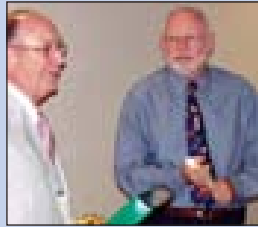


By Physicians. For Physicians.

upheld. During his service from 1981-2006, Dr. Biggers also sat on the executive, compensation, nominating and medical relations committees.

Dr. Israel, a general surgeon and director of The Breast Center in Marietta, Georgia, joined MAG Mutual's Claims and Underwriting Committee in 1981. In March, 1996 he became chair of the Underwriting committee, a position he held until retirement. Dr. Israel provided direction to this very important group as they oversaw the fairness of the selection and underwriting process of our policyholders. During his service from 1981-2006, Dr. Israel also sat on the executive, compensation, nominating and medical relations committees. He also chaired the Education Committee from its inception in 1991 till spring of this year. ●



Your Defense... A Testimonial

In addition to our Board members' understanding of medicine, they also understand that professional liability claims are a direct and personal attack on your training, your skill and your reputation. So MAG Mutual works diligently to successfully defend you.

Below is an excerpt from a letter we received from an appreciative Georgia policyholder we defended:

Thank you for your letter with great news of dismissal of litigation. I was closely following with some degree of anxiety. Your strong commitment to stand by the physician and to engage such a level headed attorney is much appreciated. You are a great team.

Ms. Lowe displayed at all times such a confident poise that plaintiff's attorney felt futile to pursue any further. Her deposition of the expert witness was a class act. God forbid, if I ever need again, I wish to have her defend me.

Sincerely,
Raju Vanapalli, M.D.

In future issues of *The MAGnet*, we will share more stories and letters about your company.
MAG Mutual: **By Physicians. For Physicians.**

THE MAGNET™

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JULY 2006
www.magmutual.com

Risk Management Tips

What You Should Know About Incident Reporting

Incident reporting is a policyholder's responsibility. Early reporting helps MAG Mutual assure that the best possible risk management and/or defense actions are taken on your behalf.

What does MAG Mutual consider to be an occurrence?

Policyholders should call our Claims Department whenever the following occur:

- You are served with a subpoena or lawsuit
- Your patient sustains an unexpected and/or serious adverse outcome
- Your patient or immediate family members are angry or threatening lawsuit
- An attorney contacts you by phone, letter or e-mail to discuss a patient's care (There are no "off-the-record" discussions)
- Your patient makes a monetary demand
- You receive a subpoena involving **another** physician or hospital
- You receive an attorney request for records or insurance information (Exceptions: Unless the care provided is in question, it is not necessary to call for Workers' Compensation or disability application requests)

If in doubt, always report. Prompt reporting has no adverse effect on your insurability, premiums or Loss Excellence Appreciation Discount. Failure to notify us promptly when you are served with a lawsuit may result in a default judgment and you may be personally responsible for payment of that judgment.

How do I report an incident?

Physicians should report incidents **themselves** to the claims specialists assigned to the state in which they

(Continued on page 2)

Legislative Update

The 2006 session of the Georgia General Assembly passed, and the Governor signed, two bills which are of particular interest to physicians.

SB 480 provides that advanced practice registered nurses (APRN) are now permitted to order drugs, medical devices, medical treatments, diagnostic studies, and in life threatening situations, radiographic imaging tests. This new law includes the authority to order controlled substances, except Schedule I and II. Such orders are only permitted pursuant to an annual protocol agreement between the delegating physician and the APRN. APRNs must practice in a comparable specialty area of the delegating physician's practice, and the protocol agreement must identify the parameters under which delegated acts may be performed. Patients who receive prescription drug orders for any controlled substance pursuant to a protocol agreement must be evaluated or examined by the delegating physician or other physician designated by the delegating physician on at least a quarterly basis.

Additionally, with few exceptions, APRNs cannot authorize refills of any drug for more than 12 months. Physicians may only supervise four APRNs at a time; however, exceptions do exist.

For the most part, the new statute does not effect how physicians and APRNs currently work together; therefore, physicians can continue with their current practices until new protocol agreements are drafted. However, **APRNs cannot write prescriptions until a new protocol agreement is in place.** Delegating physicians and APRNs should contact their legal counsel to assist them in drafting protocol agreements.

