



THE MAGNET™



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FLORIDA'S SOURCE FOR IMPORTANT PHYSICIAN INFORMATION

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Risk Management & Patient Safety Dept. Tips

Employment Practices Liability, How Do I Protect My Practice?

Most commonly, employment practices liability deals with laws and protections brought under Title VII of the Civil Rights Act of 1964, the ADA (Americans with Disabilities Act) of 1990, the Civil Rights Act of 1991, and ADEA (Age Discrimination in Employment Act) of 1967. Specific areas deal with allegations of wrongful termination, sexual harassment, discrimination, invasion of privacy, false imprisonment, breach of contract, and emotional distress. Some employment laws also differ from state to state, although federal laws apply uniformly.

Taking necessary precautions is an integral part of managing your risk as an employer. Employees are wiser today about how they are being treated and will not hesitate to address it if they feel they were being mistreated.

Creating a safe, friendly and non-biased work environment are proactive measures to minimize exposure to employee complaints. These measures include:

- Creating effective hiring and screening programs to avoid discrimination
- Posting employment practices policies
- Distributing employee handbooks
- Establishing a code of conduct or non-harassment policy
- Setting up a complaint structure which gives employees both formal and informal options to let a complaint be known and handled appropriately
- Carefully documenting to help prevent and solve disputes

For more information on MAG Mutual Healthcare Solution's *Employee Handbook Creator*, which provides a

(Continued on page 2)

A.M. Best Upgrades Financial Rating Outlook

MAG Mutual Insurance Company is pleased to announce that on June 4, The A.M. Best Company reaffirmed MAG Mutual's **A- (Excellent)** financial rating and **upgraded our financial outlook to Positive**.

The upgrade from a **Stable Outlook** to a **Positive Outlook** is yet another indication of the company's financial stability and overall financial health – MAG Mutual continues to be "stronger than ever."

A.M. Best indicated that "the ratings of MAG Mutual reflect its excellent capitalization, strong operating profitability over the recent period and its leadership position in providing medical professional liability coverage to healthcare providers in Georgia. Additionally, MAG Mutual has a seasoned geographic spread of business in contiguous states in the Southeast where it derives over half of its premium volume. The ratings also consider MAG Mutual's favorable underwriting results generated by sizeable loss reserve redundancies taken during the past three years, reflective of the group's favorable reserving position."

"This rating upgrade is especially significant because it reflects the consistency of our operating results even through these difficult economic times," said **Darrell O. Grimes**, President and Chief Operating Officer. "Our policyholders understand that we put their best interests at the heart of everything we do, to ensure we're here for them today and tomorrow. We're pleased A.M. Best recognizes MAG Mutual's financial stability and strategic growth strategy."

Have you seen the new Annual Report?

If not, someone in your office may be reading it! We recently mailed our 2009 Annual Report to policyholder/owners. It includes an in-depth review of the Company's positive results, along with the latest news important to policyholders. A link to the report can be found on our homepage, under Policyholder News. 📄



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(Employment Practices Liability, How Do I Protect My Practice?, continued from page 1)

turnkey solution for creating customized handbooks for your practice. Go to www.CodersCentral.com, click under Practice Management and select the Employee Handbook Creator or call a Representative at **1-800-253-4945**. 

Where We'll Be:

August 6-8 - Tampa

Florida Society Risk Management

September 24-26 - St. Petersburg


Bones Society of Florida

Considerations When Using Medical Assistants

With the ever-increasing demands of the physician and his or her practice, physicians understandably will rely greatly upon the office staff to include medical office assistants (also called "medical assistants") for meeting these demands. In light of the recent issues reported by the media that have occurred with medical assistants we want to provide a friendly reminder about their supervision.

As many have come to recognize, medical assistants play an important role in a physician's practice. Since they are unlicensed, medical assistants must work under the direct supervision of a licensed health care provider such as a physician, nurse or nurse practitioner. There are individuals who may see the multitude of television commercials promoting medical assistant programs as a quick route to a professional medical career. This responsibility; however, has serious consequences of liability for the physician if the medical assistant is not trained properly or takes his or her duties lightly. Many employers conduct criminal background checks on those applying for this position due to the close proximity between the patient and the medical assistant which is something any employer should weigh the benefits and costs of doing.

There are no federal or state laws that require a medical assistant to be certified or even registered but it would be prudent to consider individuals who are at least certified, as certification demonstrates to the physician and/or employer that this person has at least a basic knowledge of the medical assisting profession. Remember, this medical assistant may be the first as well as the last person the patients see when they visit your office. It is possible that one medical assistant could welcome your patients into the office and do intake. Additionally, a medical office assistant could be responsible for taking the patient's vital signs, prepare him or her for the examination, and then return to the patient to explain outgoing instructions such as how or when to take medicine with food.

Summarily, if caution is taken in selecting a qualified assistant and that assistant is well-supervised, that individual can be a great asset to your practice. For more on this topic, go to www.MAGMutual.com, Risk Management, Newsroom, Risk Manager Newsletters, Vol 15/No. 1 and Vol 15/No. 2. 

AM Best Upgrades MAG Mutual to a Positive Outlook in 2010 rating; Maintains A- (Excellent)



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