



**SURVEY OF GEORGIA REGISTERED VOTERS
REGARDING MEDICAL MALPRACTICE
REFORM**

FEBRUARY 2-4, 2004

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SUMMARY OF FINDINGS

This survey of 600 Georgia registered voters finds that voters say there are too many lawsuits filed in Georgia, and that these suits make Georgia appear to be a less attractive place to do business. Specifically, voters overwhelmingly agree that the Georgia General Assembly should take action to ensure that doctors and hospitals are protected from excessive lawsuits and would be more likely to support a candidate who supported legislation to reduce excessive lawsuits by more than a three-to-one margin.

- 1. Georgia voters believe there are too many lawsuits filed in Georgia, including medical malpractice lawsuits.** Forty-five percent of voters say the number of lawsuits filed in Georgia is too high, while just 5 percent say the number is too low and 15 percent say the amount of lawsuits filed is about right. Asked specifically about medical malpractice lawsuits, voters say the number of lawsuits filed is too high, rather than too low, by a 40 to 8 percent margin, with 20 percent saying the amount is about right. Voters say the number of lawsuits filed in Georgia make the state look like a less attractive place to do business by a 61 to 10 percent margin.
- 2. Three-fifths of the voters say that lawyers, rather than doctors and hospitals, are to blame for the number of medical malpractice suits filed in Georgia.** When asked whether “physicians and hospitals who are not careful enough” or “lawyers who are trying to make money” are to blame for the number of suits in the state, voters say lawyers are to blame by a 60 to 27 percent margin.
- 3. Georgia voters support a law to place a \$250,000 cap on non-economic damages in medical malpractice lawsuits by more than 20 points.** Georgia voters would support such a law – which would not cap economic damages – by a 57 to 35 percent margin.
- 4. Three-quarters of the state’s voters would support capping attorney’s fees in lawsuits.** Georgia voters support this idea by a 75 to 20 percent margin.
- 5. Voters say the General Assembly should take action to ensure that doctors and hospitals have protection from excessive medical liability lawsuits by a wide margin.** Voters agree that the General Assembly should take action on this issue by a 73 to 21 percent margin.
- 6. Four-fifths of voters also say that it is important for the General Assembly to pass a bill to reduce excessive lawsuits brought against physicians and hospitals, and would be more likely to support a candidate who supported this legislation by a more than three-to-one margin.** Eighty-six percent of voters say it is important to pass legislation to curb excessive lawsuits against physicians and hospitals (53 percent say very important). Voters

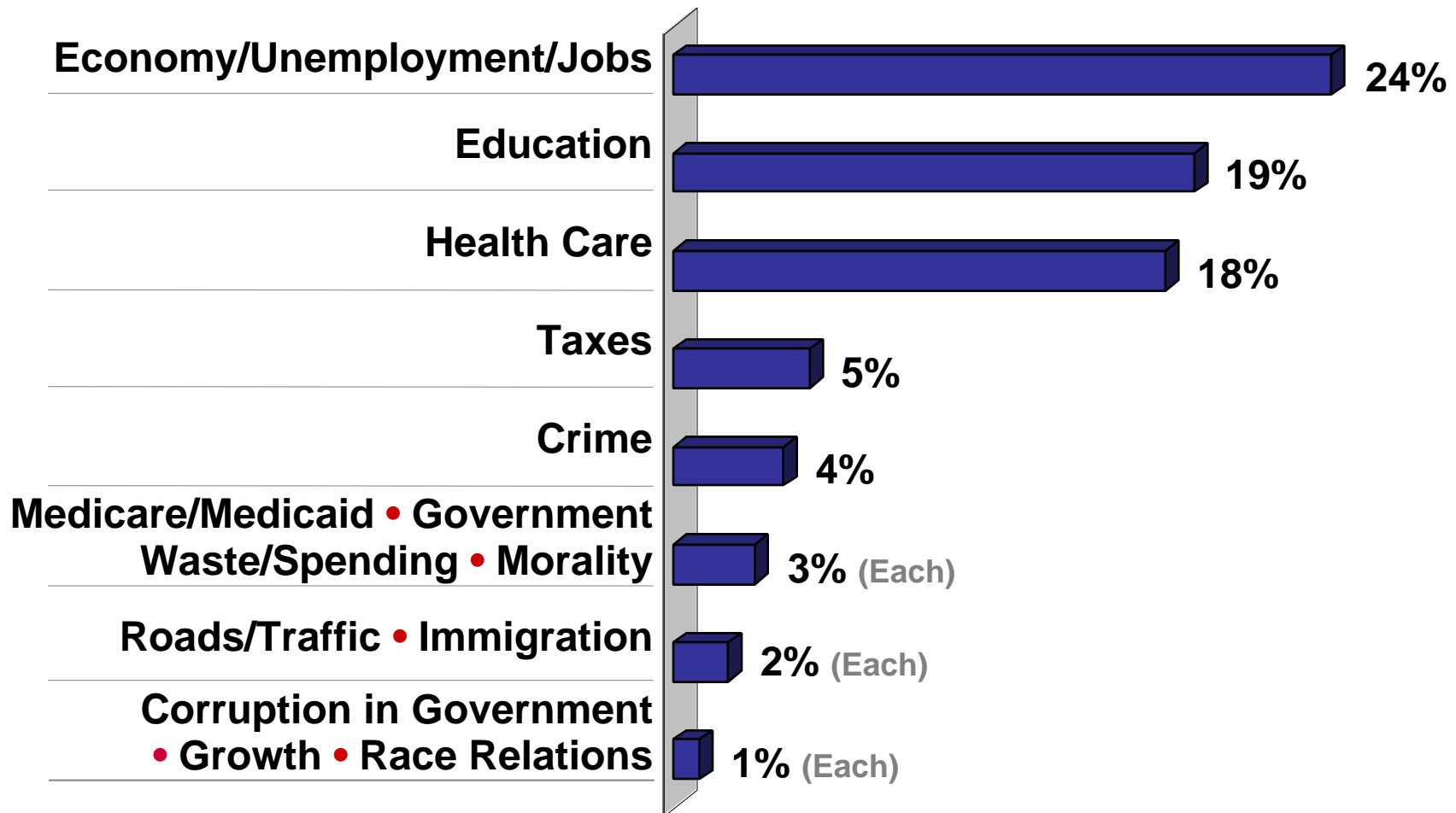
are more likely to support a candidate for the General Assembly who supported such legislation by a 67 to 20 percent margin.

- 7. Voters say cutting the cost of medical care is the most important health care issue facing Georgia, with protecting physicians from frivolous lawsuits falling in a second-tier of concerns with improving quality and ensuring access.** Thirty-seven percent of Georgia's voters say cutting costs is the most important health care issue, while 15 percent say improving the quality of medical care, 13 percent say protecting physicians from frivolous lawsuits, and 12 percent say ensuring patient access to physicians is most important.

Methodology

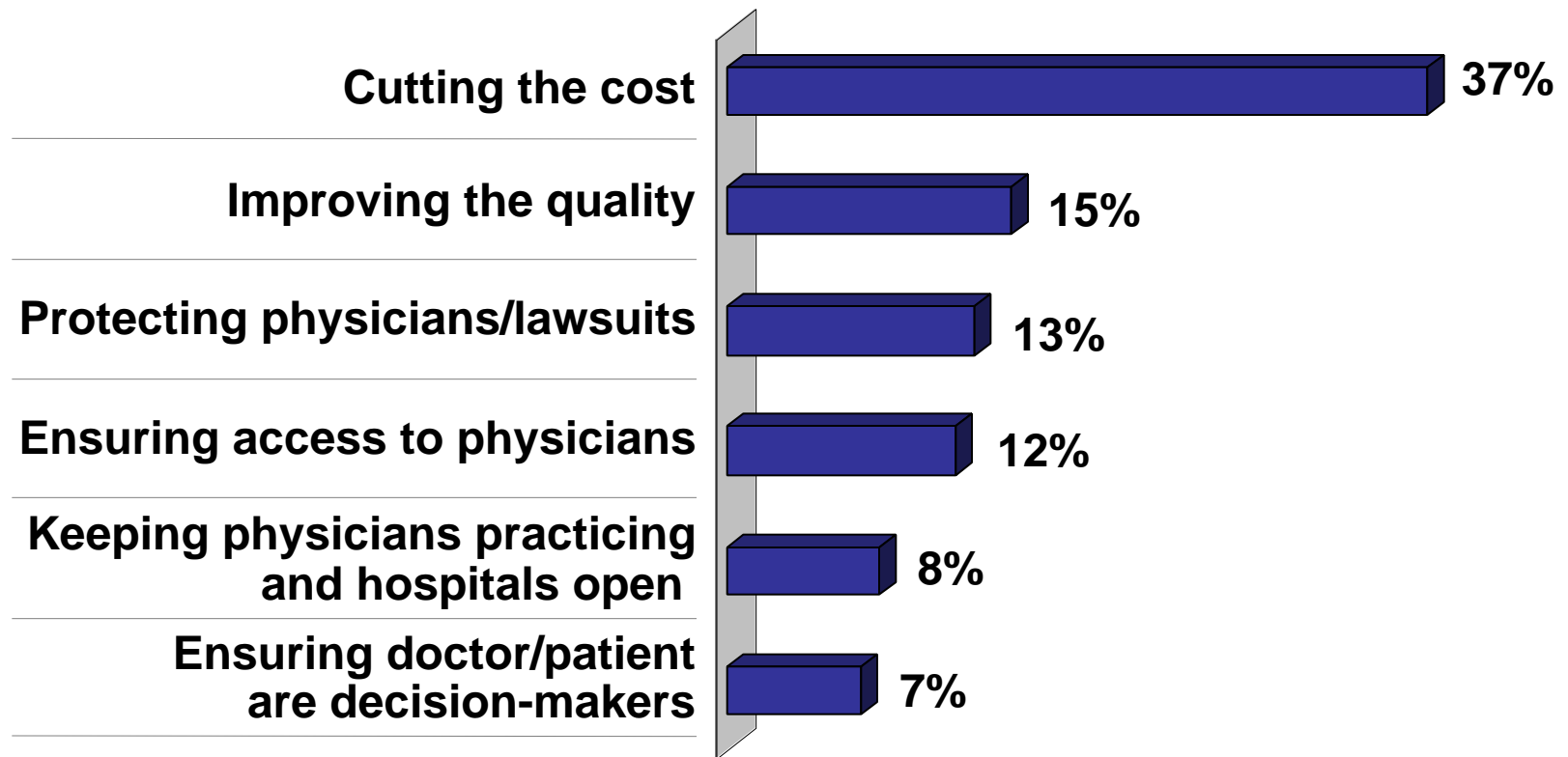
Ayres, McHenry & Associates, Inc. conducted 600 interviews on February 2-4, 2004, with registered voters throughout Georgia. Respondents were selected through random digit dialing to ensure that households with both listed and non-listed telephone numbers were included. Calling quotas were established by county in proportion to current registration statistics. Consistent with registration, 71 percent of respondents were white and 29 percent non-white, while 45 percent were male and 55 percent female. The margin of error is plus or minus 4.08 percent.

