



Camargue
Specialised Liability Management

**FINANCIAL &
PROFESSIONAL LINES**

**MEDICAL MALPRACTICE
LIABILITY INSURANCE**

**KNOWLEDGE OF WHAT IS POSSIBLE IS THE
BEGINNING OF HAPPINESS**

- GEORGE SANTAYAN

COVERAGE

Camargue's Medical Establishments policy provides comprehensive cover in respect of:

- Medical Malpractice
- Public Liability
- Products Liability
- Professional Indemnity

Cover for Medical Practitioners is provided under:

- Medical Malpractice
- Professional Indemnity

THE NEED:

Given the nature of the procedures performed by medical professionals, and the multitude of scenarios where negligence or an accident may occur, it is essential that individuals working in the medical industry have insurance should anything go wrong as a result of their actual or perceived negligence or malpractice.

As South Africans become an increasingly more litigious society, so medical practitioners, and establishments performing medical procedures, will provide a more active source of litigation to the legal profession. This trend is compounded by the high earnings potential of such claims for lawyers. The result is that the number of medical malpractice claims, in excess of R5m, has rocketed by 900% over

the past decade. The new Consumer Protection Act (CPA), which came into force on 01 April 2011, only further exacerbates medical professionals' exposure due to the stringent requirements of the Act, as well as heightened consumer awareness.

Medical practitioners are exposed to liability in two ways:

- 1 - Practitioners may be indirectly liable where an employee acting within the scope of their employment, negligently causes harm
- 2 - Direct liability occurs if the practitioner's negligence causes a patient to suffer damages

THE POWER OF KNOWLEDGE

AUTHORISED FINANCIAL SERVICES PROVIDER, LICENCE NUMBER: 6344. APPROVED LLOYD'S COVERHOLDER PIN: 107824DRW
Camargue Underwriting Managers (Pty) Ltd. Co. Reg. No. 2000/028098/07.
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Underwritten by certain underwriters at Lloyds, Compass Insurance Company Limited and Bryte Insurance Company Limited

REDEFINING THE BOUNDARIES OF RISK MANAGEMENT, NOW AND INTO THE FUTURE

THE SOLUTION:

All medical practitioners, without exception, including physiotherapists, homeopaths, beauty aestheticians, nursing homes, elderly care facilities and other health care professionals, should have the protection of medical malpractice insurance. Patients, and their attorneys, have no compunction about holding medical caregivers answerable; with this mandatory insurance, these professionals can limit their exposure thereto. Camargue provides Medical Malpractice insurance for establishments and practitioners:

- **Medical Malpractice:** Indemnifies the Insured for bodily or mental injury, illness, disease, or death of any patient or person caused, or alleged, by malpractice of the Insured.
- **Public Liability:** Indemnifies the Insured for bodily injury and/or damages to third parties as a result of, or allegedly caused by, the Insured. Cover includes an extension for wrongful arrest, including assault in connection therewith and wrongful dismissal of an employee, however, this is subject to a specific sub-limit.
- **Products Liability:** Indemnifies the Insured for injury and/or damages to any patients or third party arising from the nature or condition of any product.
- **Professional Indemnity:** Indemnifies the Insured for any breach of professional duty, any breach of implied warranty of authority or of trust committed in good faith, defamation and/or injuria, infringement of copyright, and the destruction of, damage to, or loss of any documents entrusted to the Insured.

VALUE-ADDED SERVICES

Camargue's unique M³ approach to insurance is geared towards managing, mitigating and migrating critical business risks – an outcome achieved through the provision of value-added risk benefits to policyholders. Notwithstanding the coverage provided in terms of the policy, the additional risk management benefits further enhance the Camargue product offering and go beyond simple insurance. The overall result is a well rounded and complete solution to the risks faced by the medical industry.

RISK MANAGEMENT SERVICES INCLUDED IN THE POLICY COVER:

- Contract vetting and assessment with a particular focus on the CPA
- CPA Workshops for sales and customer service staff

- A commercial law help-line dedicated to CPA and other spheres of litigation
- A comprehensive industry specific CPA website
- **Private Arbitration Service:** Offered through TOKISO Dispute Settlement - this service works towards fast, equitable resolution of disputes between the insured and their clients. As far as possible court proceedings are avoided saving time, money and more importantly reputation.
- **Crisis communication:** Skilled support in managing public relations crises and avoiding online media disasters.

Please refer to the Risk Management Brochure for more information



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