

Book review



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***Medical Malpractice: A Physician's Sourcebook*, edited by Richard E. Anderson, MD, FACP**

300 pp. Totowa, NJ: Humana Press, 2005.

M*edical Malpractice: A Physician's Sourcebook* was edited by Dr. Richard Anderson, current chairman and chief executive officer of The Doctors Company, a national physician-owned medical malpractice company. The book is a

collection of articles from various authors on the basic aspects of tort law, medical malpractice claims, the underlying basis of certain medical malpractice claims, and legal reform related to medical malpractice claims. The content here is similar to that found in presentations on these issues for continuing legal and medical education seminars and for risk management seminars provided to physicians, hospitals, other health care providers, and professional liability insurance carriers.

The book contains good, basic information on the different facets of medical malpractice claims. It starts with a primer on legal claims, goes on to discuss risk management in a predominantly specialty or disease-specific manner, and ends with a sociopolitical discussion of medical malpractice law. Personally, I would have preferred it if the book focused on either the law of medical malpractice or how to avoid and survive medical malpractice claims, not both. By covering both subjects, each difficult to tackle in its own right, something was left wanting in each.

The book is divided into four parts: Insurance, Legal, the Clinical Face of Litigation, and Legal Reform and Health Care. The Legal section of the book, particularly chapters 2 and 4, provides a good explanation of the legal process and good advice for physicians on how to present as a witness during deposition. The Clinical Face of Litigation section provides some very good factual examples of legal pitfalls. I feel that the use of real-life cases to illustrate risk management concepts is the most helpful risk man-

agement tool there is. In fact, I know many physicians who review cases as expert witnesses to obtain this exact information.

The Legal and Clinical sections would have been more informative, complete, and useful if input had been provided from both the legal and the medical specialties. For example, input or comment from a physician who has been a defendant would have made the lawyer's thoughts in "What Every Doctor Should Know About Litigation" even more valuable. Likewise, commentary from a lawyer who has deposed doctors would have greatly added to the force and credibility of the physician's comments in "The Physician as a Witness." The Clinical section would have benefited greatly from input by an attorney on common pitfalls or mistakes seen in medical malpractice claims.

Further, examples from an attorney about real-life situations that illustrate the medical issues discussed in the family practice, anesthesia, obstetrics and gynecology, breast cancer, Pap smears, and plastic surgery sections would have added a different and more informative perspective to these discussions and would have better educated readers on the true pitfalls in those claims. Lastly, the Clinical section really needed to address pharmaceutical/medication-related claims. These unique claims are very timely since medication issues make media headlines on a weekly basis.

Physicians experienced in the medical-legal area would probably want something more than this book: more detail, more strategy, more insight, something new. However, those who are not familiar with the medical-legal process and want to know the basics will

find this book a good place to start. This book would also be a good reference for a class on medical malpractice litigation for law or medical students or any group interested in these matters. *Medical Malpractice: A Physician's Sourcebook* lays a good groundwork about the pertinent issues. The information provided would serve as a very good starting point for reflection and group discussion.

The reviewer, Russell G. Thornton, JD, a defense attorney with the Dallas firm of Stinnett, Thiebaud & Remington, specializes in medical malpractice claims. He is BUMC Proceedings' regular medicolegal columnist.

