrists, dentists, nurses, hygienists, pharmacists, pharmacy techs, lab techs, physical therapists, etc...
- 3) Total amount paid in medical malpractice claims in the state that year/ the state's Population

Graphic Summary of Medical Malpractice Incidence and Cost for Wisconsin from 2003-2015

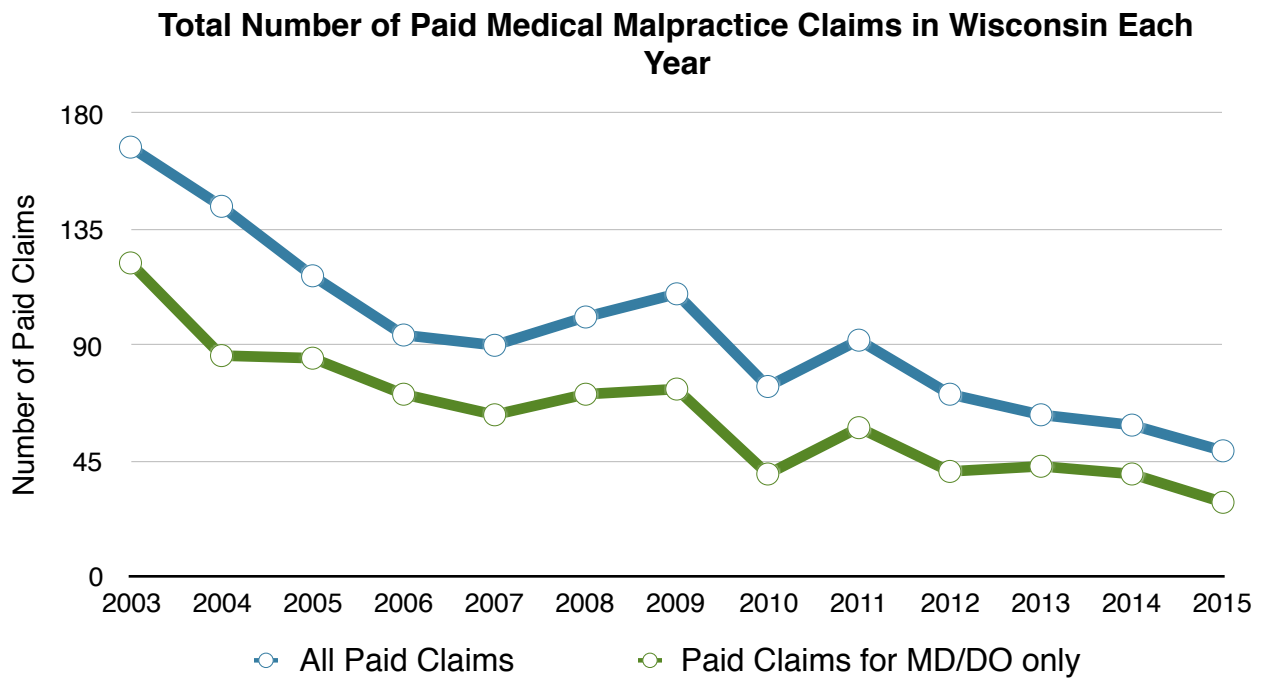


Figure 1: Total number of Paid Medical Malpractice Claims for Wisconsin from 2003-2015 for All Health Care Practitioners Combined as Well as for MD/DOs Only.

