

Management Liability Insurance for Your Urology Practice



Risk in Your Practice

Risk is inherent in any urology practice, knowing where the risks lie is beneficial. Preventing risk and protecting your practice is the most crucial step to your continued success. Most of you know about malpractice and general liability risks, but you may not be aware of the other exposures your practice faces.

Allegations against urology practices can range from employment issues such as harassment, discrimination and wrongful termination to medical professional issues such as credentialing and peer review to corporate practices such as antitrust, breach of fiduciary duties and mismanagement.

Lawsuits can come from many sources: patients, competitors, suppliers, regulatory agencies, shareholders, employees and staff. The stakes are high and litigation can drag on for years.

Protect Your Practice

Monitor Liability Managers, LLC provides Management Liability Insurance to protect your practice and its directors and officers from allegations arising from its management decisions. This insurance coverage can include:

- ▶ Directors and Officers Liability (D&O)
 - Protects senior management and the practice from allegations of mismanagement or misconduct
- ▶ Employment Practices Liability (EPL)
 - Coverage for claims alleging discrimination, harassment, wrongful termination and other employment-related exposures
- ▶ Fiduciary Liability
 - Coverage for practices that sponsor and manage employee pensions, benefits and health plans that are exposed to liability claims

AUA Members-only Advantages*

Monitor offers AUA members affordable premiums and pre-negotiated coverage terms.

The limits of liability are: \$250,000; \$500,000; and \$1 million. Higher limits available upon request.

The following coverage enhancements are not typically found in management liability policies, however, they are available to AUA members:

- ▶ Members of the practice's peer review committee are covered as insureds
- ▶ All insured persons are covered for alleged violations of Title II of the Health Insurance Portability and Accountability Act of 1996 (HIPAA)
- ▶ Third party liability coverage is provided for claims brought by patients or clients for discrimination and/or sexual harassment
- ▶ Coverage for any claim against the insured for accreditation, certification, credentialing, professional assessment, peer review, sponsoring or standard-setting activities conducted by the insured organization or on its behalf
- ▶ Wage and Hour/Fair Labor Standards Act (FLSA) costs of defense coverage**
- ▶ Submit for:
 - Claims alleging privacy violation**
 - Workplace violence counseling**
 - Crisis management expenses**

*This coverage overview is not a part of an insurance contract and does not supersede the policy. Please read the policy form for complete terms, conditions and exclusions.

**Available in states where coverages are filed and approved.

For More Information, Contact

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American
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www.aua.org/content/membership

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Here are some examples of the damage a management liability claim can cause.

Peer Review

A physician working with a Monitor-insured urology practice group alleged that false charges were made against him concerning his treatment of a patient at a hospital. When the hospital's executive peer review committee evaluated his treatment of the patient, two physicians in the insured's practice group recommended that the hospital summarily suspend the physician's staff privileges because not doing so might result in imminent harm. Monitor provided a defense on behalf of the insured and the matter ultimately was resolved. Monitor paid over \$100,000 in defense costs.

Emotional Distress

A former employee of a Monitor-insured urology practice group alleged that after one of the insured's partners learned that he was working for a competitor, the partner threatened him with civil and criminal action, bodily injury and conspired to have him incarcerated for aggravated stalking. His complaint alleged malicious criminal prosecution, intentional infliction of emotional distress, false imprisonment and tortious interference with an existing contract. Monitor defended the matter on behalf of the insured and its partner and paid \$166,000 in defense costs. The matter ultimately settled after a private mediation, and Monitor paid the \$150,000 settlement amount.

Sexual Harrassment

A nurse at a urology practice filed a sexual harassment complaint against a managing physician. The nurse alleged that the physician forced her to have a sexual relationship with him in exchange for better hours. The physician denied that the nurse was forced, and claimed that their relationship was consensual. It was revealed during mediation that the nurse and physician had been in a year-long relationship, but they had broken up one month prior to her complaint. The clinic's costs of defense exceeded \$175,000.

About Monitor Liability Managers, LLC

For nearly two decades, Monitor has provided comprehensive executive and professional liability insurance at competitive prices. Our consistency of leadership, outstanding customer service and industry expertise enable us to provide insurance products unsurpassed in the marketplace.

Monitor is a member company of the W. R. Berkley Corporation with full underwriting and claims settlement authority for its insurance products.

A+ Rated Insurance Carriers

Admiral Insurance Company (Nonadmitted)
Berkley Insurance Company (Admitted)
Carolina Casualty Insurance Company (Admitted)

- ▶ A.M. Best Company rated: A+ (Superior)

Risk Management Services

Monitor provides a suite of risk management services to its insureds at no cost. These services are offered by Gordon & Rees, LLP and give our insureds access to:

- ▶ Unlimited calls to a toll-free, confidential human resources helpline that provides expert advice about employment-related workplace concerns
 - (877) 503-4595
- ▶ A risk management Web site, MyHRHelp, that provides resources covering all areas of workplace law and includes templates of employment applications, policies, procedures and an employee handbook
 - www.myhrhelpweb.com
- ▶ A subscription to the newsletter, *Employment Law Updates*, that highlights important workplace law news and trends

Claims Expertise

With more than 100 years of combined experience, Monitor's claim professionals and attorneys respond to and manage claims effectively. Our experts handle a wide range of claims that occur with the most sophisticated risks in the market.