



THE MAGNET™



VOL. 26 NO. 2 - 2008

www.magmutual.com

GEORGIA'S SOURCE FOR IMPORTANT PHYSICIAN INFORMATION

Risk Management Tips

Up-to-the Minute FDA Patient Safety Alerts

Recent surveys of practicing physicians reveal that more than 90% want patient safety alerts sent to them immediately online instead of the current "Dear Doctor letters" they receive via traditional U.S. mail – a process that can be slow and error prone.

In 2006, the FDA endorsed the online delivery of such alerts as preferable in most cases to paper-based delivery. The iHealthAlliance, comprised of representatives from medical societies, liability carriers, patient advocacy groups and the FDA, created the Health Care Notification Network (HCNN) in order to improve the speed and efficacy of the delivery of FDA-mandated patient safety alerts to physicians and other healthcare providers.

Because the HCNN uses a dedicated online network as the primary alert notification vehicle, subscribers can be confident they will receive recall alerts in a fast and effective manner – before their patients learn about them in the press. The HCNN may also be used to notify physicians in the event of national public health emergencies or bio-terror events.

HCNN is completely free to those who sign up, and guarantees that physician email addresses will not be shared, sold, or leased to any third parties. Physicians are encouraged to send the safety alerts to patients using secure, HIPAA compliant language and tools.

MAG Mutual's Senior Management and Risk Management Consultants recommend policyholders register for HCNN. We believe this system will improve patient safety and reduce physician liability risks. For more information on HCNN and to enroll in the service, go to www.magmutual.com/riskmanagement or contact HCNN at www.hcnn.net.

Statements of Fault are Inadmissible

Airasian v. Shaak

On February 7, 2008, the Georgia Court of Appeals ruled in a medical malpractice case in which the defendant physician made statements of fault at the time of the second surgery. Georgia law; however, permits a physician or other health care provider to apologize to patients and their families for unfortunate or unexpected outcomes without the fear of having such statements used as an admission of fault during subsequent litigation. This law, O.C.G.A. section 24-3-37.1(c) was passed as part of the 2005 Georgia Tort Reform Act.

The facts in *Airasian v. Shaak*, involved a patient that had a significant portion of his colon removed. The physician later discovered that the remaining portion of the colon was necrotic and thus emergency surgery had to be performed. The patient filed a medical malpractice action alleging that the physician failed to provide adequate blood flow to the surgery site. The jury ruled in favor of the physician.

The plaintiff's then appealed the trial court's decision because the court did not admit the physician's statements that were made during the emergency surgery. The specific statement was to the patient's wife after the surgery which was, "This was my fault." The Court of Appeals upheld the trial court's decision that the physician's statements fell within the plain meaning of the statute and for that reason, the statements were inadmissible.●

Asset Protection Seminar

Joe Cahoon - Principal Financial Group
Tony Turner - Cohen Pollock Merline &
Small, P.C., Attorneys at Law

Wednesday, June 11, 2008 - 10:00am to 10:59am
The Ashford Club - Atlanta, GA - I-285 and 400

RSVP and to obtain directions call
Abbey Leverett - **1-800-316-0143**.●

In Practice. In Life.

Just for MAG Mutual Policyholders:

New Choices of Guaranteed Issue, Payroll Deductible Life Insurance.

Through MAG Mutual Financial Services, Inc.'s alliance with Partners Benefit Group, we can now offer special multiple-life, payroll deductible insurance options.*

Term Life Insurance

Special offer for MAG Mutual medical liability policyholders:

- Rates are guaranteed for the first five years
- Guaranteed issue for \$50,000 (employee only)

Whole Life Insurance

Special offer for MAG Mutual medical liability policyholders:

- Guaranteed Issue up to \$12 per week (employee only)
- Guaranteed Issue for employee spouses and dependent children for \$2 per week

Universal Life Insurance

Special offer for MAG Mutual medical liability policyholders:

- Guaranteed Issue up to \$12 per week (employee only)

Call **1-800-300-7983** for more information and options.

* Insurance provided by and applicants are subject to the underwriting standards of The Cincinnati Life Insurance Company. This is not a policy. For a complete statement of coverage's and exclusions, please see the policy contract.

Long Term Care

What happens when you or a loved one needs help with the tasks of daily life? A short term health issue can often be handled without major financial or life disruption. However, when a health issue requires a need for extended care and the help of a professional is needed to assist with daily living activities, the costs can seriously diminish or exhaust financial resources and even create substantial family turmoil.

As medical advances are made, living a longer life is more likely and the longer we live, the better the chances are we'll need assistance at home, in the community or in a facility. A plan to deal with this risk is essential for financial security.

MAG Mutual Financial Services, Inc. has access to experts to help you in developing a plan to deal with the associated costs of long term 'extra' care as a result of health impairment. Not only will these plans put your mind at ease but they are designed to ease the concerns of family members as well. Our consultants are ready to help! Call **1-800-300-7983** to speak with a professional today.●

Seminars Need a Lift?

MAG Mutual's Speaker's Bureau can present to your organization interesting and informative programs on a variety of topics and it's free of charge! An educational service to the medical community, we provide speakers for meetings with medical societies, hospitals, medical schools, office managers' associations and more.

Popular topics include medical liability trends, risk management guidelines, personal financial planning, employment practices and asset protection strategies. For more information about the Speaker's Bureau or to schedule a program, contact **Steve Davis** at **1-800-282-4882 ext. 5690** or email him at **sdavis@magmutual.com.●**

0% Premium Installment Financing Plans

© 2008 MAG Mutual Insurance Company



MAG MUTUAL[®]

Because your patients come first.

the **MAGnet**TM

MAG Mutual Insurance Co.
P.O. Box 52979
Atlanta, GA 30355-0979

PRE SORT STD
U.S. POSTAGE
PAID
Atlanta, Ga.
Permit No. 3329