Health care places in the top tier of election issues.



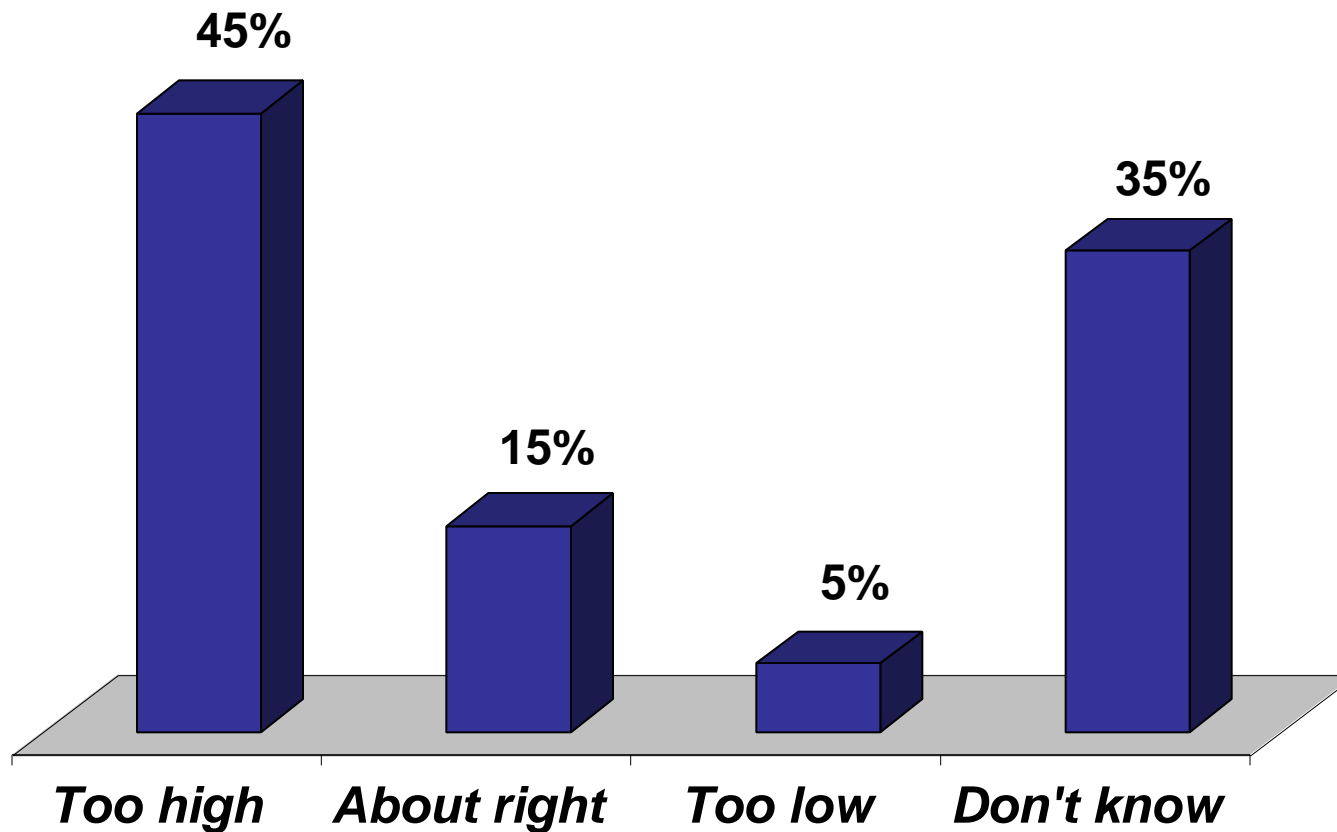
What would you say is the single most important problem facing Georgia today, that is, the one you yourself are most concerned about?

Cost is the most important health care issue, with protecting physicians from lawsuits in the second-tier of concerns.



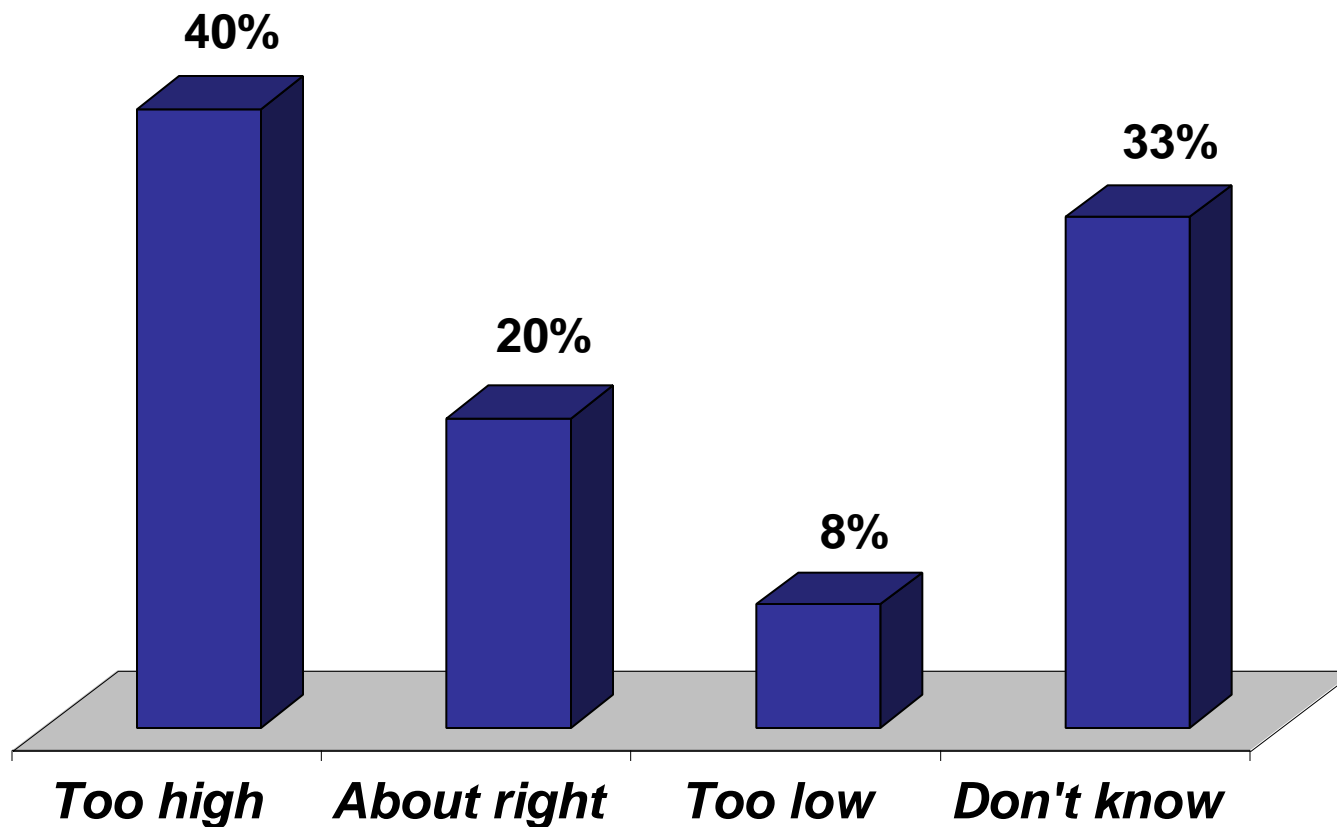
Which of the following do you think is the most important health care issue facing Georgia: cutting the cost of medical care, improving the quality of medical care, ensuring that patients have access to physicians, ensuring that doctors and patients make medical decisions, keeping physicians practicing and hospitals open, or protecting physicians from frivolous lawsuits?

Georgia voters believe there are too many lawsuits filed in the state ...



