



# Coping with Medical Malpractice Stress, Part I

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**W**hen I started as medical director of the Tennessee Medical Foundation 11 years ago, our best estimate was that between 15-20 percent of physicians would at some point in their career, find themselves impaired by alcohol, drug, mental or emotional problem or, increasingly, significant stress. The latest research actually shows around 87 percent of doctors describe themselves as moderately or severely stressed. The top stressors cited were administrative demands, long work hours, on-call schedules and medical malpractice lawsuits. We can't do much about the first three but the fourth one is the subject of some of our seminars with SVMIC this year: reducing your stress amid a medical malpractice case.

Nearly nine out of 10 physicians will face a lawsuit during their career – that is quite significant. During our session, “Anatomy of a Medical Malpractice Lawsuit,” I lead a presentation on the emotional aspects of dealing with malpractice stress and offer suggestions and resources to help the physician and their family deal with the emotional response to litigation.

When a doctor is sued, the triad of perfectionism, guilt and exaggerated sense of responsibility as well as the stress that grows out of a malpractice lawsuit can be very difficult emotionally. Another stress factor is the way we doctors perceive lawsuits: we tend not to separate who we are from what we do and charges of medical malpractice feel in many ways like a personal attack.

Studies have shown that about 95 percent of doctors do report significant emotional or physical reactions to being sued, and about 40 percent of them will experience

at least one episode of major depression. The sequence of emotions experienced during the course of litigation is clear and usually comes in the following order:

1. **Shock.** When first served with the papers, physicians are taken aback and feel terrible reading the inflammatory language of lawsuit charges. Often, they can barely remember the patient. Their self esteem may be painfully punctured.
2. **Anger.** Our professional integrity is shaken; we feel unsafe and may dread going to work without really understanding why. We may feel ashamed, our self confidence shaken. We others will question it as well. We begin to feel betrayed and wonder if we can trust any patient.
3. **Anxiety/Fear.** There is a fear of economic insecurity, reasonable considering the large damage amounts we read about every day in the media. There is fear of the reaction from colleagues and patients when news of the malpractice lawsuits goes public.
4. **Depression.** Again, about 40 percent of doctors going through malpractice litigation at some point meet the DSM-4 criteria for a major depressive episode. We have little control over malpractice suits; they fall into the hands of our attorney and the legal system, a system in which most of us do not feel comfortable.
5. **Resolution.** The good news is that there is life on the other side of malpractice litigation. Remember that we do survive these malpractice suits and our goal in working with physicians is to see that it is done with the least damage and with the most helpful lessons learned.

While physicians may have little, if any, control over the legal process, they do significantly impact the outcome of their case. We try to help physicians minimize the fear factor inevitable in an unfamiliar legal environment and learn how to stay healthy during a challenging litigation process so they can appropriately partner with their attorney in defense of their case. In Part II of our article next month, we will talk about the coping mechanisms physicians use – and the ones we recommend – to help deal with malpractice stress.

If you or a colleague can use the assistance of the PHP, please contact me at the address and phone number below. Our program is conducted in complete confidence and has over a 90-percent success rate in restoring physicians to their duties as healthcare professionals. +

*To make a tax deductible contribution to the Physician's Health Program, contact TMF Administrator Michael Todd at (615) 467-6411, or write to the Tennessee Medical Foundation, 216 Center-view Drive, Suite 304, Brentwood, TN 37027.*

