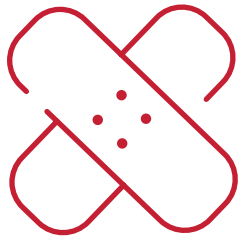


Medical Malpractice 101



WHAT IS MEDICAL MALPRACTICE?

Malpractice is a type of negligence that pertains to professionals. It is the failure to provide the degree of care required of a professional under the scope of license resulting in injury, death or damage.

HOW COURTS DEFINE MALPRACTICE VS. HOW PATIENTS DEFINE MALPRACTICE

Courts

Four elements must exist for an incident to be considered malpractice:

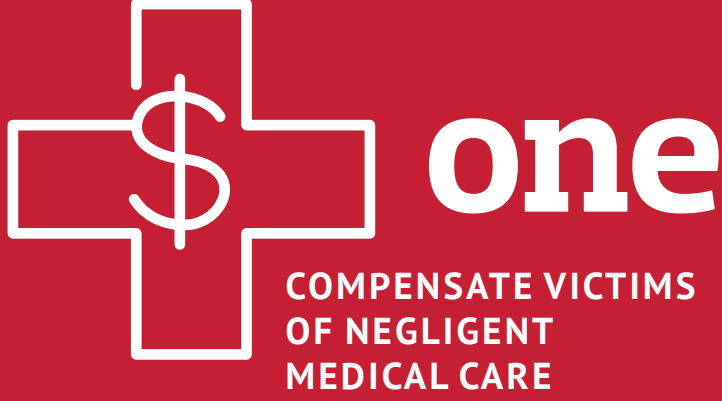
- Duty: a nurse-patient relationship must exist
- Breach: standard of care was not met
- Cause: injury was caused by the nurse's error
- Harm: injury resulted in damages

Patients

To patients, it is the *perception* of wrongdoing:

- Even excellent nurses can fail to connect with all of their patients.
- If a patient perceives he or she has been injured as a result of the care you provided, or failed to provide, that patient could sue.

Medical malpractice lawsuits serve two goals

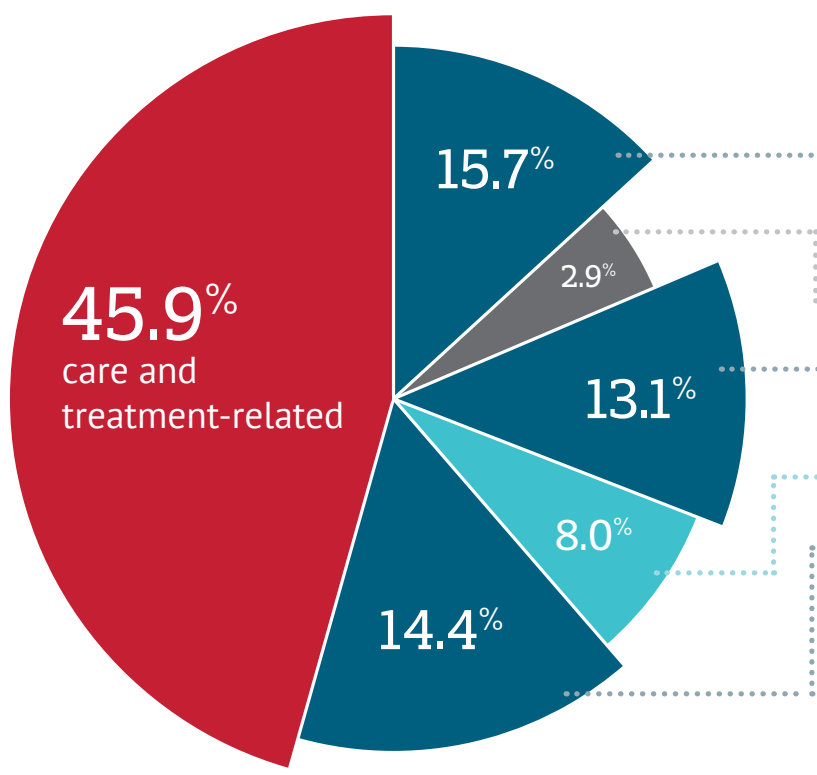
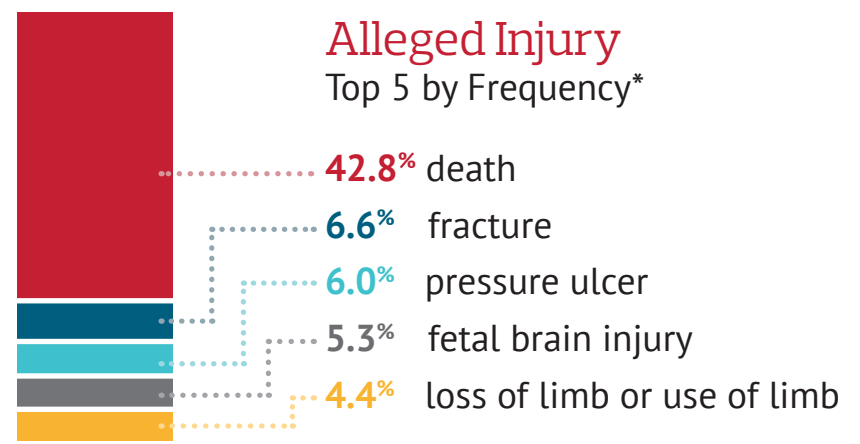