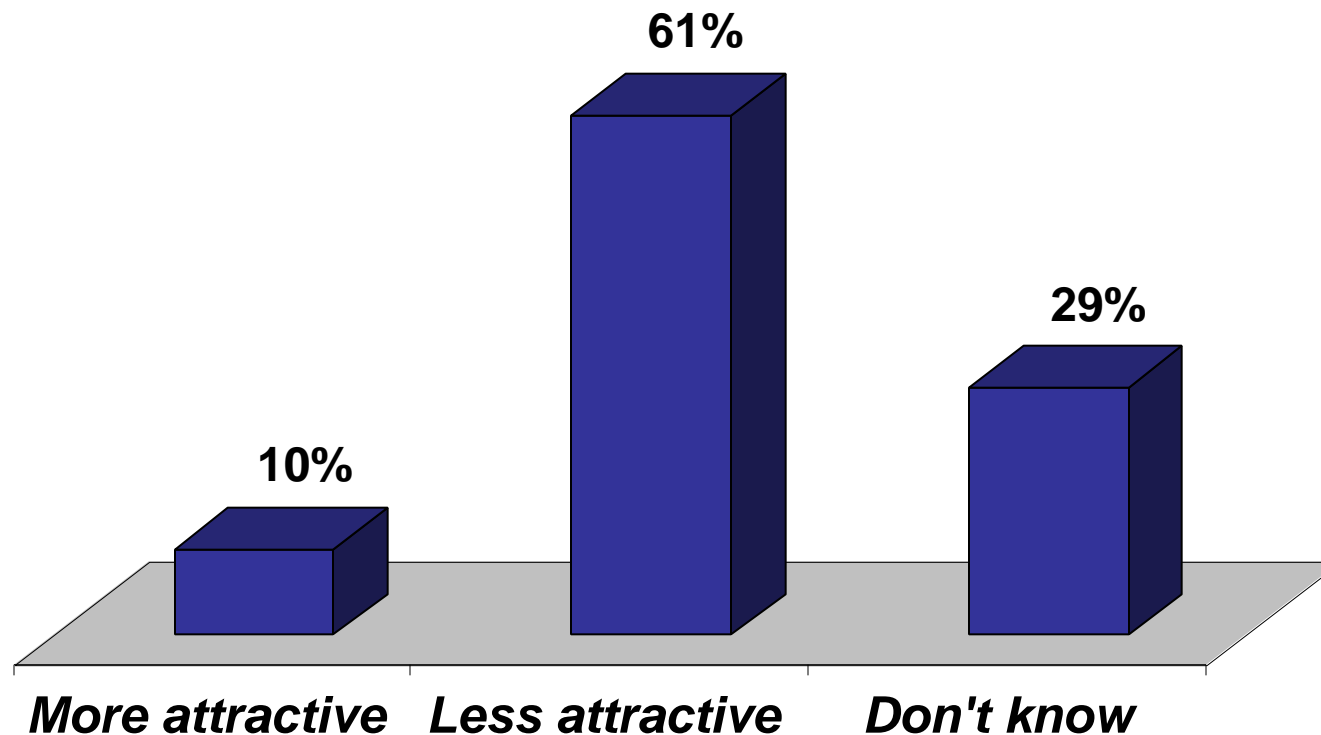
In general, would you say the number of lawsuits filed in Georgia is too high, about right, or too low?

... including too many medical malpractice lawsuits.



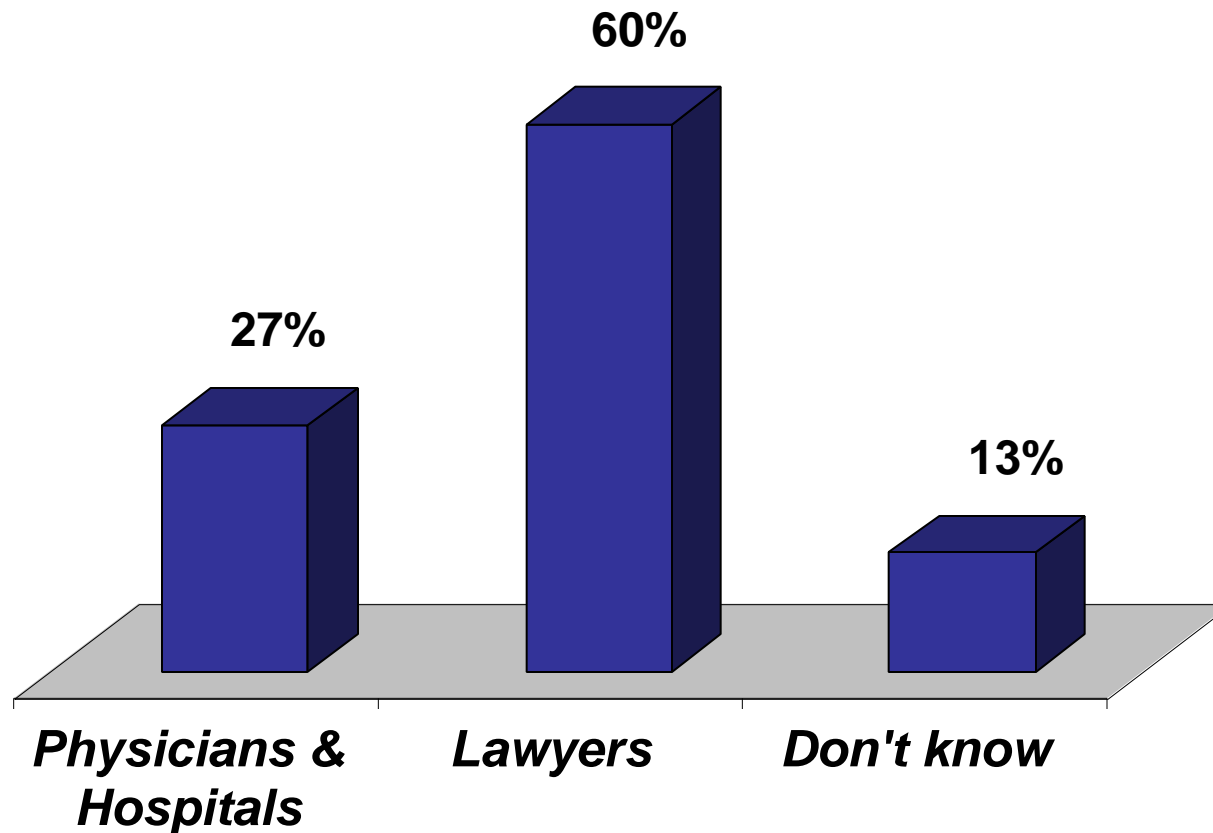
Thinking specifically about medical malpractice lawsuits, would you say the number of lawsuits filed in Georgia against physicians and hospitals is too high, about right, or too low?

*And voters say these lawsuits make Georgia
a less attractive place to do business.*



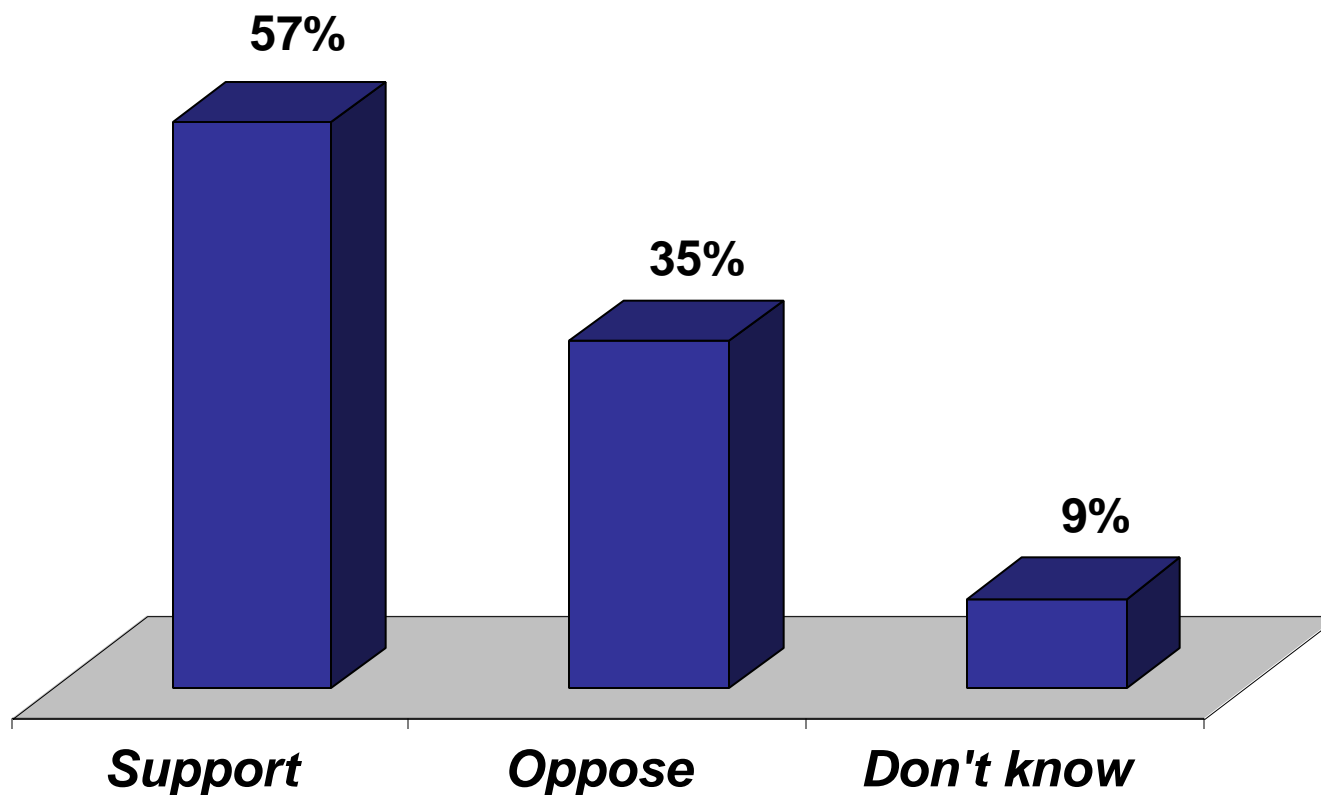
Do you think the number of lawsuits filed in Georgia each year makes the state look like a more attractive or less attractive place to do business?

