
RSNA Press Release

Medical Malpractice Concerns Lead to More Breast Biopsies

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OAK BROOK, Ill.- Some women may be undergoing unnecessary diagnostic imaging and breast biopsies because radiologists are worried about medical malpractice suits, according to a study in the July issue of *Radiology*.

"Radiologists who interpret mammograms in the United States have higher recall and false-positive rates, possibly due to heightened concern about medical malpractice," said the study's lead author, Joann G. Elmore, M.D., M.P.H., associate professor of medicine at the University of Washington School of Medicine, and section head of the Division of General Internal Medicine at Harborview Medical Center in Seattle. "Women are extremely anxious about breast cancer. More testing leads to more anxiety among women."

Dr. Elmore and colleagues surveyed 124 radiologists who regularly interpret mammograms in Washington, Colorado and New Hampshire. A majority (76.4 percent) of respondents expressed concern over the impact that medical malpractice has had on mammography practice. More than half (58.5 percent) indicated that this concern moderately to greatly increased their number of recommendations for breast biopsies, and 72.4 percent reported their concern moderately or greatly increased their number of recommendations for diagnostic mammography or ultrasound.

The recommendation rates for additional testing after a screening mammogram are much higher in the United States than in other countries. However, Dr. Elmore said previous studies have shown that a higher recall rate does not necessarily result in higher cancer detection rates.

"The majority of women who are called back for additional testing after a screening mammogram do not have any evidence of breast cancer on subsequent evaluation," she said.

At A Glance

- Radiologists in the United States may be ordering unnecessary follow-up testing after screening mammograms.
- Concern over potential medical malpractice suits caused 58.5 percent of radiologists surveyed to increase their number of recommendations for biopsies and 72.4 percent to increase their number of recommendations for diagnostic mammography and ultrasound.
- Higher recall rates do not result in higher cancer detection rates.

Failure or delay in breast cancer diagnosis is one of the most prevalent and expensive conditions in malpractice claims lodged against physicians. Many of the claims occur because of misinterpretation of the mammogram or delay in reporting abnormalities. Approximately half (52.4 percent) of the radiologists surveyed for Dr. Elmore's study reported at least one prior malpractice claim.

A related study published in the May issue of *Radiology* found that one-third of radiologists considered withdrawing from interpreting mammograms because of malpractice concerns.

Dr. Elmore's study was supported by grants from the National Cancer Institute, the Agency for Healthcare Research and Quality and the Department of Health and Human Services.

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The Radiological Society of North America (RSNA) is an association of more than 37,000 radiologists, radiation oncologists and related scientists committed to promoting excellence in radiology through education and by fostering research, with the ultimate goal of improving patient care. The Society is based in Oak Brook, Ill. (RSNA.org)

"Does Litigation Influence Medical Practice? The Influence of Community Radiologists' Medical Malpractice Perceptions and Experience on Screening Mammography." Stephen H. Taplin, M.D., M.P.H. (National Cancer Institute, Bethesda, Md.), William E. Barlow, Ph.D. (Cancer Research and Biostatistics, Seattle), Gary R. Cutter, Ph.D. (University of Alabama, Birmingham), Carl J. D'Orsi, M.D. (Emory University, Atlanta), R. Edward Hendrick, Ph.D. (Northwestern University Feinberg School of Medicine, Chicago), Linn A. Abraham, M.S. (Center for Health Studies, Group Health Cooperative, Seattle), and Jessica S. Fosse, M.P.H. (University of Washington School of Medicine, Harborview Medical Center), and Patricia A. Carney, Ph.D. (Dartmouth University, Hanover, N.H.), collaborated with Dr. Elmore on this paper.