

Notes

MEDICAL MUTUAL
Liability Insurance Society of Maryland

FROM THE CHAIR OF THE BOARD

HEADLINES

2014 Renewal Rates to Remain Unchanged

Premium rates will remain unchanged from 2013; 11% dividend credit also announced.

Privacy Breach Coverage added to ProAd MedGuard

MEDICAL MUTUAL Insureds who purchase MedGuard from Professionals Advocate will also receive *e-dataRESPONSE* privacy breach coverage at no additional charge.

***e-dataRESPONSE+* Available from ProAd**

Purchasing *e-dataRESPONSE+* provides robust protection in the event of a privacy breach.

A.M. Best Reaffirms "A-" (Excellent) Rating

A.M. Best has once again issued an "A-" (Excellent) rating for MEDICAL MUTUAL.

High Court Rules in Favor of Personal Injury Law

Court of Appeals rules against making change to doctrine regarding contributory negligence.

Free Mobile App Offers Helpful Features

Download the convenient MEDICAL MUTUAL app today for a variety of useful features.

Practice Management 101 Available to Insureds

Free interactive multimedia program designed to educate office staff on key issues.

November 2013

Dear MEDICAL MUTUAL Member:

I am very pleased to announce that MEDICAL MUTUAL will not be taking a rate increase in 2014. When paired with the 11% renewal dividend declared by the MEDICAL MUTUAL Board of Directors, this means that we can once again keep the amount billed for your renewal policy unchanged for the coming year. As a Doctor-owned and directed company, MEDICAL MUTUAL understands the challenges and financial pressures that you face. We will continue to work to keep the price you pay for professional liability insurance as low as possible.

In other positive news, this past summer the Maryland Court of Appeals ruled against making a change to the doctrine of contributory negligence. The ramifications of changing this long-standing personal injury law could have potentially meant an increase in litigation against Doctors, as well as a spike in overall litigation costs.

While we can enjoy this current good news, there are still clouds on the horizon. Large settlements are still affecting health care providers across the country, and new challenges continue to present themselves. This includes an increase in mass tort claims, such as the tainted steroid matter in New England, and the actions alleging improper stent usage.

I encourage you to read the rest of this issue of *Notes From the Chair* newsletter for more news from the company, as well as information on Professionals Advocate MedGuard coverage, which now includes an additional privacy breach enhancement. MEDICAL MUTUAL has also introduced a new mobile app with several convenient exclusive features, such as the ability to make online payments from a mobile device.

Thank you for your continued support and loyalty. At MEDICAL MUTUAL, we never forget our mission to defend and protect Physicians. We welcome your comments and suggestions.

Sincerely,



George S. Malouf, Jr., M.D.
Chair of the Board

2014 Renewal Premium to Remain Unchanged

MEDICAL MUTUAL will not be filing for a rate increase in 2014. In addition, the Board of Directors has approved an 11% dividend credit for 2014 renewal policies. The combination of these two actions should result in no increase in the premium you pay for the coming year, absent any other changes that may affect your price, such as claims-made step increases or other policy coverage changes.

The current rate stability for 2014 can be attributed to a continuing moderation in claims frequency, as well as the company's overall stable financial position. In order to receive the credit, a Policyholder must have had a policy in force by MEDICAL MUTUAL and be renewing in 2014. If you have questions concerning your policy or the dividend, please contact your Insurance Producer or call the MEDICAL MUTUAL Customer Service Department at 410-785-0050 or 800-492-0193 (toll free).

Stand-Alone MedGuard Coverage Includes *e-data*RESPONSE Privacy Breach Coverage

Last year, the Professionals Advocate Insurance Company, an affiliate of MEDICAL MUTUAL, added *e-data*RESPONSE privacy breach coverage to its existing MedGuard product. *e-data*RESPONSE is a coverage enhancement that adds a basic level of privacy breach coverage for a variety of regulatory and liability costs related to the breach of electronic or paper records.

MedGuard is a stand-alone coverage option available for Maryland Physicians through ProAd that works as an adjunct to an Insured's professional liability coverage. MedGuard adds an extra layer of security beyond traditional medical malpractice coverage by helping to defray the costs associated with expensive administrative proceedings that Insureds or their professional organizations can be subject to. MedGuard is available for Maryland Physicians or Surgeons, CRNAs, Nurse Widwives, Physician/Surgeon Assistants and Professional Organizations, if all the individual members of the Professional Organization also purchase MedGuard coverage.

If you have already purchased MedGuard from ProAd, this coverage enhancement has been included with no deductible or additional cost to you. MEDICAL MUTUAL Physicians also have the option of purchasing *e-data*RESPONSE+, an additional stand-alone product that offers more robust protection from the work and expense of a breach. For more information on MedGuard with *e-data*RESPONSE, contact your Producer or our Customer Service Department at 410-785-0050 or 800-492-0193 (toll free).