With tough wording on both sides, voters say lawyers -- not physicians and hospitals -- are to blame for the number of lawsuits.



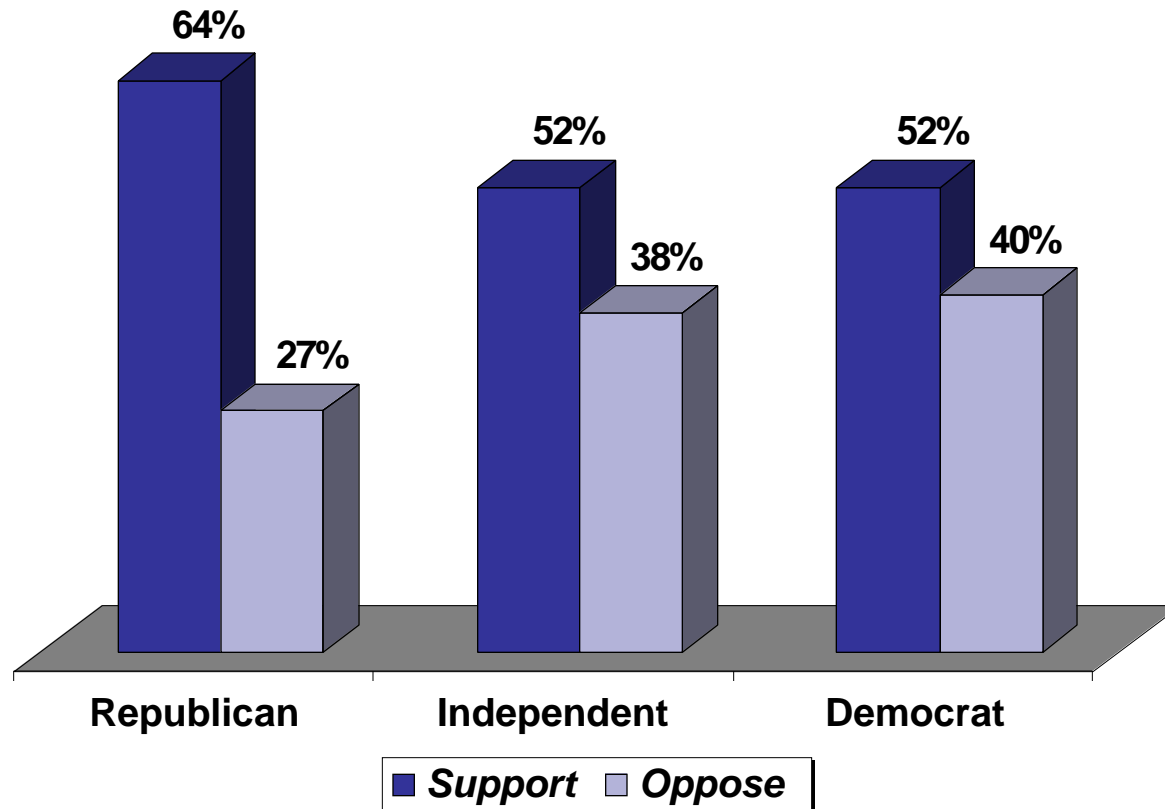
Who do you think is more to blame for the number of medical malpractice lawsuits in Georgia: physicians and hospitals who are not careful enough, or lawyers who are trying to make money?

A solid majority of voters supports a reform bill that includes caps on non-economic damages ...



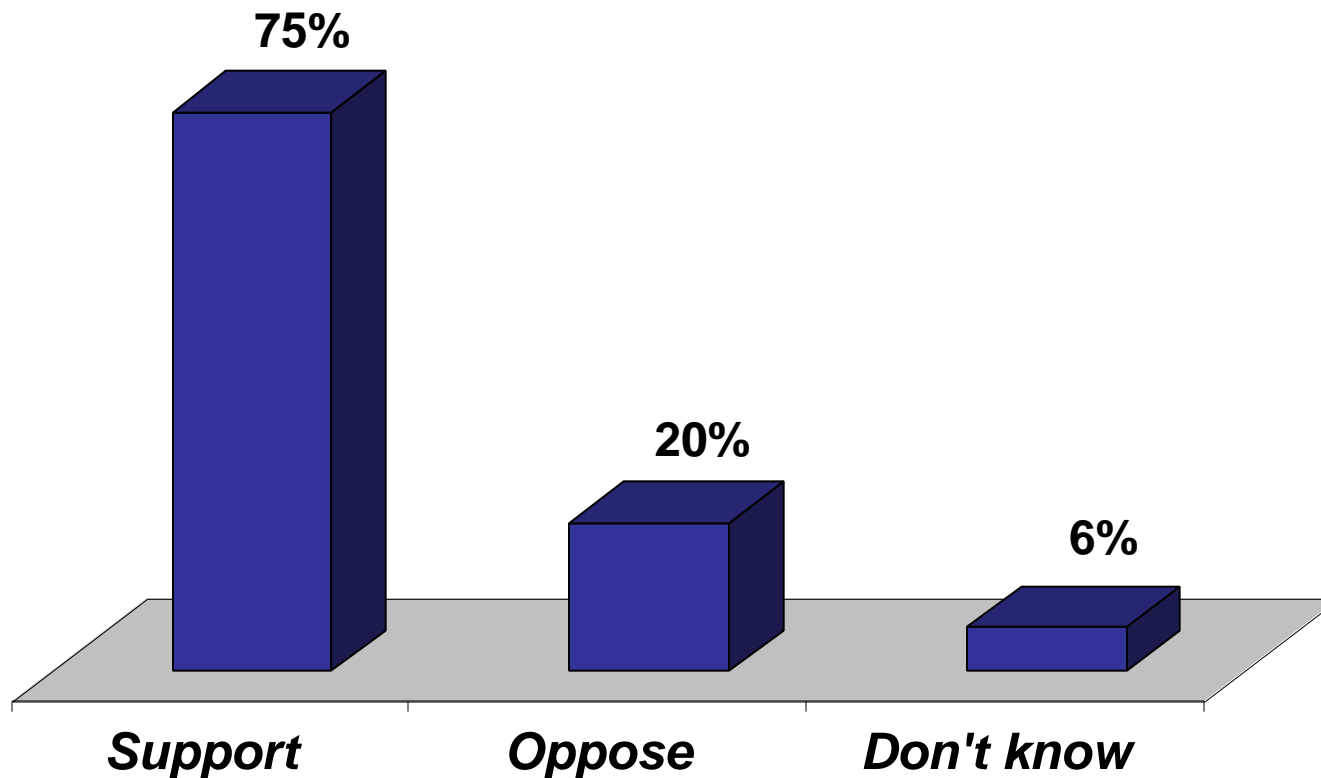
A new law has been proposed in Georgia that would place a \$250,000 cap on non-economic damages in medical malpractice lawsuits. That cap would not limit the amount of lost wages, medical expenses, attorney fees and other tangible losses that an injured patient can recover. It would place a limit of \$250,000 on intangible pain and suffering claims made by the injured patient. Do you support or oppose that new law?

... with support extending across party lines.



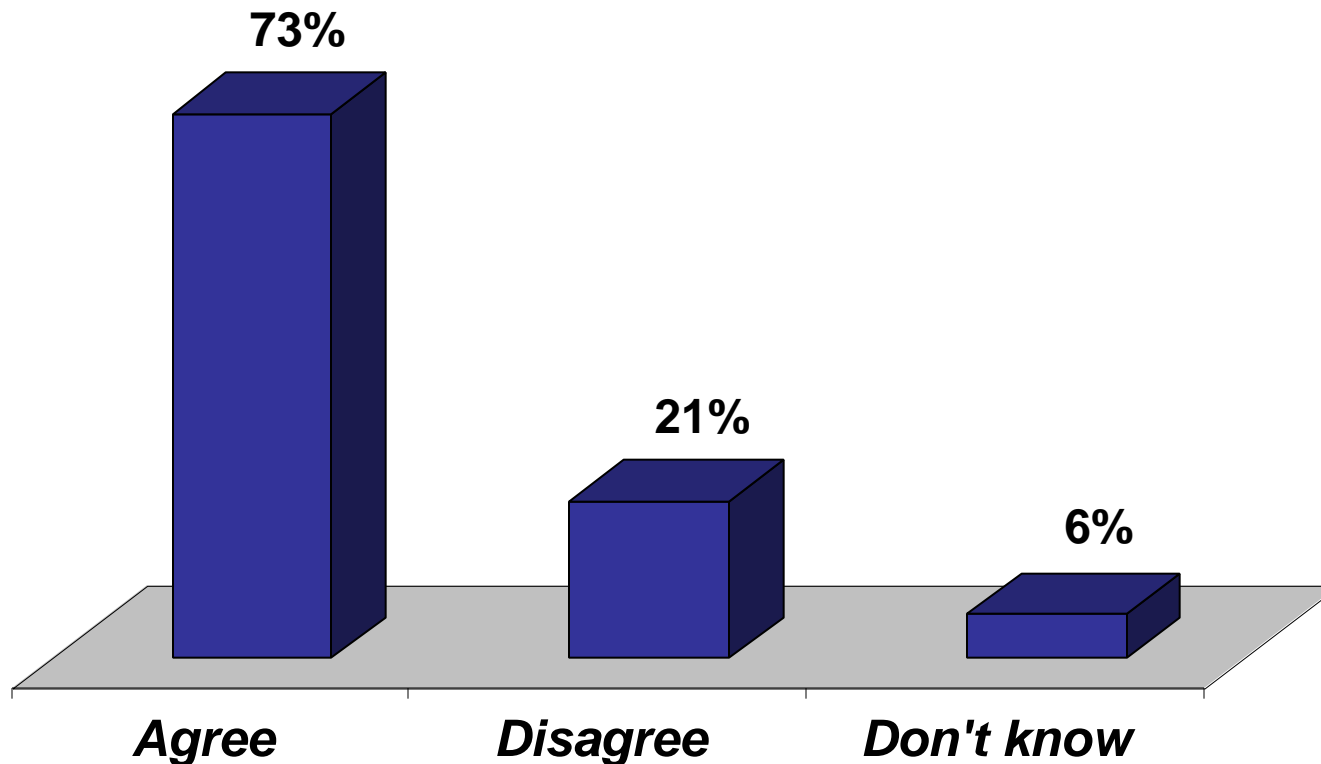
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Voters also support limiting attorneys' fees by a wide margin.



