

Kevin Cottone Comments on PA Medical Malpractice Venue Rule Verdict Data

Law360
3.1.19

Kevin Cottone, Chair of the Healthcare Group, weighed in on the Civil Procedural Rules Committee of the Supreme Court proposed rescission of the venue rule in medical malpractice cases.

Following a public hearing on Thursday, February 14, the Supreme Court announced they would not take any action on the proposed rule change until it had the opportunity to review the report of Legislative Budget and Finance Committee ordered by the Senate resolution.

Kevin suggested that the verdict data didn't tell the complete picture, and said that health care providers sued in Philadelphia were more likely to ink confidential settlements than face the risk of going to trial.

"You can't really look at the verdict data by itself," he said. "You need to look at the settlement data, because cases don't get tried in Philadelphia because of the risk that's associated with them."

In a world where local hospitals and doctors are increasingly being consolidated into enormous health care systems with multiple campuses and business connections, a disproportionate number of cases would be brought in Philadelphia despite its having no connection to the plaintiff's injuries.

"It's going to have a chilling effect on the providers outside of Philadelphia trying to utilize, either through affiliations or educational programs, the benefits of the sophisticated care that we have here for fear of being dragged into the city in lawsuits," Kevin added.

Read the full article on Law 360. (subscription required)

KEY ATTORNEYS

Kevin C. Cottone

PRACTICE AREAS

Healthcare