

# The Word's Eye View

The Word's Eye View is a newspaper column written by  
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## Tort Reform (Article 57)

By all existing evidence the president and Congress have given little, if any, consideration to one of the most obvious ills in the health care industry. If there is a genuine desire to fix the maladies of the system, how can the subject of tort reform be avoided? There is a general agreement that physicians feel obligated to practice defensive medicine which often results in ordering an entire battery of tests that are often unnecessary. The fear of a courtroom drama featuring an opposing lawyer asking about all available examinations motivates this very expensive protocol. Clearly, the cost of these procedures is passed on to the consumer who frequently has little concern because his insurance will cover the expense. Unfortunately, these bills land on someone's desk and must be paid—hence, additional premiums are the result, and the insurance companies are deemed the bad guys because they are in business to make a profit. Isn't the guy who owns your local hardware or gas station attempting to extract a gain as well. Perhaps all business is evil and should be nationalized to be eventually regulated by the government. If the general population will accept a socialization of one of the largest and most critical aspects of society, it seems logical that in time people will concede to the control of entities that appear to be less consequential. Profit must be painted with an undesirable brush if the wealth is to be spread around.

Malpractice has become an out of control issue with some surgeons paying as much as \$200,000 per year to protect themselves. To be sure, negligence needs to be addressed, and the legal beagles stand by to offer a remedy. But every time a ridiculous amount is awarded, it adds another layer of cost to the structure. The individuals who generally are the most rewarded are the trial lawyers. Have you noticed how many ads are on television by legal firms soliciting clients who believe they have been violated by a medicine or a procedure?

The Bible mentions lawyers six times. Four occasions are by Luke who was a physician. Dr. Luke offers nothing positive about this crowd but goes to some length to expose their motives which were less than exemplary. In all probability prior to meeting Jesus Luke had hung out with the boys at the country club and understood full well the inside scoop.

Even the media assumes that most Americans are familiar with the story of the "Good Samaritan" which is evidenced by the periodic use of the term when relating an account of good will being extended toward another. What few folks know is what precipitated the narrative by Jesus in Luke 10. The scenario begins with "a certain lawyer stood up, and tempting him, saying, Master, what shall I do to inherit eternal life? He said unto him, What is written in the law? How readest thou?" (Luke 10:25,26) In plainer words... "Hey, bright boy, you are supposed to know these things; what's your interpretation?" The attorney answered by quoting the two great commandments ending with "love your neighbor as thyself." Jesus gave him an 'atta boy' but the next verse is extremely revealing... "But he, willing to justify himself, said unto Jesus, And who is my neighbor?"

Many in Washington pretend to care for their neighbors by introducing programs that will be carried on the backs of the producers, but how much of the frenzied activity is really an effort to justify their

own occupation? Trial lawyers are well acquainted with self justification whether it is being utilized by themselves or for a client. Unfortunately, there is a smattering of these tendencies in all of our hearts which raises the level of acceptability.

The majority of Congress went to law school where they learned to take a flaw in human nature and embellish its characteristics. The counselor really didn't care who his neighbor was or what his personal responsibility was toward that individual. What was important to this man was how to look good in the eyes of his peers. Therein lies the rub—how can our legislators enact any legislation that will put them in a negative light before their jurist buddies? This is all compounded by the fact that trial lawyers contribute busloads of money to political campaigns endeavoring to feather their own nests. Shouldn't it be the goal of our representatives to make medicine easier to practice rather than more difficult and expensive? Common sense would suggest that the entire nation would benefit if our physicians weren't always looking over their shoulders to observe the pursuit of the wolves.

To be fair, not all lawyers represent this mentality as many render services that are needed and legitimate. The apostle Paul requested that Titus bring Zenas the lawyer to his side. Paul must have had confidence that this man could be of some help to his ministry. Christ Himself is called an Advocate who is willing to represent any who come to Him. He requires no retainers, only faith in His ability to rescue the perishing.