

Claims Legal Conference

Our Continuing Effort to Offer
Finest Claims Defense



The practice of medicine is constantly changing. The introduction of new legislation, such as the Patient Protection and Affordable Care Act, the advent of electronic health records and meaningful use criteria, securing protected health information, providing proper informed consent, and Physician extender liability are just some of the emerging challenges. Physicians and medical professional liability insurers such as Professionals Advocate must understand and adapt to these complicated issues in order to remain successful.

To help strengthen our claims defense in this changing environment, ProAd recently brought together over forty of the mid-Atlantic's premier medical liability defense attorneys for a claims legal conference with the ProAd claims staff. Ideas on emerging areas of litigation, best practices and effective defense strategies for professional liability claims were all discussed.

ProAd is committed to providing our insured Doctors with the best and most proactive defense available. "We only hire the most experienced, aggressive and innovative attorneys to defend our Physicians," said Wes Foster, Senior Vice President – Claims. "We demand excellence from our attorneys and work closely with them to defend our Doctors. This conference gave our staff and our attorneys another opportunity to disseminate best practices and learn from each other."

A variety of important topics were discussed at the conference, and ProAd identified several opportunities where we could share additional information with our Insureds:

- The evolving liability risks associated with electronic health records. The transition to electronic health records creates a number of new issues that have the potential to affect the litigation process. A risk management expert well versed in this area discussed several challenges that may arise when defending Physicians utilizing electronic records, including communication barriers, alert fatigue, and the management of lab and test results. *Look for a mailing from ProAd highlighting some of these key issues in your mailbox soon.*
- Regulations governing Protected Health Information. *ProAd will produce a risk management mailing on this topic in 2012.*
- Recent cases involving Physician extenders (i.e., NPs, PACs), including potential liability issues and effective risk management initiatives. *A risk management mailing focusing on maintaining high levels of care in practices utilizing Physician extenders will be offered in 2012.*

Other topics included: A discussion led by a retired judge on effective mediation strategies and the pitfalls to avoid in the courtrooms; a discussion of recent court decisions impacting the defense of Physicians; and strategies for defending against some of the more innovative plaintiff theories of liability, including allegations of inadequate informed consent.

A recent New England Journal of Medicine study reported more than 75% of Physicians will be sued at least once during their career. Rest assured if this happens to you, Professionals Advocate will give you the best defense available. Whether it is sharing best practices across our defense counsel during a claims legal conference, or holding quarterly claims committee meetings with Virginia Physicians to strategize on pending litigation...creating a Litigation Survival Kit to help Doctors through the ordeal of a lawsuit, or providing Doctors assistance with Board of Medicine inquiries via our MedGuard coverage...ProAd has demonstrated for 20 years a commitment to continually improve the superior defense we offer our Virginia Doctors.



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***Special legal conference helps ProAd
to strengthen claims defense in
a changing medical environment.***

more inside...

A Proactive Defense You Can Depend On

Nobody wants a lawsuit, but despite good medicine, it can happen. Now, more than ever, it's essential that Doctors have an insurance company that is dedicated to the protection of their professional reputations and careers. Take comfort in knowing that the Professionals Advocate Insurance Company is on your side. For more than 20 years, ProAd has been committed to a carefully prepared and aggressive claims defense process. We work closely with the best local attorneys who specialize in complex medical professional liability issues. Our record speaks for itself: Most claims end with no payment to the plaintiff.

If you have any questions or need additional information, please contact us.

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Professionals Advocate Insurance Company offers additional risk management resources to you on our web site: www.weinsuredocs.com.

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