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COMMON TYPES OF LIABILITY LOSSES AND PREVENTION STRATEGIES FOR MEDICAL CLINICS

Medical clinics, such as walk-in, pain management, and urgent care clinics, provide valuable services to patients who need immediate or specialized care. These clinics also face various types of liability losses that can affect their reputation and operations. This article will discuss some of the common types of liability risks related to medical clinics and provide some best practices to help prevent and mitigate losses.

Common Sources of Liability Losses

Some of the common types of liability losses that medical clinics may encounter are:

- **Professional Liability:** This refers to the legal responsibility of medical professionals to provide competent and ethical care to their patients. Professional liability losses can arise from medical errors, malpractice, negligence, misdiagnosis, or failure to obtain informed consent.
- **General Liability:** This refers to the legal responsibility of medical clinics to ensure a safe and secure environment for their patients, visitors, and staff. General liability losses can arise from slip and fall accidents, property damage, personal injury, or defamation.





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- **Cyber Liability:** This refers to the legal responsibility of medical clinics to protect the confidentiality, integrity, and availability of their electronic data and systems. Cyber liability losses can arise from data breaches, hacking, ransomware, phishing, or identity theft.
- **Sexual Misconduct Liability:** This refers to the legal responsibility of medical clinics to protect their patients from any sexual impropriety or sexual misconduct. Instances can arise by failing to ensure privacy or proper draping to minimize patient's exposure during an examination, performing certain exams in the absence of a chaperone, making inappropriate remarks, or using the doctor-patient relationship to initiate a romantic involvement.

Prevention and Best Practices

Some of the best practices that medical clinics can adopt to prevent or mitigate liability losses are:

- Establishing and maintaining a robust risk management program that identifies, assesses, and controls potential sources of liability.
- Implementing and enforcing policies and procedures that adhere to the standards of care, ethics, and compliance in the medical industry.
- Providing regular training and education to medical professionals and staff on the latest best practices, guidelines, and regulations in their field.
- Conducting periodic audits and reviews of the quality and safety of their services, facilities, and equipment.
- Thoroughly verifying medical professionals' licenses during hiring and at regular intervals to confirm they meet legal standards.
- Purchasing adequate and appropriate insurance coverage that protects them from various types of liability claims and lawsuits.
- Seeking legal advice and representation from qualified and experienced attorneys in case of any liability disputes or litigation.

By adopting these risk management strategies and best practices, medical clinics can help safeguard themselves against potential liabilities. An unwavering commitment to quality, compliance, and continuous improvement can protect the clinic's reputation, mitigate potential losses, and ensure the delivery of exceptional care to patients.

Contact David A. Larson, Ascot U.S. Head of Loss Control & Risk Management, to learn more about our loss control capabilities. Visit ascotgroup.com for more information about our Allied Health risk solutions.



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Clear Communication Channels

- Establish clear communication channels between healthcare providers, patients, and their families to address concerns before they can escalate into legal problems.

Scheduling Tools and Policies

- Create and/ or purchase reliable scheduling tools to ensure all shifts are covered by properly trained staff and prevent absences due to miscommunication, illness, or other reasons.

Home health organizations can be proactive in identifying and mitigating liability exposures to ensure the safety and well-being of their patients and staff. By implementing comprehensive training programs, maintaining thorough documentation, performing regular risk assessments, fostering clear communication, and enforcing company risk management and safety policies, these organizations can significantly reduce their risk of liability.

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