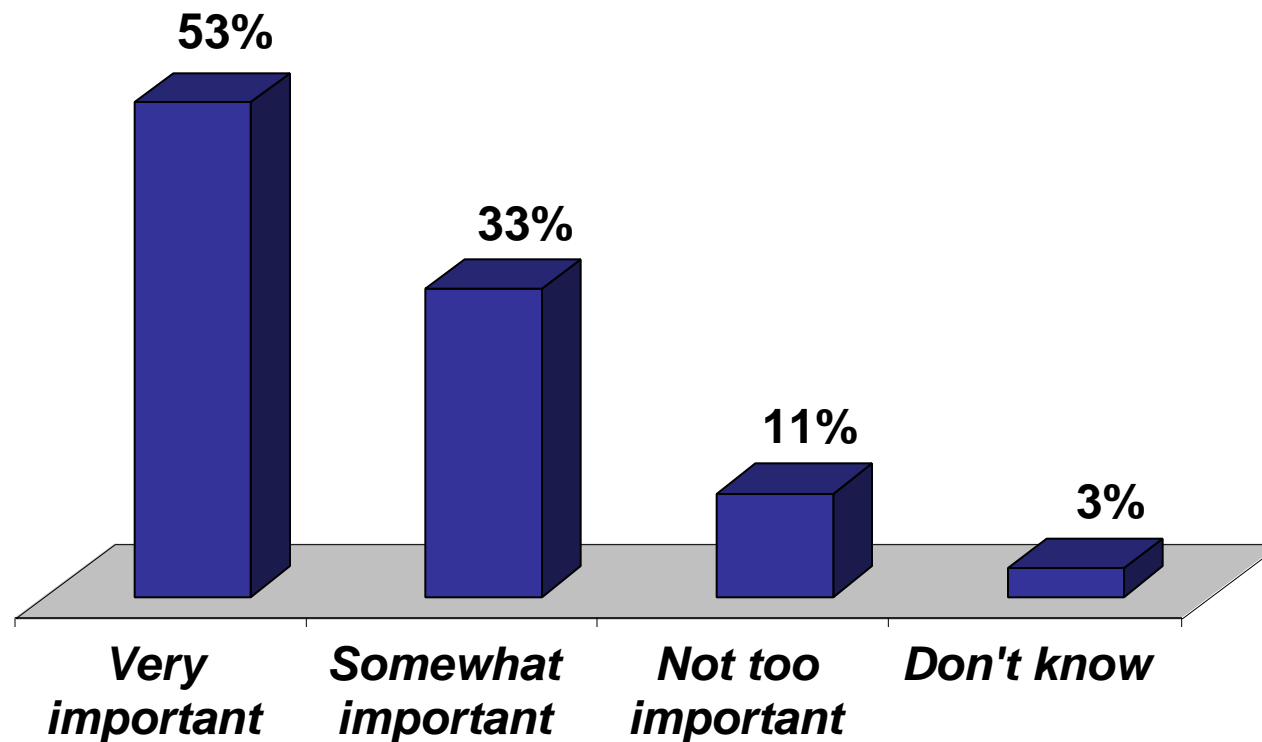
Do you support or oppose limiting attorneys' fees in lawsuits?

Nearly three-quarters of the state's voters agree that the General Assembly should take action to reduce excessive lawsuits ...



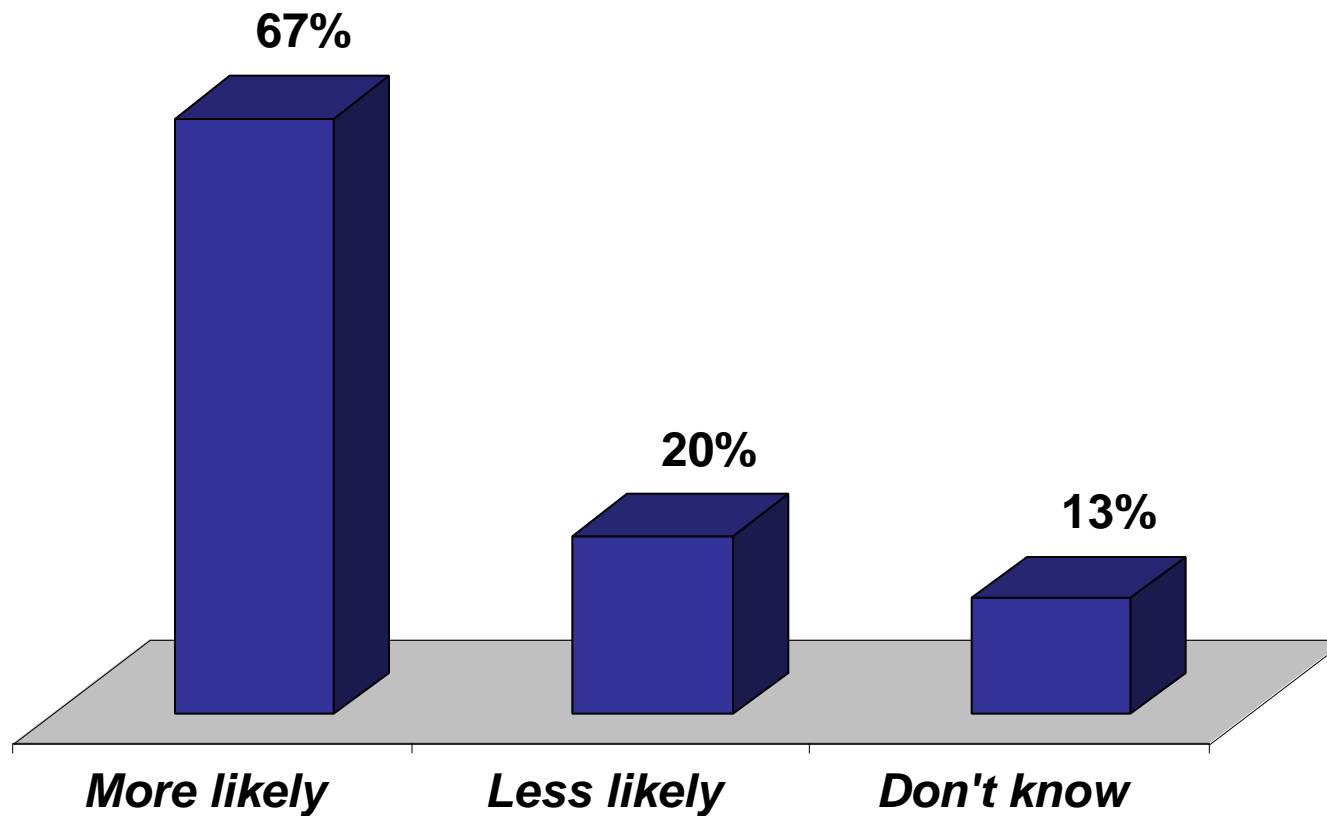
Do you agree or disagree with the following statement: The Georgia General Assembly should take action to ensure that doctors and hospitals have protection from excessive medical liability lawsuits?

... and more than four-fifths of the state's voters say it is important to pass a bill.



