



FLORIDA'S SOURCE FOR IMPORTANT PHYSICIAN INFORMATION
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Preventing and Defending Against Medical Malpractice Claims

Offering liability insurance protection is the primary mission of MAG Mutual Insurance Company. But MAG Mutual's protection goes well beyond the policy terms. The company's risk management department helps physicians take steps to minimize the likelihood of a claim ever being filed, and the claims department works with doctors to provide the best defense against malpractice claims.

For practices with fewer than 20 physicians, MAG Mutual's risk management consultants provide phone consultations, online continuing medical education (CME), a risk management handbook and other tools, such as a CD that includes a self-assessment test. We also produce a quarterly risk management newsletter mailed to all policyholders, which may be viewed online at www.magmutual.com.

For practices of 20 or more physicians, our consultants work with practices to develop a comprehensive two-year risk management plan. One component of the plan includes personally visiting a practice and conducting a thorough survey of processes and procedures. Our consultants will then provide tools and training to address any risk management issues they uncover, and they will follow-up to provide additional help along the way.

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Rajnikant A. Patel, M.D. Elected to MAG Mutual Board of Directors



We are pleased to announce that Rajnikant A. Patel was elected to the Board of Directors of MAG Mutual Insurance Company.

Dr. Patel is a practicing emergency physician and the chairman of risk management and quality management of the Emergency Resources Group in Jacksonville.

He received his undergraduate degree from the University of Bombay, India, and his medical degree from the G.S. Medical College, University of Bombay. Dr. Patel completed his internship and junior residency at the King Edward VII Memorial Hospital in Bombay. He completed surgical residencies at Memorial Sloan Kettering Cancer Center, New York and the University Hospital of Jacksonville where he also completed an emergency medicine residency.

We welcome Dr. Patel to his new role in MAG Mutual's leadership.

Risk Management Tips

Improve Patient Compliance and Your Own Satisfaction in Three Ways.

Data shows that patients want to be involved in their care. True patient involvement begins with the quality of information you provide, such as explaining the results of lab/diagnostic test results (numerical values included), providing relevant educational information, reviewing/interpreting web-based information patients provide and taking time to effectively listen and respond to questions and concerns.

Consider the value of these three methods.

Informed Consent

Your informed consent process should be a patient-focused educational process and not just a legal hurdle. The informed consent process includes helping the patient analyze the risks versus the benefits of the proposed procedure/treatment and/or the risks versus the benefits of the alternative. You should have a form that clearly documents the patient's understanding of these concepts as well as their consent to the treatment/procedure. Don't forget that some medications carry inherent material risks. When prescribing medications, in particular coumadin, narcotics, etc. initiate a discussion of the risks/benefits, necessary follow-up requirements, and document that discussion for both the record and the patient.

The History Form

The patient history form can stress the importance of the patient's involvement by including a simple sentence at the top and requiring the patient to sign and date the completed form. Consider the following language: "The following information is

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(Preventing... Claims, continued from page 1)

In cases that do go to trial, the claims department helps physicians thoroughly prepare. A MAG Mutual claims representative and the defense attorney will assist in preparing all the evidence, obtain experts who support the case and educate the physician about what to expect in the courtroom. And, our Physician Claims Committee reviews claims that involve serious adverse outcome and/or have the potential for high damages. This committee, which is made up of physicians, may authorize settlement or help in the defense of a case by

offering medical advice regarding the matter or suggesting medical experts who specialize in the area.

In 2003, the claims department tried 49 cases and closed 1,866 claims. We won 84 percent of the trials, and of the claims closed, we closed 83 percent without payment to the claimant.

For more information about MAG Mutual's risk management or claims departments, please call **800-282-4882**. ●

MAG Mutual does not presume to establish any standard of care or establish rules for the practice of medicine. Material in this newsletter does not constitute legal advice.

Need to file a claim? Call our Orlando Office at 800-783-8455.

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