



THE MAGNET™



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GEORGIA'S SOURCE FOR IMPORTANT PHYSICIAN INFORMATION

Risk Management Tips

Inexpensive Ways to Protect PHI in the Waiting Room

Although HIPAA does not prohibit calling out patient names in the waiting room, sometimes doing so may reveal personal health information (PHI). For instance, simply having a patient's name associated with an oncology or HIV clinic can reveal PHI. If you believe that by identifying patients by name in your office may reveal sensitive information or damage their reputations, consider the following alternatives:

- **Address the patient by Mr., Miss, Mrs., first name and last name initial.** For example, Mr. John S instead of John Smith.
- **Call after a patient in the same manner.** For example, "Wait, Mr. John S, I'll write you a prescription."
- **Assign each patient a number.** This would be appropriate in an Infectious Disease practice or any other facility with highly sensitive treatment. A number is far less revealing than a name. Keep track of the numbers in a secure database.
- **Distribute pagers.** Some facilities use pagers that light up or vibrate when it's time for the patient to see the physician.
- **Use a sign-in sheet with a separate sticker for each patient.** Patients write their names on the stickers and bring them to the receptionist, eliminating the ability for others to read the names on the sign-in sheets.
- **Conversations about healthcare should not take place in the waiting room.** Whether in person or on the phone:
 - Turn computer monitors and charts away from patient view

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Stable Rates, Preliminary Claims Data Show Tort Reform Working

Because of the three to five years typically required to resolve a medical malpractice lawsuit, it is premature to judge the impact of Georgia's tort reform law that took effect February 2005. However, our initial findings show that Georgia's \$350,000 cap on non-economic damages seems to be having a positive impact.

MAG Mutual policyholders have seen stable rates, with no rate increases, for the last two years. Our preliminary data also appears to indicate the cap is impacting claims and settlements in a positive way:

- The average payment to a plaintiff and loss payments decreased from 2005 to 2006.
- Medical liability claims filed and new lawsuits opened against Georgia physicians also decreased during the same time period.

Tort reform has already led to a stabilization of rates, more competition among insurers and improved access to affordable quality healthcare for patients. **If the Georgia Supreme Court upholds the cap, then these benefits will continue.** ●

Save the Date for the Atlanta Healthcare Heroes

MAG Mutual will co-sponsor the Atlanta Business Chronicle's annual Healthcare Heroes event on May 24. This high-profile evening event recognizes outstanding leaders in the medical community.

MAG Mutual is proud to honor the true heroes who are committed to the pursuit of excellence in the healthcare field.

The event will be held from 6 p.m. to 9 p.m. at the Grand Hyatt Buckhead. For more information, please contact ABC's Cheryl McDonnell at cmcdonnell@bizjournals.com or (404) 249-1052. ●



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New Policy Revisions Offer Facilities More Protection for Less!

With the latest revisions to MAG Mutual Insurance Company's Healthcare Services Liability Insurance program, outpatient medical facilities can reduce their premiums. Effective April 1, the new program offers three types of premium credits, and provides broader coverage language. Revisions include:

- **Deductible credits** that can save policyholders 3 percent to 25 percent on premiums depending on the deductible level chosen
- **Risk-management credits** that can save policyholders 5 percent on their premiums
- **Loss-free credits** that allow for 5 percent, 7 percent and 10 percent savings on premiums based on the number of years without claims
- **Broader policy language** that provides coverage for employees and contractors for whom the organization is legally responsible and defense-only coverage for claims against the organization resulting from the activities of other professionals.

To find out more, please call Chip Goen with MAG Mutual Insurance Agency, LLC toll free at **1-800-294-1735**, or e-mail us at **info@magmutual.com**.

(Inexpensive Ways to Protect PHI in the Waiting Room, continued from page 1)

- Be careful not to discuss PHI in hallways and exam rooms
- Turn charts placed outside of patient's doors inward so other patients walking by can't see PHI
- Move medical record shelving to staff-only areas. This eliminates the need to lock cabinets but ensures HIPPA compliance.
- **Follow the National Institute of Standards and Technology (NIST) compliance plan** published in May 2004. This document, known as NIST Special Publication 800-66, is available online at <http://carc.nist.gov/publications/drafts/DRAFT-ap800-66pdf>. NIST spells out best practices for federal agencies that handle protected health information, including how to limit access to sensitive data and how to keep an audit trail that will satisfy CMS investigations.●

*MAG Mutual does not presume to establish any standard of care or establish rules for the practice of medicine. The particular patient-care strategies or range of patient-care strategies mentioned in this article should be tempered by the physician's judgement.

Federal Legislation Introduced To End Medical Lawsuit Abuse

Sens. John Ensign of Nevada and Judd Gregg of New Hampshire recently introduced the Medical Care Access Protection Act of 2007 and the Healthy Mothers and Healthy Babies Access to Care Act of 2007 into the 110th Congress. Modeled on successful reforms in Texas, the two pieces of legislation attempt to end abuse in the medical lawsuit arena and to make healthcare more accessible to patients on a national level.

Included in the legislation are reasonable limits on non-economic damages. In Texas, the reforms have turned around the state's healthcare system, improving residents' access to medical care. The bills were previously introduced in the 109th Congress. To get involved this time around, contact your senators and urge them to support the bills and, therefore, extend medical care to patients nationwide and put an end to medical lawsuit abuse.●

Call the Policyholder Service Center at 1-800-282-4882 for Exceptional Customer Service

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