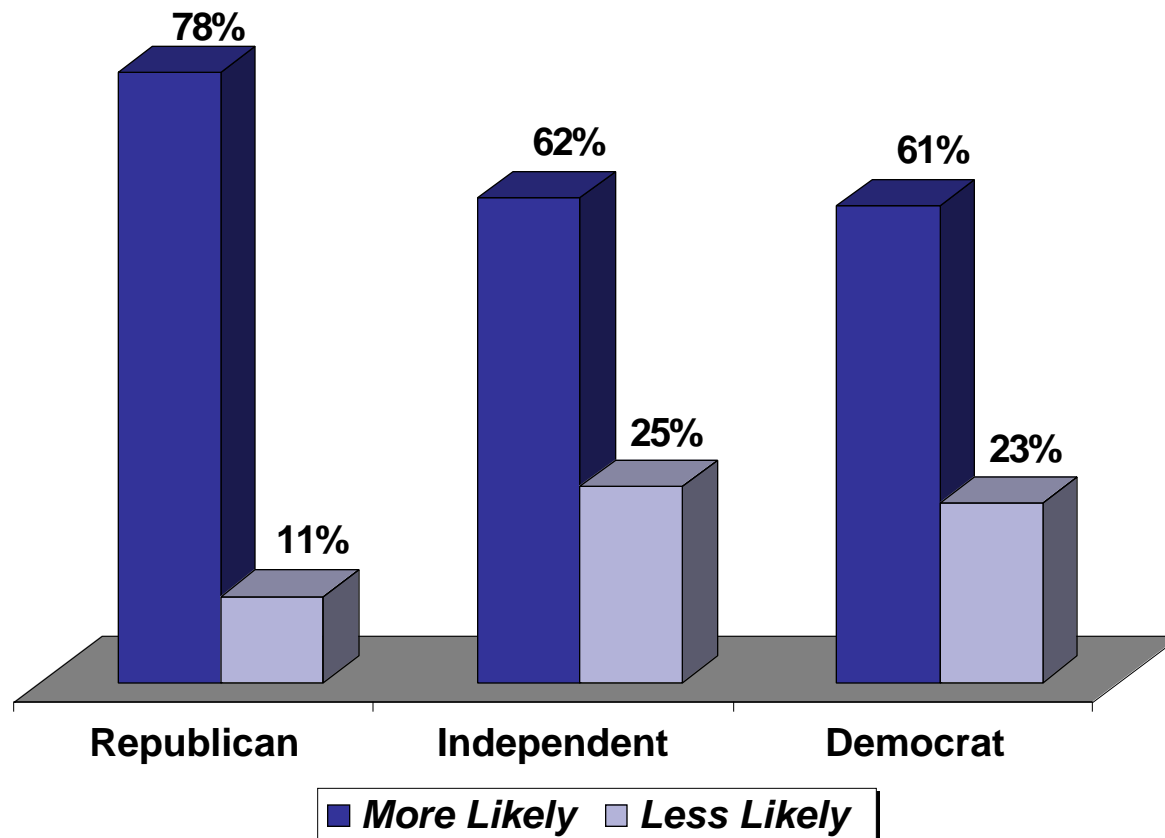
How important is it for the Georgia General Assembly to pass a bill to reduce excessive lawsuits brought against physicians and hospitals?

Two-thirds of Georgia voters would be more likely to support a candidate who supported this legislation ...



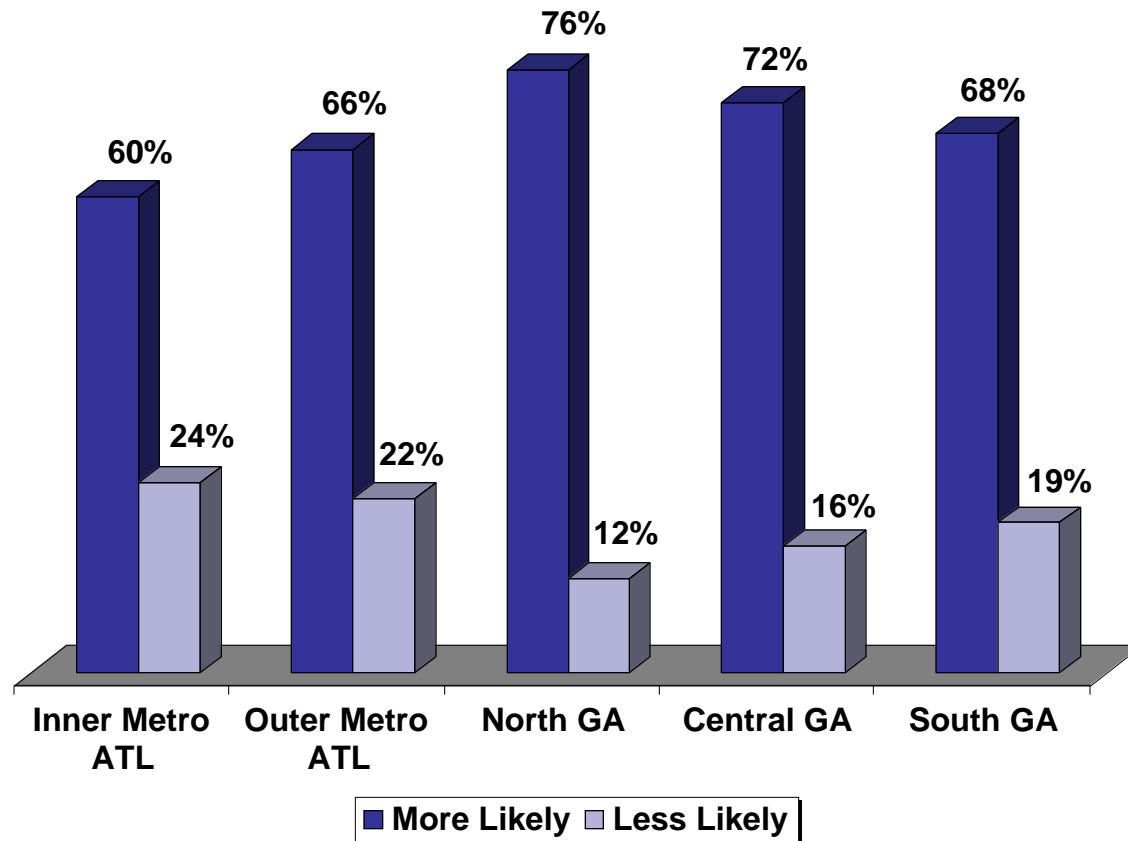
Would you be more or less likely to support a candidate for Georgia General Assembly who supported legislation to reduce excessive lawsuits?

... with strong support regardless of party ...



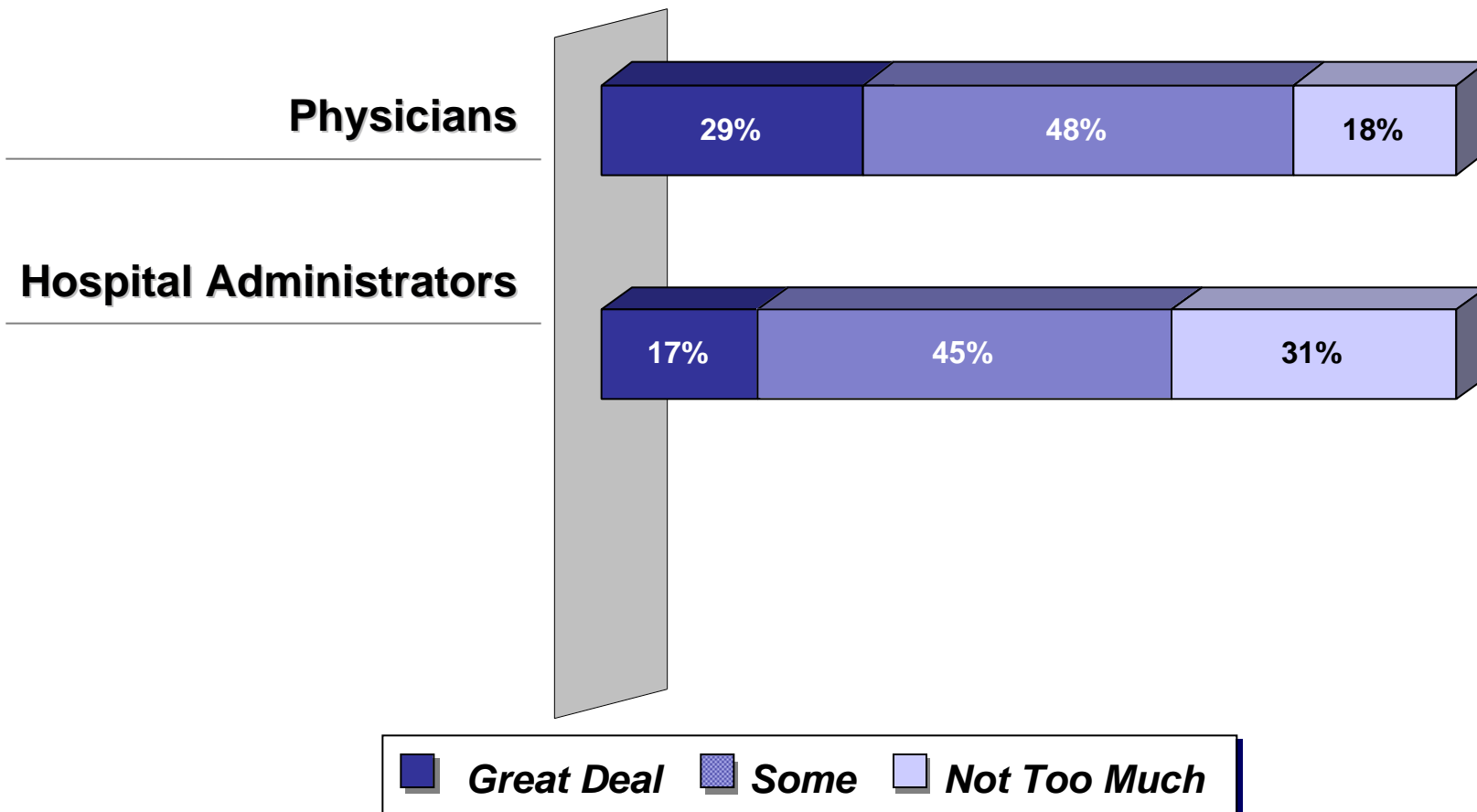
Would you be more or less likely to support a candidate for Georgia General Assembly who supported legislation to reduce excessive lawsuits?

