

# Doctors like Lucas on malpractice reform

By Dave Varga  
staff writer

Dr. Gene Thompson of Birmingham has been sued for medical malpractice twice during the last year. The suits were the first ever in his 16 years of practice as an orthopedic surgeon.

"What used to be an intellectual discussion has become a very personal one," Thompson said.

Like some 1,200 others in his profession, Thompson has become active in the Concerned Physicians Committee, a lobbying group for doctors. They expect to resurrect the medical malpractice insurance issue next year.

And they're hoping to get a more sympathetic ear from the governor's office between then and now by supporting Republican William Lucas in his gubernatorial bid.

**LUCAS** — in a rare co-appearance with his running mate, lieutenant governor candidate Colleen Engler — showed up at a fund-raiser last week at the Bloomfield Township home of Stephen and Celia Dawson. More than 130 invited guests paid \$100 apiece to mingle with the top of the Republican ticket.

Celia Dawson, who once helped spearhead a drive for equal busing of students by Birmingham Public Schools, said she put on the fund-raiser after being drawn to Lucas' candidacy by his position on the malpractice issue.

"Mr. Lucas has been sympathetic to the problem of doctors," she told the audience gathered in the living room, dining room, hallway and kitchen. "Doctors are being forced out of this state because of the medical malpractice issue."

A compromise set of bills dealing with the liability insurance issue was passed by the state Legislature this summer and signed into law by Gov. James Blanchard. A key change will limit jury awards for non-economic damages ("pain and suffering") to \$250,000 with certain exceptions.

Those exceptions — which the Michigan State Medical Society claimed were overly broad — and other changes that were not made left the medical community wanting more.

**FIRST OFF**, they want more leadership from the governor on the issue. As for Blanchard, Dr. William

Pelree of Birmingham, said, "He's no help at all. He sits on the fence."

But the pediatrician does support Lucas, the Wayne County executive. "His ideas are a little bit more in tune with the desires of the medical community," Dr. Pelree said.

Lucas, himself, had apparently ridden the fence, not taking a position on the liability insurance issue during the Republican primary. He denied that, saying that he did take a stance on the issue.

"What you need to know is our commitment to change that package," Lucas told his supporters.

In a position paper printed up for the fund-raiser, Lucas said he would support:

- Limiting non-economic damages to close up "gaping loopholes" in the current law;

- Eliminating the "deep pockets" syndrome by restricting each party's liability to the degree of fault;

- Add product liability cases to the law.

**LUCAS' STAND** is endorsed by the Physicians for Fairness, a political action committee raising money to support candidates. The committee is a companion group with the Concerned Physicians Committee.

Doctors are also hoping to get support for some sort of penalty for those who file "frivolous" lawsuits.

"There has to be reasonable ways of taking care of this," said Dr. Harold Portney of Waterford. "You can't have a lottery. There has to be some kind of sanctions for a bad lawsuit."

**NOT ALL** the doctors joined the Lucas camp because of the liability insurance issue.

"I was attracted when he was sheriff of Wayne County," Thompson said. "I respect that he stood for honesty and integrity."

In his statement, Lucas spoke of his children, "three of whom were smarter than their father and became doctors." One changed her specialty from obstetrics to treating allergies, however, because of the prospect of the malpractice and liability insurance issue, Lucas said.

Lucas, who had been touring campaign stops that day to introduce his welfare reform package, blasted Blanchard for being "all form and no substance" during his four years.

Lucas warned supporters not to be "Lousma-tized" by following the polls, which said there would be a



Ann Thompson, wife of Dr. Gene Thompson of Birmingham, discusses Lucas' position on medical malpractice insurance.

landslide against him and having "supporters drop out."

His polls, Lucas said, show that "if we're able to hold onto 80 percent of our Republican strength, we'll win."

**AMONG REPUBLICAN** backers at the event were his secretary of state candidate Weldon Yeager, state Rep. Judith Miller of Birmingham, state Sen. Richard Fessler of West Bloomfield and 48th District Judge Bernard Friedman of West

Bloomfield.

One supporter asked Lucas if he would carry Wayne County and Detroit.

"As you can recognize, we're going to have to work for them, but we're going to work for them," Lucas responded, noting that in previous races he was the top votegetter there.

"They continue to bring up the negatives. There still is a bedrock of support that I have built up over two decades," he said.



Lucas staff member John Moolenaar (left), Lucas and Stephen Dawson try to figure out how to turn on the microphone during the fund-raiser at Dawson's Bloomfield Township home.

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Anyone may write in favor or protest of the application. Four copies must be sent to "Supervisory Agent, Federal Home Loan Bank of Indianapolis, P.O. Box 60, Indianapolis, Indiana, 46206," and received within 10 days of the publication of this notice. An additional 7 days to submit comments may be obtained if a written request is received by the Supervisory Agent within the 10-day period.

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