



Increased Malpractice Damage Cap in Virginia is Still Unfair to Victims

Virginia Personal Injury Attorney Speaks Out Against July 1 Increase in Malpractice Damage Cap.

Fairfax, VA, June 28, 2008 --(PR.com)-- Ben Glass, legal advocate for victims of medical malpractice in Virginia, is speaking out against the state's two million dollar damage cap.

Virginia's cap on medical malpractice damages increases to two million dollars, effective July 1st and will be the limit for all economic and non-economic damages related to a medical negligence injuries including medical expenses, lost income, and pain and suffering.

“As medical costs continue to rise, more and more victims of malpractice will continue to be impacted by Virginia's arbitrary limit,” says Ben Glass. “Leaving victims and their families to foot the bill for the incompetence of their healthcare providers is blatantly unfair.”

The Virginia General Assembly created the damage caps to help protect providers from unreasonably high medical malpractice premiums. However, a number of studies have shown that damage caps have no impact on malpractice insurance premiums. And doctors in Virginia are not even required to have malpractice insurance. Despite these facts the state Supreme Court has repeatedly upheld the constitutionality of the caps.

“People who sustain injuries worth less than \$2 million can obtain a full recovery,” Glass said. “But in catastrophic cases where the damages exceed \$2 million it's a different story. This type of 'solution' puts the entire burden of solving this non-crisis onto those who have been most seriously injured by the physicians.”

And portion of the cost of the 'solution' is put on Virginia's tax payers since damage caps increase litigation costs. Fewer insurance companies will pay a fair settlement as they know that even if the case goes to trial they won't be required to pay more than \$2 million. Fewer cases are settled and more injured parties are forced to file suit and go to trial.

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About Ben Glass

Ben Glass is a personal injury attorney in Fairfax, Virginia. He has been representing individuals against the insurance companies since 1983. He has authored numerous consumer publications, including *The Truth About Lawyer Advertising* and *The Ultimate Guide to Personal Injury Claims in Virginia*. He is a frequent lecturer to the legal community. Visit his web site at www.BenGlassLaw.com.



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