

Top 10 Reasons for Physicians to Asset Protect

10. \$8,570,000: the verdict in Seminole County, Florida for failure to timely diagnose tuberculosis meningitis in a 5-year-old female, resulting in brain damage. Incident Date: September/1995; Trial Date: February/2007.

9. \$30,000,000: the verdict in Broward County, Florida for failure to timely perform a C-section, resulting in severe mental deficiency and paraplegia of newborn. Incident date: May/1991; Trial Date: April/ 2008.

8. \$35,206,000: the verdict in Broward County, Florida for failure to timely diagnose fetal distress and perform a C-section to prevent oxygen deprivation, resulting in severe mental deficiency and paraplegia. Incident Date: January/2000; Trial Date: June/2008.

7. 43%: the recovery probability for medical malpractice claims reported in Florida from 2002 through 2008. (Recovery Probability is the share of plaintiff verdicts to the total number of verdicts rendered for a specific liability.)

6. 42%: the percentage of medical malpractice combined verdicts in Florida which are due to an allegation of failure to timely diagnose or an allegation of negligent surgery.

5. 16%: the percentage of the total number of combined plaintiff and defense verdicts in Florida which are in the category of medical malpractice, second only to vehicular liability.

4. \$1,417,745: the median award for medical malpractice verdicts in Florida.

3. \$6,169,796: the mean award for medical malpractice verdicts in Florida.

2. The duty to protect your family's financial future. Rest assured, you will sleep better.

1. Once a claim is brought against you, it is too late to protect your assets!

All data was obtained from Jury Verdict Research, 2009 Florida Verdict Survey.



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“If you ask me anything I don’t know, I’m not going to answer.”
-- Yogi Berra

Yogi, as always, provides brilliant insight – one must be knowledgeable on a given subject before stepping forward publicly to speak on that subject. We offer here a brief summation of the status of the medical malpractice crisis to provide our readers with knowledge to begin and continue the dialogue.

- Studies clearly show that once a physician makes a diagnosis, ordering additional tests will only change that diagnosis 5% of the time. Yet, additional testing is commonly ordered by physicians simply to protect them from a potential liability lawsuit. This defensive medicine increases health system costs in the United States by between \$84 billion and \$151 billion per year.
- Nationwide, 60% of all liability claims against physicians are dropped, withdrawn or dismissed without payment; yet it costs \$18,000 on average to defend these cases. Physicians are found not negligent in over 90% of cases that go to trial, yet more than \$100,000 per case is spent on defending those claims.
- Access to care is also negatively affected by liability concerns. One in 12 obstetricians have stopped delivering babies and 48% of all physicians have altered or limited services based on liability concerns.
- Jury awards in medical liability cases have more than tripled from 1997 to 2007. In the last two years in Florida, the award median has risen to \$1.4 million and the award mean has risen to \$6.1 million.
- Data now clearly shows that tort reforms, such as caps on noneconomic damages, not only lead to slower growth in indemnity payments and premiums, but also lead to an increase in the number of physicians, especially specialists, in those states where tort reform has been implemented.

A note from the new CEO:

Physicians Advantage has undergone an exciting change over the past month with new ownership, new management and a renewed commitment to excellence in our products and our client relations. The goal of the new management team is to provide you with the most comprehensive and personalized asset protection, estate planning and financial planning available in the market today.

Our flagship program – CAPS+: Comprehensive Asset Protection Solutions -- provides a team of attorneys, accountants and financial planning experts at a fixed rate to address the specialized needs of physicians. This is a great way in which to get your financial house in order to fully protect the success you have worked so hard to achieve. I look forward to publicly announcing other great products and services in the very near term!

We are proud to have the exclusive endorsement of the Florida Medical Association for asset protection and financial planning. Our team of professionals at Physicians Advantage is ready to assist you.



*P. Butler Ball
Chief Executive Officer*

It is clearly in the best interest of physicians to advance tort reform and to monitor those reforms closely to assure they continue to be effective. It is also clearly in the best interest of physicians to have strategies in place to fully protect them from liability claims. As William Osler said: “Live neither in the past nor in the future, but let each day’s work absorb all your interest, energy and enthusiasm. The best preparation for tomorrow is to do today’s work superbly well.” When is the time to protect physicians from liability claims? The time is now.

CAPS+

Comprehensive Asset Protection Solutions - CAPS+

The CAPS+ program helps physicians through proactive planning to grow their wealth while vigorously protecting their personal and practice assets. Our team of experienced legal, accounting and financial professionals helps physicians implement proven solutions through every stage of their careers, from residency through retirement. The CAPS+ team of professionals has assisted hundreds of physicians in the intricate planning and implementation of advanced wealth preservation and accumulation strategies.

The CAPS+ program provides real solutions to physicians who understand that success in today's environment requires more than simply practicing good medicine. It requires proactive planning and a disciplined commitment to implementing and achieving financial goals. Our team of professionals will not only assist the physicians to implement personal and practice asset preservation, personal and practice asset accumulation and medical malpractice planning and defense; but will also constantly monitor and evaluate the physician's changing needs to ensure their plans remain secure and are properly positioned for future growth.

CAPS+ Endorsements

Florida Medical Association

Dade County Medical Association

Lake-Sumter Medical Society

Florida Society of Clinical Oncology

Brevard Indo-American Medical and Dental Association

Florida Surgical Society

Florida Ophthalmology Society

The Florida Medical Association exclusively endorses Physicians Advantage for asset protection and financial planning services.



For more information, please contact us at 1-866-FMA-DOCS or www.physiciansadvantage.com