Risk management is one of the most critical concerns for any health care provider. Everyone knows about the malpractice risk. Unfortunately, more and more health care provider organizations — including their owners, directors, managers and medical staff — are learning first-hand about the consequences and costs of management liability risk as well.

**Protect Your Client’s Business**

Management liability lawsuits brought against health care providers today 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.

Such lawsuits can come from almost any source:

- Patients
- Vendors
- Employees and staff
- Lenders
- Regulatory agencies
- Competitors
- Employees and staff
- Lenders
- Regulatory agencies
- Competitors

The stakes are high and litigation can drag on for years. Monitor Liability Managers, LLC has seen the number of health care provider claims increase in recent years and has defended claims that have costs hundreds of thousands of dollars.

**The Solution is Here**

The risk for your medical facility is real and significant. So is the protection you can obtain through Monitor’s Management Liability Insurance for medical groups, independent physicians associations and ambulatory surgery centers as well as many other health care related businesses.

This program is designed specifically for small to midsize health care organizations ranging from one to 500 employees. Deductibles are available as low as $10,000 and limits are available up to $2 million per coverage section purchased.

Managed care plans, nursing homes, home health care organizations, hospitals and their affiliated emergency treatment centers are not eligible.

**Coverage Features**

Monitor offers coverage that health care organizations desperately need. This enhanced coverage — not often found in typical management liability policies — automatically includes the following:

- Members of the organization’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 (including costs of defense for Americans with Disabilities Act (ADA) or public accommodation claims) and/or harassment
- Express 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

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.

**Contact Us**

Lynette M. Lyngaas
Vice President
(800) 446-2100, ext. 557
llyngaas@monitorliability.com
Email: mlisubmissions@monitorliability.com
Management Liability Insurance for Medical Facilities

Claims Examples

Peer Review
A physician working with a Monitor-insured anesthesiology practice group alleged that false charges were made against him concerning his treatment of a patient at a hospital. He also claimed that the hospital summarily suspended his privileges “for investigatory purposes.” 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 claimant’s medical staff privileges because not doing so might result in imminent harm. The claimant also alleged that the insured refused to allow him to provide services at any of its locations. 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 MRI services provider 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, financial hardship, bodily injury and conspired to have him incarcerated for aggravated stalking. His complaint alleged malicious criminal prosecution, intentional infliction of emotional distress, false imprisonment, abuse of process, tortious interference with an existing contract and conspiracy. 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.

Breach of Contract
The claimant said that he had been contracted by a medical imaging provider, a Monitor insured, to help salvage the company and restore it to competitiveness and profitability. He alleged that the insured and one of its partners intentionally breached their management contract with him and refused to pay him amounts due under the agreement. His complaint alleged breach of contract, attorney’s fees, negligent misrepresentation, fraud and promissory estoppel. Monitor defended the matter through trial on behalf of the insured and its partner, which resulted in a verdict in favor of the insured and the partner, who had denied any wrongdoing from the outset. Even though the insured was vindicated, it still cost more than $75,000 to defend this case.

About Monitor Liability Managers, LLC
For 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 for Employment-Related Matters
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 website, 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
Monitor is proud of its exceptional in-house claim management services and regards them as an important part of our coverage. Recognized for their in-depth claim handling experience, our dedicated attorneys and professionals strive to promptly resolve claims and provide the best possible outcome.