Types of recoverable damages:

| Medical expenses | Loss of income | Funeral expenses | Mental anguish | Pain and suffering | Loss of consortium |

Common Medical Malpractice Allegations:*

- Failure to assess the need for medical intervention
- Failure to properly or fully complete the patient assessment
- Failure to consider/assess patient's expressed complaints/symptoms
- Improper or untimely nursing management of medical patient or medical complication
- Improper nursing technique or negligent performance of treatment, resulting in injury
- Failure to notify practitioner of patient's condition

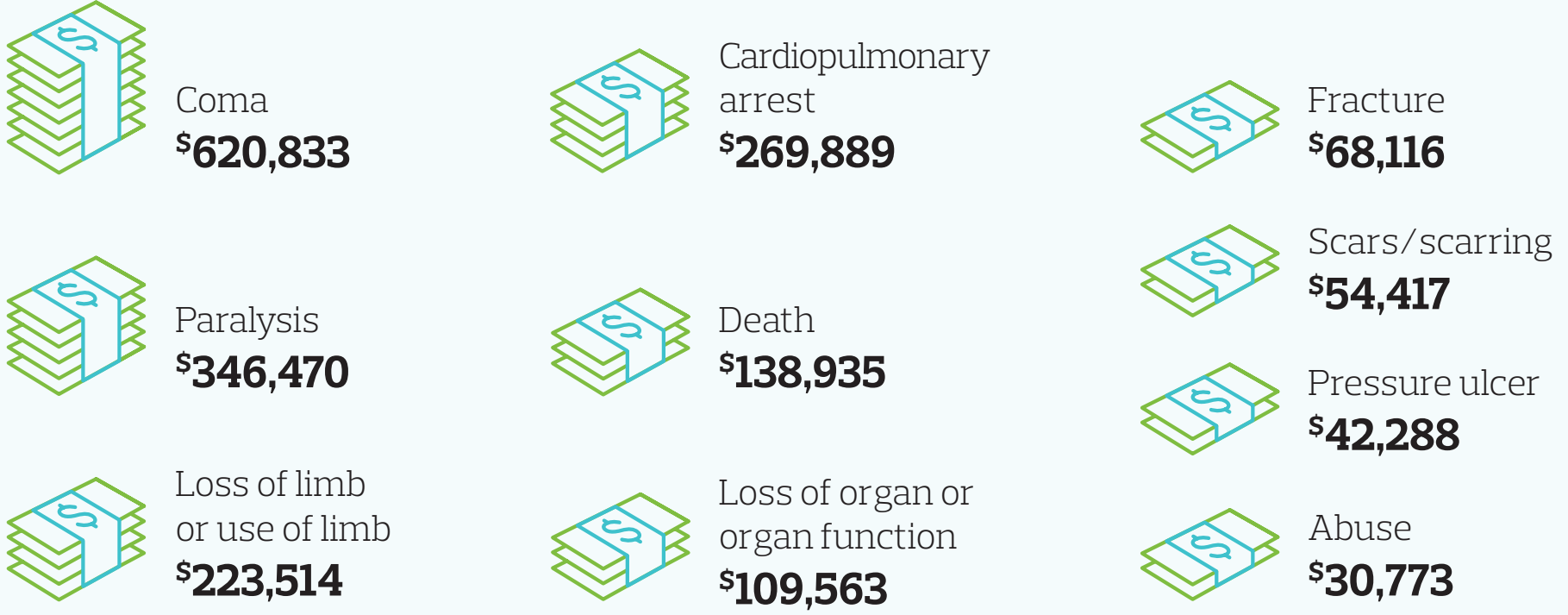


Alleged Injury Claims*

- 15.7% assessment-related
- 2.9% scope of practice-related
- 13.1% patients' rights/patient abuse/professional conduct-related
- 8.0% medication-related
- 14.4% other

*CNA and NSO. Nurse Professional Liability Exposures: 2015 Claim Report Update. 2015. www.nso.com/nurseclaimreport2015

Selected Average Payouts by Injury*



*CNA and NSO. Nurse Professional Liability Exposures: 2015 Claim Report Update. 2015. www.nso.com/nurseclaimreport2015

Providing personal protection

Professional Liability INSURANCE

Paying indemnity for economic and non-economic damages

| Professional liability insurance is coverage purchased by nurses to safeguard against medical malpractice allegations by |

Covering costs associated with hiring legal representation



What to do if you have been named in a medical malpractice lawsuit

If you become aware of a filed or potential professional liability claim against you, receive a subpoena to testify in a deposition or trial, or have any reason to believe that there may be a potential threat to your license to practice nursing, you should immediately contact your personal insurance carrier.

Report claims or potential claims to your insurance carrier, even if your employer advises you that it will provide you with an attorney and/or cover you for a professional liability settlement or verdict amount.

Never testify in a deposition without first consulting your insurance carrier or, if you do not carry individual liability insurance, the organization's risk manager or legal counsel.

Refrain from discussing the matter with anyone other than your defense attorney or the claim professionals managing your claim.

Copy and retain all legal documents for your records, including summons and complaints, subpoenas, and attorney letters.

| Request a free quote |



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