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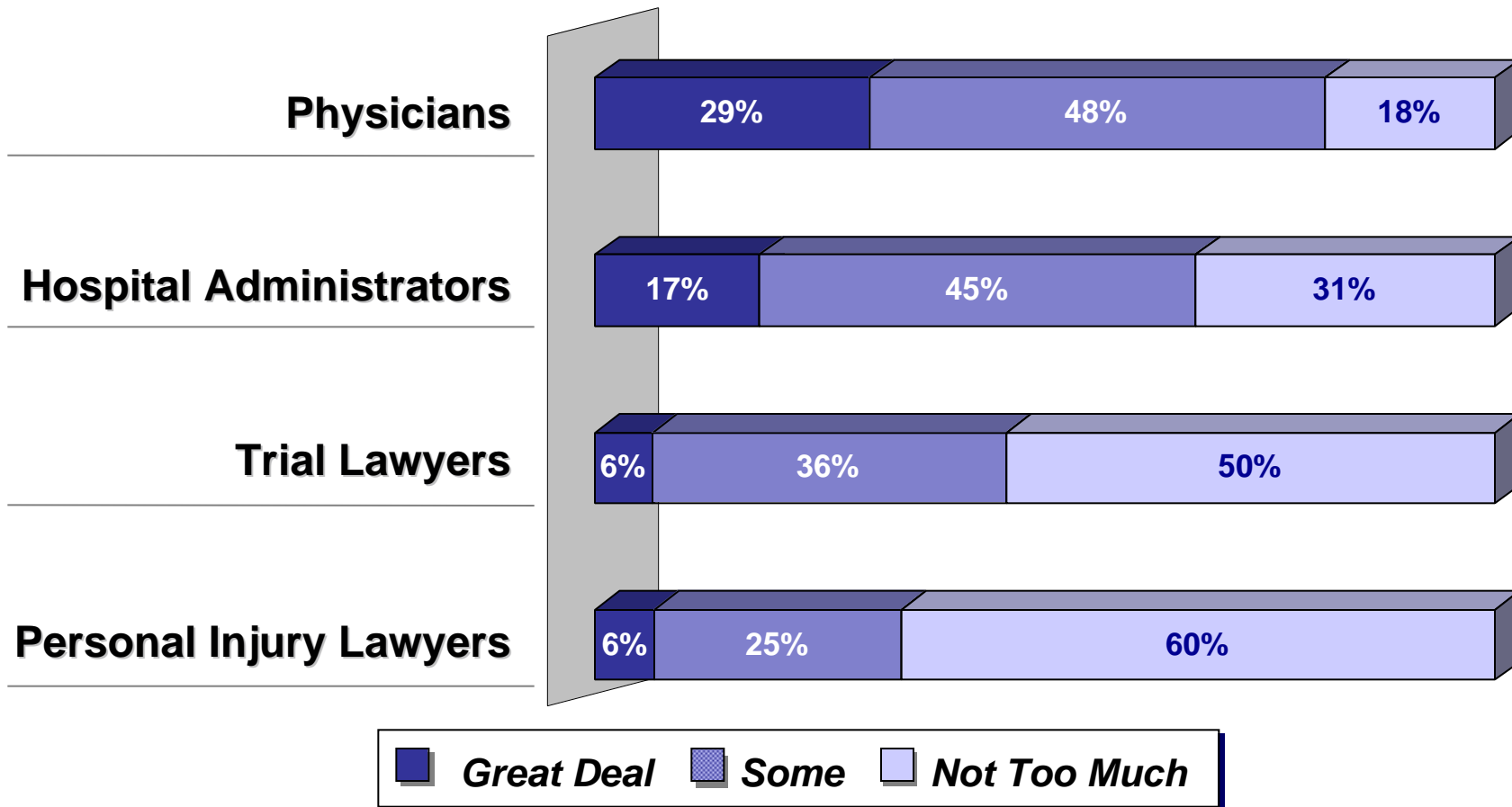
Would you be more or less likely to support a candidate for Georgia General Assembly who supported legislation to reduce excessive lawsuits?

Physicians and hospital administrators have more credibility on the issue of lawsuits ...



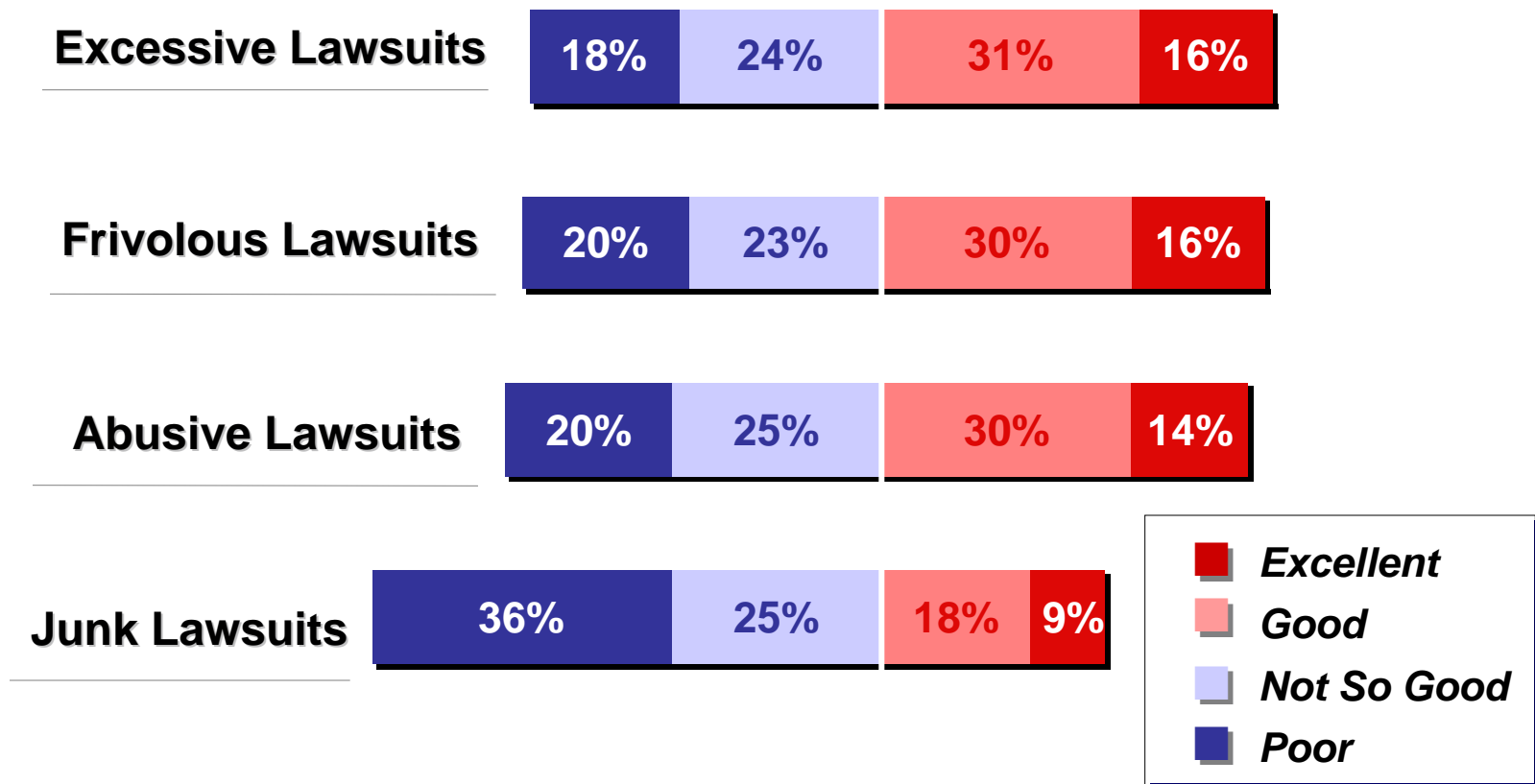
I would like to read you the names of several professions and have you tell me, for each one, whether you have a great deal of trust, some trust, or not too much trust in what they say about lawsuits.

*... than do “trial lawyers” and
“personal injury lawyers”.*



I would like to read you the names of several professions and have you tell me, for each one, whether you have a great deal of trust, some trust, or not too much trust in what they say about lawsuits.

Voters view “excessive” and “frivolous” lawsuits as better descriptions of lawsuits judged to be without merit than other tested terms.



Now I would like to read you the several terms some people use to describe lawsuits that judges and juries decide do not have merit. For each one, please tell me if that term is an excellent, good, not so good, or poor term to describe those lawsuits.

Summary of Key Findings

- Health care ranks among the most important issues for Georgia voters.
 - Voters say there are too many lawsuits in the state, including medical malpractice suits.
 - Voters say the General Assembly should take action to reduce excessive lawsuits, and support legislation that caps non-economic damages.
 - Voters are more likely to support candidates who support legislation to reduce excessive lawsuits.
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Hello, this is _____ with Ayres, McHenry & Associates, a public opinion research company. We're talking with people in Georgia today for just a few minutes about some health care issues in the state. We are not trying to sell anything, your answers are completely confidential, and we would really appreciate your cooperation. (DO NOT PAUSE)

A. Are you registered to vote in the county in which you live?

YES.....GO TO QUESTION 1
NO.....GO TO QUESTION B

B. Is there anyone else in your household who is registered to vote in your county?

YES.....May I speak with that person please? GO TO INTRO
NO..... THANK AND CLOSE

1. What would you say is the single most important problem facing Georgia today, that is, the one you yourself are most concerned about? (DO NOT READ RESPONSES)

ECONOMY/UNEMPLOYMENT/JOBS.....	24%
EDUCATION.....	19%
TAXES.....	5%
HEALTH CARE.....	18%
MEDICARE/MEDICAID.....	3%
GOVERNMENT WASTE/SPENDING.....	3%
CRIME.....	4%
CORRUPTION IN STATE GOVT.....	1%
ROADS/INFRASTRUCTURE/TRAFFIC.....	2%
GROWTH (TOO MUCH)/OVERDEVELOPMENT.....	1%
RACE RELATIONS/AFFIRM ACTION/DISCRIMIN.....	1%
MORALITY/TRADITIONAL VALUES.....	3%
ENVIRONMENT/POLLUTION/WASTE.....	1%
IMMIGRATION.....	2%
OTHER (WRITE IN).....	7%
DON'T KNOW/REFUSED.....	9%

Results are based on 600 respondents, margin of error ±4.08 percent. Percentages may not equal 100 due to rounding.