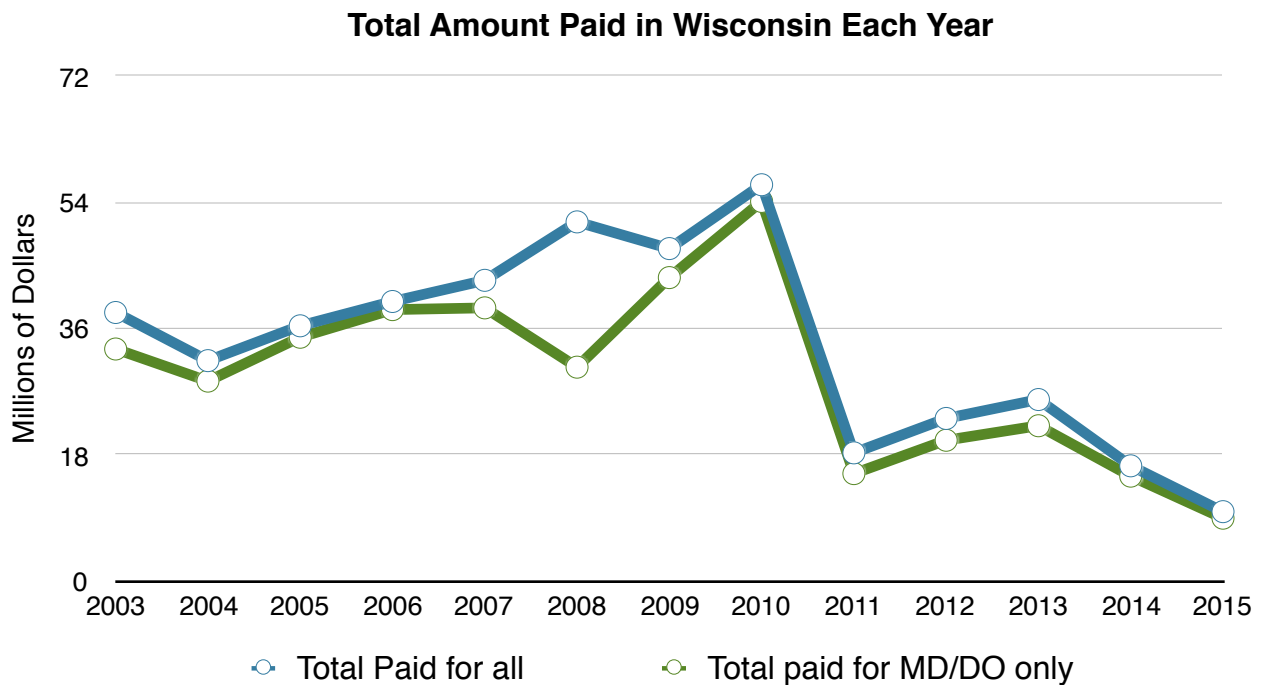


Figure 2: Total Amount Paid for All Medical Malpractice Claims from 2003-2015 for All Health Care Practitioners and MD/DOs Only in Wisconsin.

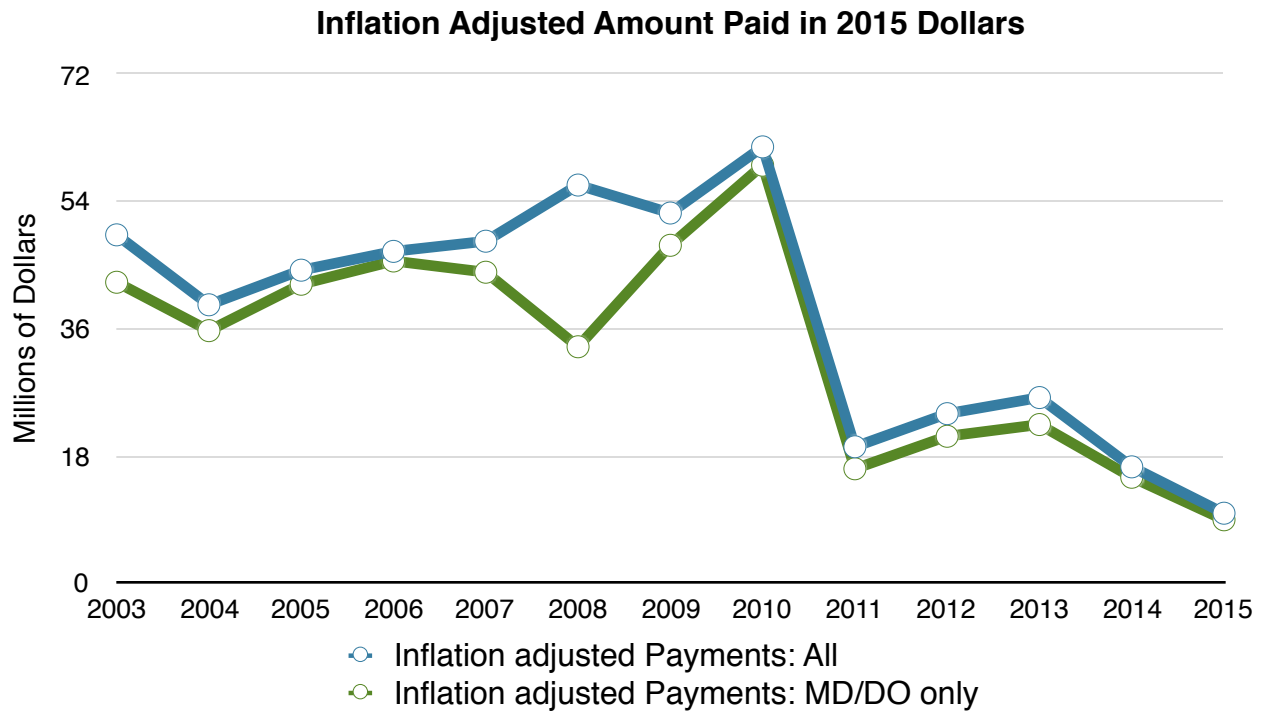


Figure 3: Figure 2 Data When Adjusted for Inflation.

Brief summary: Like most of the midwestern States, Wisconsin has very low medical malpractice costs most years. They've had a cap on non-economic damages since 2006. Ironically, the highest awards for malpractice cases in Wisconsin occurred in 2010, which was four years after their tort reform law was enacted. In 2010 there were three cases that settled for awards totaling more than \$43 million, which was about 80% of the total amount awarded in medical malpractice damages that year. Minnesota and Iowa have medical malpractice costs comparable to Wisconsin's without the need for a damage cap.

Sources

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