For a copy of SB 480, please go to www.magmutual.com/mmic/articles/SenateBill480.pdf.

HB 912 amends O.C.G.A. §9-11-34(c)(2) by increasing the amount of time that a physician or a patient has to object to a discovery request for the patient's medical records when the physician is not a party to the lawsuit.

The statute provides the party who files the discovery requests

(Continued on page 2)



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EPL Insurance and MAG Mutual's New HR Helpline

Employment Practices Liability (EPL) insurance is needed as soon as you hire employees. EPL provides protection for an employer against claims made by employees, former employees and even potential employees. It covers wrongful termination, sexual harassment, discrimination and other employment-related allegations. The EPL insurance policy* available through MAG Mutual Insurance Agency (MMIA) covers losses that would not normally be covered by General Liability coverage.

In addition, MAG Mutual Insurance Agency offers a new service for EPL policyholders—you'll have toll-free telephone or email consultation access to employment law attorneys from a nationally recognized law firm. These premium advice & counsel services combine technology and content with professional customer support in order to help you, as an employer, meet today's workplace challenges.

Current MMIA EPL policyholders must be registered with a secure user name and password. If you haven't received your registration information, call the HR Helpline, toll free, at **1-877-568-6655** to get started.

If you would like more information about MAG Mutual's EPL insurance, please call MAG Mutual Insurance Agency, LLC at **1-800-294-1735**, or email us at info@magmutual.com.

*Coverage underwritten by MAG Mutual Insurance Company. Refer to the policy for precise terms, conditions and exclusions.

(Legislative Update, continued from page 1)

must serve the patient whose records are sought, and if known, that patient's attorney. Objections to the discovery request must be sent to all parties to the lawsuit, and the physician from whom records were requested. If the patient fails to file an objection, then the physician-patient confidentiality was waived, except for privileged records, and the physician can produce the requested records without fear of liability. If the patient files an objection, the physician must follow the order of the court.

The confidentiality provisions regarding mental illness, mental retardation, alcohol and drug treatment records, AIDS information and disclosure of AIDS information still apply. However, a patient's failure to object to the discovery request under O.C.G.A. §9-11-34(c)(2) shall waive any right of recovery for damages as to the physician for disclosure of the requested documents.

If you have any questions, please call Doug Findlay at **404-842-5623**.

(What You Should Know About Incident Reporting, continued from page 1)

practice. This responsibility should not be delegated to others. Call: 1-800-282-4882 or 404-842-5600.

Please note: Leaving a voice mail, faxing information or speaking with someone other than a Claims Department representative, **does not fulfill** reporting requirements. Please speak to a person in our Claims Department to receive instructions on our claim filing procedures. Representatives are available from 7:30 am to 5:30 pm M-F EST for your convenience.

Risk Management Help is on the Web

Visit us online at www.magmutual.com/risk

- Look for new online CME programs
- Search for risk management responses to Frequently Asked Questions
- Examine ready-to-use sample forms and policies



THE MAGNET™

GEORGIA'S SOURCE FOR IMPO

By Physicians. For Physicians.

Your Company

Every insurance company claims to understand the needs of its policyholders. But MAG Mutual goes far beyond a casual understanding—we truly know the men and women who practice medicine; what, where and how they do it.

This month we're featuring two Board members who recently retired after years of dedicated service to MAG Mutual Insurance Company.

William H. Biggers, MD and Philip Z. Israel, MD retired from MAG Mutual's Board of Directors effective with the June 28, 2006 Annual Meeting. Both physicians are among the founding fathers of MAG Mutual Insurance Company and served the Board since its earliest days. They, along with several other doctor/members of the Medical Association of Georgia, formed MAG Mutual in 1982 to provide physicians with a stable, reliable source of affordable, medical professional liability insurance.

Dr. Biggers, an Emory psychiatrist who sat on the Emory Clinic's Insurance Committee, served MAG Mutual's Board of Directors continuously for the past 25 years. As chair of the Audit Committee, a position he held until his retirement, he was responsible for accounting integrity and compliance with accounting standards and regulatory authorities. Dr. Biggers also contributed to the audit committee by meeting face-to-face with the company's auditors to ensure that professional accounting standards were always



(Continued on inside flap)

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

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