2. Which of the following do you think is the most important health care issue facing Georgia: (ROTATE: cutting the cost of medical care, improving the quality of medical care, ensuring that patients have access to physicians, ensuring that doctors and patients make medical decisions, keeping physicians practicing and hospitals open, or protecting physicians from frivolous lawsuits)?

COSTS.....	37%
QUALITY.....	15%
ACCESS.....	12%
DECISIONS BY DOCTORS AND PATIENTS.....	7%
KEEPING PHYS PRACTICING AND HOSPITALS OPEN.....	8%
FRIVOLOUS LAWSUITS.....	13%
OTHER (WRITE IN).....	1%
DON'T KNOW/NO OPINION.....	6%

3. In general, would you say the number of lawsuits filed in Georgia is too high, about right, or too low?

TOO HIGH.....	45%
ABOUT RIGHT.....	15%
TOO LOW.....	5%
DON'T KNOW/NO OPINION.....	35%

4. Thinking specifically about medical malpractice lawsuits, would you say the number of lawsuits filed in Georgia against physicians and hospitals is too high, about right, or too low?

TOO HIGH.....	40%
ABOUT RIGHT.....	20%
TOO LOW.....	8%
DON'T KNOW/NO OPINION.....	33%

5. Do you think the number of lawsuits filed in Georgia each year makes the state look like (ROTATE: a more attractive or less attractive) place to do business?

MORE ATTRACTIVE.....	10%
LESS ATTRACTIVE.....	61%
DON'T KNOW/NO OPINION.....	29%

6. Who do you think is more to blame for the number of medical malpractice lawsuits in Georgia: (ROTATE: physicians and hospitals who are not careful enough, or lawyers who are trying to make money)?

PHYSICIANS AND HOSPITALS.....	27%
LAWYERS.....	60%
DON'T KNOW/NO OPINION.....	13%

Results are based on 600 respondents, margin of error ±4.08 percent. Percentages may not equal 100 due to rounding.

7. A new law has been proposed in Georgia that would place a \$250,000 cap on non-economic damages in medical malpractice lawsuits. That cap would not limit the amount of lost wages, medical expenses, attorney fees and other tangible losses that an injured patient can recover. It would place a limit of \$250,000 on intangible pain and suffering claims made by the injured patient.

Do you support or oppose that new law? (IF UNDECIDED, ASK: Which way do you lean, toward supporting or opposing the law)?

SUPPORT.....	51%
LEAN SUPPORT.....	6%
OPPOSE.....	33%
LEAN OPPOSE.....	2%
DON'T KNOW/NO OPINION.....	9%

8. Do you support or oppose limiting attorneys' fees in lawsuits?

SUPPORT.....	75%
OPPOSE.....	20%
DON'T KNOW/NO OPINION.....	6%

9. Do you agree or disagree with the following statement: The Georgia General Assembly should take action to ensure that doctors and hospitals have protection from excessive medical liability lawsuits?

AGREE.....	73%
DISAGREE.....	21%
DON'T KNOW/NO OPINION.....	6%

10. How important is it for the Georgia General Assembly to pass a bill to reduce excessive lawsuits brought against physicians and hospitals: very important, somewhat important, or not too important?

VERY IMPORTANT.....	53%
SOMEWHAT IMPORTANT.....	33%
NOT TOO IMPORTANT.....	11%
DON'T KNOW/NO OPINION.....	3%

11. Would you be more or less likely to support a candidate for Georgia General Assembly who supported legislation to reduce excessive lawsuits?

MORE LIKELY.....	67%
LESS LIKELY.....	20%
DON'T KNOW/NO OPINION.....	13%

Results are based on 600 respondents, margin of error ±4.08 percent. Percentages may not equal 100 due to rounding.

I would like to read you the names of several professions and have you tell me, for each one, whether you have a great deal of trust, some trust, or not too much trust in what they say about lawsuits. (ROTATE)

	GREAT DEAL	SOME	NOT TOO MUCH	DON'T KNOW
12. Personal injury lawyers	6%	25%	60%	9%
13. Physicians	29%	48%	18%	5%
14. Trial lawyers	6%	36%	50%	8%
15. Hospital administrators	17%	45%	31%	7%

Now I would like to read you the several terms some people use to describe lawsuits that judges and juries decide do not have merit. For each one, please tell me if that term is an excellent, good, not so good, or poor term to describe those lawsuits. (ROTATE)

	EXCELLENT	GOOD	NOT SO GOOD	POOR	DON'T KNOW
16. Abusive lawsuits	14%	30%	25%	20%	11%
17. Frivolous lawsuits	16%	30%	23%	20%	12%
18. Junk lawsuits	9%	18%	25%	36%	13%
19. Excessive lawsuits	16%	31%	24%	18%	12%

Now I have just a few more questions just for statistical purposes.

20. Have you ever been involved personally in a lawsuit?

IF YES, ASK: Was that as a plaintiff, a defendant, a witness, an attorney, a juror, or some other role?

ACCEPT UP TO THREE RESPONSES

YES/PLAINTIFF.....	13%
YES/DEFENDANT.....	5%
YES/WITNESS.....	3%
YES/ATTORNEY.....	0%
YES/JUROR.....	3%
YES/SOME OTHER ROLE.....	1%
NO.....	77%
DON'T KNOW/REFUSED.....	2%

Note: Percentages do not equal 100 because multiple responses were accepted.

21. Are you, or is anyone in your immediate family, an attorney?

YES.....	8%
NO.....	91%
REFUSED.....	1%

Results are based on 600 respondents, margin of error ±4.08 percent. Percentages may not equal 100 due to rounding.

22. Are you currently covered by health insurance?

IF YES, ASK:

Which of the following best describes the primary health insurance plan you have: Medicare for the elderly, Medicaid for the needy, a Health Maintenance Organization or HMO where you choose your doctor only from a list provided by your health plan, a Preferred Provider system or PPO where you choose your doctor but pay more if the doctor is not in your network, or a traditional fee-for-service plan where you choose any doctor without restriction?

YES/MEDICARE.....	18%
YES/MEDICAID.....	6%
YES/HMO.....	23%
YES/PREFERRED PROVIDER.....	35%
YES/FEE-FOR-SERVICE.....	5%
NO, NOT COVERED.....	11%
DON'T KNOW/NO OPINION.....	3%

23. In politics today, do you normally think of yourself as a Republican, a Democrat, or an Independent?

IF "REPUBLICAN" OR "DEMOCRAT", ASK: Would you consider yourself a strong or a not-so-strong Republican/Democrat?	STRONG REPUBLICAN.....	24%
	NOT-SO-STRONG REPUBLICAN.....	11%
	INDEPENDENT LEAN REPUBLICAN.....	6%
	INDEPENDENT/NO PREFERENCE.....	17%
IF "INDEPENDENT," ASK: Do you think of yourself as closer to the (ROTATE: Republican or Democratic Party)?	INDEPENDENT LEAN DEMOCRAT.....	7%
	NOT-SO-STRONG DEMOCRAT.....	9%
	STRONG DEMOCRAT.....	18%
	DON'T KNOW/REFUSED.....	8%

24. What was the last year of education you completed?

LESS THAN HIGH SCHOOL.....	8%
HIGH SCHOOL GRADUATE.....	27%
SOME COLLEGE.....	27%
COLLEGE GRADUATE.....	26%
POST COLLEGE.....	10%
REFUSED.....	2%

25. Would you please stop me when I read the correct category for your age?

18 TO 34.....	19%
35 TO 49.....	32%
50 TO 64.....	27%
65 OR OLDER.....	20%
REFUSED.....	3%

26. Would you please stop me when I read the correct category for your total household income last year?

\$15,000 OR LESS.....	12%
\$15,000 TO \$30,000.....	13%
\$30,000 TO \$50,000.....	18%
\$50,000 TO \$75,000.....	16%
\$75,000 OR MORE.....	19%
REFUSED.....	22%

Results are based on 600 respondents, margin of error ±4.08 percent. Percentages may not equal 100 due to rounding.

27. And just to make sure we have a representative sample, could you please tell me your race?

(IF NEEDED, SAY: Well, most people consider themselves white or black.)

WHITE.....	71%
BLACK.....	26%
HISPANIC.....	2%
OTHER.....	1%
REFUSED.....	0%

28. Gender (from observation)

MALE.....	45%
FEMALE.....	55%

29. Finally, in which county do you live?

WRITE IN COUNTY FIPS CODE: _____

That's all the questions I have. Thank you very much for sharing your opinions with us.

Results are based on 600 respondents, margin of error ±4.08 percent. Percentages may not equal 100 due to rounding.