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GEORGIA'S SOURCE FOR IMPORTANT PHYSICIAN INFORMATION

Risk Management Tips

Monitoring Answering Service— Key To Great Customer Service

Many physician practices rely on outsourced answering services to handle calls when the office is closed. However, since they serve as the 'face' of your practice your answering service should follow clear guidelines to ensure the proper patient care and customer service.

1.) When answering a call, the service should immediately tell the caller he/she is speaking to the answering service and not to the physician's office. In some cases, patients may immediately begin to explain a confidential problem and then become upset later upon learning they're speaking with someone other than the physician's staff. **The answering service should have instructions from the physician about what to ask callers and what to tell them if they have an emergency.**

2.) The answering service should be as courteous to callers as your office staff. Your rapport with patients can be easily diminished by an insensitive or rude answering service. If the answering service operator has to interrupt a caller several times to answer other calls or does not answer within five rings, the service may be too busy to handle your practice.

3.) Stay personally aware of your service's reliability and courtesy by regularly telephoning it yourself. Portray various situations, ranging from emergency to casual inquiry – and tell them that you'll be monitoring them!

Consider these points:

- **Was your call answered promptly or on the sixth ring?**
- **Was it handled with proper manners and respect?**
- **Was the important information relayed to you properly and timely?**

(Continued on page 2)

MAG Mutual Awarded Financial Strength Rating of A- (Excellent)

MAG Mutual Insurance Company, the Southeast's leading professional medical liability insurer and the 9th largest medical professional liability insurer in the U.S., is pleased to announce that the A.M. Best Company has again assigned the company an **A- (Excellent) rating with a "Stable Outlook" for the future.**

"We are pleased that our leadership position and financial strength have been reaffirmed," said Dr. Roy Vandiver, Chairman and CEO. "This rating is proof positive that our physician led Board of Directors puts our insureds first."

The A.M. Best rating was based on 2007 financials and cited MAG Mutual's capitalization, operating profitability and favorable loss reserve development. The rating also recognizes MAG Mutual's leadership position in providing medical professional liability coverage for physicians in Georgia, Florida, North Carolina, South Carolina, Alabama, Tennessee and Virginia.

The A.M. Best Company is a leading insurance rating organization whose ratings are recognized worldwide as a benchmark for assessing insurers' financial strength. The A- (Excellent) rating is assigned only to select companies that have an excellent ability to meet their ongoing obligations to policyholders.●

GMGMA Administrator of the Year

Each year the **Georgia Medical Group Management Association (GMGMA)** awards one of its members as Administrator of the Year. As part of the honor, MAG Mutual donates a \$2,000 scholarship to be used by the winner to attend future meetings. Recently the GMGMA named **Gail H. Detraz** as the 2008 Administrator of the Year. Ms. Detraz is the office manager for Northeast Georgia Surgical Associates, in Gainesville. She plans to get more physicians educated about the Award so they in turn, will consider nominating their administrators. For more details go to: www.gmgma.com. ●



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(Monitoring Answering Service—Key To Great Customer Service, continued from page 1)

4.) If you experience problems, it's best to try and work them out before dismissing the service. Notify the owner or manager of the specifics and any shortcomings. Make the complaint in writing as well as by phone so it drives home both your concern and your surveillance. And, just like your own staff, if you discover a particular operator who provides excellent service every time, compliment him or her to the service supervisor.

5.) Finally, if an answering machine is used in the office, we suggest taking the following steps to minimize liability and help ensure patient satisfaction:

- a) Inform new patients that when the physician is unavailable, telephone calls will be handled by an answering machine.
- b) When treating a patient whose medical problem may involve complications, provide the patient with written instructions in case the complications occur while the physician is unavailable and the office's answering machine has been activated.●

Informed Consent Obligations Expanded

June 18th, the Court of Appeals in *Doreika v. Blotner*, once again expanded informed consent obligations under Georgia law. In *Doreika*, the patient alleged that chiropractor Gregg Blotner failed to inform him about the risks of neck adjustments or treatment alternatives for his neck before performing a neck adjustment which either caused a herniated disc or aggravated a pre-existing disc condition.

At trial, the jury returned a verdict in favor of Blotner. On appeal, the court found that the doctrine of informed consent applied to chiropractors. Never before had a court applied the doctrine of informed consent to chiropractors.

Informed consent in Georgia was purely statutory until the Georgia Court of Appeals, in its 2000 decision, *Ketchup v. Howard*, adopted the common law, or case based, doctrine of informed consent for the first time. O.C.G.A. §31-9-6.1 requires that certain information be disclosed by physicians to their patients prior to the performance of certain specified surgical or diagnostic procedures. In 2000, the Court in *Ketchup* expanded the doctrine of informed consent as requiring "disclosure of the material risks generally recognized and accepted by reasonably prudent physicians which, if disclosed to a reasonably prudent person in the patient's position, could reasonably be expected to cause that person to decline the proposed treatment or procedure because of the risk of injury that could result." 543 S.E. 2d 371.

The court's opinion in *Doreika* further expands the common law doctrine of informed consent by finding that a chiropractor is a "medical professional" and that performing a neck adjustment is a "treatment or procedure." Only time will tell as to whether Georgia courts will expand this doctrine to other "medical professionals" and "treatments or procedures." ●

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