



Dealing with Malpractice Stress, Part I

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As the numbers of malpractice filings continue to climb, so do the chances that a physician will be sued at some point in his or her career. We at the Tennessee Medical Foundation have long recognized a syndrome called malpractice stress syndrome.

By nature, physicians are caregivers and the stress that grows out of a malpractice lawsuit can be difficult emotionally. Part of that is because of the manner in which doctors perceive lawsuits – they tend not to separate who they are from what they do, and the charges of malpractice feel like a personal attack. The feelings rank in intensity with the death of a loved one, going through a divorce or the onset of a life-threatening illness, so they are profound.

About 40 percent of physicians who go through malpractice litigation will experience an episode of major depression and nearly all sued physicians experience some kind of adverse physical or emotional reaction, regardless of the outcome. The emotional pattern experienced during the course of the malpractice suit is clear; the symptoms are usually in the following order:

1. Initial feeling of shock when served with papers. The charges are usually written in inflammatory language; often, the physician can barely remember the patient and the charges are totally unexpected.
2. Shock is followed quickly by anger.
3. Feelings of anxiety and fear, especially fear of economic insecurity. There is a tendency these days to ask for large damage amounts, way above the limits of a doctor's malpractice policy and from a psychological standpoint this can be devastating, even when the physician knows on every level he or she did not commit malpractice. When news of the malpractice lawsuit gets a lot of publicity, especially in smaller towns and rural areas, doctors also fear what their colleagues and their patients will think of them.
4. Depression typically sets in.
5. Resolution. Doctors eventually realize there is life on the other side of their crisis.

I continue to be amazed at the number of physicians who have an untreated or under-treated mood disorder. The stress and strain of a malpractice lawsuit affects how they practice and, interestingly, confirms the statistical relationship between being sued and the chance of being sued again. Depression is common; some of the physical and emotional symptoms of depression include:

- Insomnia
- Loss of appetite
- Social withdrawal, loss of interest in usual activities
- Feelings of guilt or shame
- Irritability
- Fatigue
- Decreased sexual drive

- Excessive alcohol use or self-medication
- Gastrointestinal symptoms

There are two psychological mechanisms that physicians typically use to deal with malpractice stress, neither of which is emotionally healthy: suppression and denial. Both can be used as an emotional crutch. Lawsuits are often long, drawn-out affairs; there are times when almost nothing happens, followed by periods of intense activity. Malpractice litigation affects not just the doctor but their family as well, and may even extend to practice partners as the stress escalates.

The main relationship victimized by malpractice stress is the marital relationship. Often, the spouse winds up carrying the greater part of the emotional burden by just having to live with the stressed physician daily; they're the ones who bear the brunt of the results of lost sleep, irritability, last minute cancellation of vacation plans, and other impacts on the marriage and family life.

The good news is there are coping mechanisms to handle malpractice stress, something we will explore in the next article.

If you or someone you know needs help managing their professional stress, especially stress caused by a lawsuit, please don't hesitate to call. Contact our Clinical Coordinator, Jeanne Breard, at 615-467-6411 to set up an appointment. Help is on the way!

To make a tax deductible contribution to the Physicians Health Program, contact TMF Administrator Michael Todd at (615) 467-6411 or write to the Tennessee Medical Foundation, 216 Centerview Drive, Suite 304, Brentwood, TN 37027.

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