Theory of Medical Malpractice
- definition (tort)?
- what are the goals of the tort liability system?
  - what is the deterrence hypothesis?
- know the simple model of medical malpractice presented in class
  - assumptions/definitions
  - what is precaution?
    - the impact of precaution on total (expected) accident costs?
      - expected accident losses?
      - precaution costs?
  - what is the efficient level of precaution?
  - what is optimal deterrence and which liability rules achieve it?
    - define all three rules (negligence, strict liability, no liability)
    - assumptions
    - which rules achieve optimal deterrence?
    - problems
- why not allow private contracting for liability?

Empirical Evidence
- definitions (malpractice frequency, severity, and probability)
- What is the medical malpractice crisis?
  - Make sure that you know the historical reasons underlying the assumption of a crisis in malpractice law.
- Medical malpractice reform
  - What are the different types of reforms and their popularity?
- empirical issues
  - Does a malpractice crisis actually exist?
    - Physician Liability
      - Has physician liability actually increased? If so, why.
      - Was physician liability stable historically, as assumed by proponents of the crisis?
      - Does physician liability behave as predicted by the model?

Alternatives to Medical Malpractice
- private contracting
  - advantages?
  - disadvantages?
  - transaction costs?
  - conclusions?
- no-fault insurance plans
  - definition (what is no-fault insurance?)
  - problems/impact of no-fault?