



PROFESSIONAL LIABILITY

Make Sure your Malpractice Insurance Covers All Dimensions of Your Professional Status

By **Stuart E. Hoffman, DC, FICA**
ChiroSecure President

Professional liability insurance is a must in this day and age. If you do not have it, you are massively at risk, and you have nothing to stand between you, your practice, your family's assets and your future should you be confronted by a serious malpractice incident. Having said that, those proactive doctors of chiropractic who have acted to protect themselves by obtaining chiropractic malpractice coverage cannot and should not assume everything is taken care of through a one-time action. Your malpractice coverage needs to be routinely reviewed to make sure that any and all emerging issues and probabilities are covered.

In recent years, we have seen in very real terms the emergence of new threats and issues, such as aggressive state boards charging DCs with what might be called frivolous procedural matters. **ChiroSecure's** coverage has been updated and upgraded to provide protection from this new set of challenges.

Another serious issue has emerged that needs to be addressed by any DC who also happens to have incorporated their practice, and especially those who might also employ associates. In recent months, malpractice suits that are being filed have been crafted to incorporate all aspects of the doctor's professional status, naming the individual doctor, and the corporation that represents their practice. If you are incorporated, you need to have coverage that includes both you by name, and your corporation. As well, practices that employ associates need to make sure that any coverage those associates may obtain also includes naming the corporation as an additional "named" insured party. The legal industry has honed their procedures and litigation target list to cast the widest possible net. You need to remain one step ahead of the legal industry, and **ChiroSecure** can help.

Coverage for associate doctors is a potentially problematic issue in a number of other ways. The turnover in associates that many practices report may

create a malpractice exposure that most doctors assume is covered by the associate's policy. When an associate leaves, it is vital that coverage for any act or acts that the departing associate may be held liable for is covered, and that the assumed coverage does not leave the corporation vulnerable. Remember, the turnover in associates is another vitally important reason to only purchase "occurrence" coverage, thus making sure that the policy covers any acts that took place while the associate was employed, and that coverage does not terminate on their departure or expose the practice as a result of future acts on their part.

Most if not all practices employing associate doctors require malpractice coverage as a standard part of the employment agreement. What is not always addressed is the residual coverage of both the employing doctor and that DC's corporation. This can be handled in a number of ways, but it does need to be handled.

The legal industry is working hard to not only represent any and all clients with ruthless efficiency, but through the Internet, a new means of aggressively soliciting as well as coaching potential malpractice clients has emerged. Patients can sit at their home or work computers and search the world wide web for point by point templates on how malpractice complaints can be most effectively filed, and how a patient can develop the strongest possible case.

The national debate on "tort reform" legislation is also driving more aggressive marketing and public outreach by the legal industry in which the horror

stories of countless malpractice victims are used to help defend the legal industry against legislation that might limit their activities and the massive settlement trend.

The key for any doctor of chiropractic is to have a professional liability partner who understands that the health care system, especially in malpractice terms, is a rapidly evolving and increasingly difficult and complicated environment in which to operate. **ChiroSecure** works hard every day to be that partner for its growing community of policy holders. **ChiroSecure** not only offers sound, comprehensive coverage at competitive rates, it offers peace of mind. How much is that worth to you?

The International Chiropractors Association (ICA) is proud to recommend a program that meets its high standards and supports its subluxation based philosophy — the **ChiroSecure Professional Liability Insurance Program**, which is underwritten through ACE (Formerly CIGNA) Ratings A (Superior) — A.M. Best, A+ — Standard and Poors. This program provides a superior malpractice insurance policy with many unique features and long-term solid protection. Their philosophy of combining discerning underwriting practices, competitive premiums and aggressive claim management is designed to protect you and your future.

STUART HOFFMAN, D.C., F.I.C.A. is president of ChiroSecure, ICA's professional liability risk purchasing group. For more information and a no obligation quote you may contact Dr. Hoffman directly at 480-657-8500. You can also visit Chiro Secure's website at www.ChiroSecure.com.

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