*e-data*RESPONSE+ Privacy Breach Coverage Available For Purchase from ProAd

*e-data*RESPONSE+ is a stand-alone privacy breach coverage product that offers substantial comprehensive protection in the event of a privacy breach. Should your practice experience a privacy breach, no matter the circumstances, you will be held legally responsible for the consequences. While basic privacy breach coverage, such as MedGuard's *e-data*RESPONSE, can provide reimbursement for certain expenses incurred as a result of a privacy breach, it is often necessary for you to manage the entire problem. This can include researching the extent of the breach, determining what steps are needed to comply with applicable laws, notifying all relevant individuals, identifying and providing appropriate credit monitoring for the victims of the identity theft, and responding to regulatory and civil proceedings. Purchasing the more robust *e-data*RESPONSE+ privacy breach response coverage can provide all these services and more for your practice. For information, contact your Producer or our Customer Service Department at 410-785-0050 or 800-492-0193 (toll free).



A.M. Best Rating Reaffirmed

Earlier this year, the A.M. Best Company reaffirmed its financial strength rating of "A-" (Excellent) for MEDICAL MUTUAL. This is the 18th consecutive year that MEDICAL MUTUAL has earned this prestigious designation. A.M. Best is the nation's premier independent insurance rating agency. This strong rating is a reflection of our sound financial position, as well as our strong Insured relations and aggressive claims defense. MEDICAL MUTUAL has the strength you can count on for the long-term protection of your practice.



Maryland High Court Rules in Favor of Personal Injury Law

In July, the Maryland Court of Appeals ruled to keep in place the doctrine of contributory negligence – a law which bars a plaintiff from recovering damages in a lawsuit if the plaintiff contributed to his or her own injury in any way. In a 5-2 decision, the high court opted not to change the common-law doctrine, citing the nearly 166-year-old precedent and saying that the decision to make a change to the law must come from the General Assembly.

The case involved a then 20-year-old soccer coach who jumped up to hang from the metal crossbar of a soccer goal. The goal was unanchored and tipped over, crushing bones in the plaintiff's face. The plaintiff sued the Soccer Association of Columbia. The Court determined that the association was at fault for not securing the goal, but that the plaintiff also was partially responsible for the accident due to his actions. A change in the negligence standard could have potentially led to increased rates for liability insurance and a spike in frivolous lawsuits.

Mobile App Offers “On the Go” Convenience

The MEDICAL MUTUAL Mobile App is the newest way for Insureds to get the services they need “on the go.” This easy-to-use app is free to download* and is currently available for both Apple and Android devices. Using a smartphone or tablet, the MEDICAL MUTUAL Mobile App offers a variety of convenient features, with several that are exclusively available for app users, such as:

Make a policy mobile payment using Visa, MasterCard or American Express**

For Insureds using a mobile device or tablet, the mobile app is the only way to make an online policy payment.

Comprehensive search and registration feature for risk management programs**

Insureds can search for risk management education programs by date, keyword, location or topic. Once they have located the program of their choice, they can continue to research the topic or register for the education program.

Set reminders for upcoming risk management education programs**

Users can choose to be reminded by text or email, as well as set the number of hours or days in advance of the education program they would like the reminder to be sent.

The MEDICAL MUTUAL Mobile App also has these additional features:

- Information for reporting a claim
- Access to the podcast library
- Latest company news and information
- Detailed company service directory
- Link to the MEDICAL MUTUAL mobile site

Check Out Our Mobile App Today!



(Apple iTunes)



(Google Play)

* Your mobile carrier's Internet access and data charges may apply.

** These features require a “My Account” online profile, which is free for Insureds and can be set up 24/7 online by visiting the MEDICAL MUTUAL web site at mmlis.com and using the Login Assistance feature.

Free Office Staff Education Program Available for Insureds

Practice Management 101 is an interactive multimedia course for medical office staff, designed to keep your practice running smoothly and potentially reduce your chances of being involved in a claim or lawsuit. This free resource provides your staff with an overview of critical practice management issues, such as staff-patient interaction, confidentiality, addressing patient concerns and complaints, workplace safety and more.

The interactive nature of the course provides multiple opportunities for staff discussion and can be utilized in a variety of ways: as a new employee training orientation medium, for staff meetings, or as a general resource.

To order a copy of this FREE program for your office practice, please contact our Risk Management Services Department at 410-785-0050 or toll free at 800-492-0193. For information, visit mmlis.com/practicemanagement101.



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**November 2013
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