

Article critique

Law



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Research Article Critique Koviak, N. W. (2004). An insurance perspective on the medical malpractice crisis. *Annals of Health Law*, 13 (2), 607 – 616.

2. The topic entails the search for affordable and available alternative to the traditional medical malpractice insurance marred by a crisis.

3. The concept of insurance entails medical practitioners paying premiums to insurers who in turn pay compensation due to claimants in case of a medical malpractice. Captive insurance involves the practitioners having their subsidiary that insurers their risks. Risk retention involves member groups forming an insurance company to insure their risks. Finally, purchasing groups involves the less stable groups purchasing liability insurance coverage as a block from an insurer.

4. The first question by Koviak (2004) entails the reasons for the current medical malpractice insurance crisis. Then, the article seeks to identify the alternatives to traditional insurance adopted by physicians so as to maintain viability amidst this medical malpractice insurance crisis. Thirdly, the article seeks to determine the advantages and disadvantages of each of these alternatives.

5. The research methodology adopted for this article was literature review.

6. It was found out that the unavailability and high cost of insurance premiums was the reason for medical malpractice insurance crisis. Thus, captive insurance and risk retention and risk purchasing groups were the alternatives adopted as a remedy. Though each had unique disadvantages, these alternatives increased purchasing power, offered flexibility in savings and improved on cost effectiveness of medical malpractice insurance. This study provides malpractice insurance solutions to healthcare providers.

7.

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- a. Other beneficial topics could be on the impact of the current medical malpractice on conventional insurance companies and how the medical malpractice insurance crisis affected healthcare provision.
- b. The concepts would be medical malpractice and conventional insurance practice and medical malpractice and the tenets of healthcare provision in the first and second topics respectively.
- c. In the first topic, the research questions could be on how the current state of medical malpractice has impacted on claims settlement and how the current state of medical malpractice has influenced the approach by insurers to medical practitioners, particularly with regards to premium computation. On the second topic, probable research questions could be how medical malpractice insurance crisis affected availability of healthcare services and how the impact on public confidence in healthcare provision amidst the current medical malpractice insurance crisis.
- d. A structured interview would be an appropriate methodology for these topics.
- e. The first topic would provide information on how medical malpractice has resulted in increased insurance premiums for medical practitioners. Such costs would be passed down to the consumer hence the need for families to prepare to bear the increased cost of healthcare. The second topic would justify the reason for more healthcare providers opting out of the business as a result of increased cost of doing business, thus the need for families to be on the look on the performance of their healthcare providers to avoid disappointments when their need arises.

Reference

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