



Proclaim - Experts in Medical Malpractice

Proclaim has extensive experience in the management of all professional claims classes including medical related claims. We combine our extensive personal injuries experience with our capabilities in the professional liability sphere to deliver superior claims services to Private and Public Hospitals, Nursing Homes, Health and Allied Health schemes and to Insurers of these medical classes.

We have on staff legally qualified Claim Managers with extensive medical experience to assist you to design and implement a claims process that fulfils your service objectives and simplifies the claims process, allowing you to focus on the business of healthcare.

We also have smart systems which can be utilized to rationalize incident management through web entry of incidents – or we can work with you on existing risk management systems and add the claims expertise that can often be missing.

Where can we help?

1. Self – insured claims for Hospitals and Nursing Homes. If you have a high deductible or a large self-insured stake in claims we can work with you and your insurer to build a responsive incident and claim management system for your risk exposures.
2. Over deductible and scheme business for Insurers where our experience in Professional Indemnity and personal injuries claims offers a cost effective solution to Insurers and Underwriting Agents.

Your Reputation counts

We understand for Hospitals that brand image is often the number one concern. We tailor a program which ensures that outsourcing claims in fact enhances your ability to protect your reputation. You get:

- Superior technical expertise and resources to focus on the problem and solution.
- A commercial approach.
- Independent and objective viewpoint.

Which can go further to preventing any claims escalating into brand or image problems.

Features of our Services

High levels of technical expertise, with all Account Managers for medical liability claims being legally qualified with specific expertise in medical claims, meaning more is done at the desk.

Account managers with specific expertise in personal injuries as well as medical expertise.

- Complete understanding of the different legislative regimes in each state of Australia
- Incident management system (with a simple and inexpensive web based option) if required.
- Full suite of claim management recording and reporting systems to effectively track your claim costs.
- We pride ourselves on our commercial and pragmatic approach to liability issues – which means we resolve claims quicker, cheaper and with less resort to lawyers.
- Speed of service.
- Flexibility to design project specific claim programs tailored to your needs.
- Strategic management of service providers to ensure a cost effective service.
- Structured review and communication program on claims and any issues.
- Compliance with Privacy Act and if necessary Insurance Code of Practice.
- Efficient allocation of costs to the claim (and loss ratio) if required.
- Option of Queensland PIPA representation at conferences by our Brisbane office rather than default to expensive legal representation.
- Early and accurate reserving on the basis of an agreed reserving philosophy.
- For lower scale claims we prefer quick and cost efficient investigation of incident causes using existing client resources where possible.
- For more complex claims we work strategically with our service providers to ensure the right investigations are underway with regard to both coverage and liability exposures.

The Proclaim Edge – key benefits

- Saves you time and money.
- Supports your brand and business through a superior claim process.
- Ready access to high levels of technical and medical expertise.
- A wealth of benchmarking and historical data for risk management and benchmarking purposes.
- Availability and accountability to you and your customers.

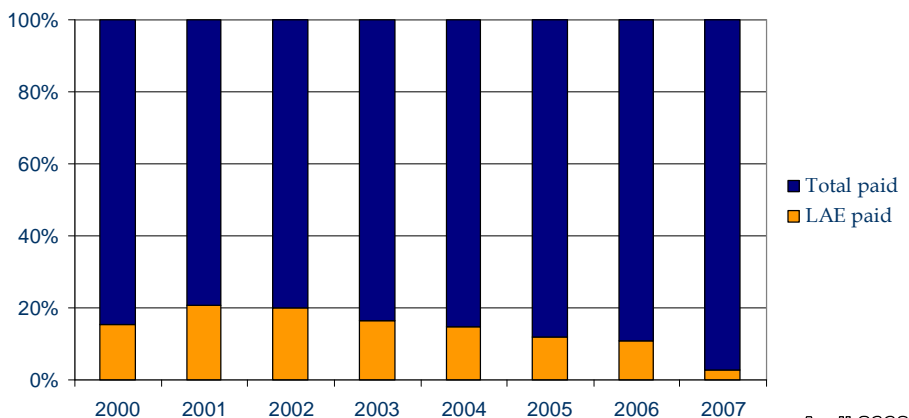
- Reporting that maintains control of your financial exposure.
- No staffing hassles - we manage that for you.
- Trust - that you can rely on the outsourcing partner to do their job and not create additional burden for you.

Independence

We can provide an independent and objective claim process that can short circuit potential disputes. As we have grown we have built significant support infrastructure that supports your business to get superior results. We have separated functions such as incident entry, trust accounting, settlements and systems so you can get the best possible service around your claim portfolio. It enables us to get the best possible results. We pride ourselves on keeping claims costs significantly below industry averages and controlling legal expenses is a key part of that.

Legal/adjusting expenses as a % of total paid finalised claims

General Liability Finalised Claims



April 2008

Team Managing Medmal Claims

Susan Rawling

Susan Rawling joined Proclaim in 2008 as account manager for one of the larger London based insurers dealing with public liability claims.

Susan came to Proclaim from private practice where as a solicitor, she focused on medical negligence cases leading to trial, representing hospitals and their staff in sensitive matters at coronial inquests, mental health review board application and general advice. Susan was responsible for delivering medico-legal training to health professionals across the health sector including community health services, small rural hospitals and larger regional groups.

Prior to studying law, Susan worked in the health sector over many years as a registered nurse in haematology and latterly in special projects. This has given Susan a wealth of knowledge and understanding about health services. This insight has been a huge advantage in Susan's ability to provide specifically tailored advice while appreciating the constraints and demands on health services and their staff.

Sarah O'Leary

Sarah qualified as a solicitor in 2000. Prior to joining Proclaim this year, Sarah practised as a solicitor in both Australia and in the United Kingdom. Sarah's practice focused originally on all aspects of plaintiff personal injuries law until 2004 when she commenced specialisation in medical malpractice claims. Sarah acted initially for plaintiffs, gaining an insight into the patients' perspective and for the past two years has acted for various medical defence organisations and insurers representing healthcare practitioners. Sarah has managed medical malpractice claims from pre-litigation through to trial in the fields of ophthalmology, orthopaedics, gynaecology, oncology, urology, dentistry, alternative medicine, general practitioner and nursing care. Sarah's medical malpractice experience has enabled her to recognise the difficulties faced by opposing parties thus appreciating the importance of early intervention, flexibility of approach and cost effective claims management.

References

Knight Frank – Campbell Flack, General Counsel: "I am constantly impressed by Proclaim's efficient, intelligent and proactive dealings with our clients and claimants – we are delighted with their service and the results it achieves and would recommend them to anyone".

Macquarie CountryWide Trust, Macquarie Office Trust and Macquarie Direct Property Trusts – Zoe Sweeney, Operations Executive, Real Estate Capital: “Proclaim have been working with us for approximately six years. We originally employed Proclaim to work solely with Macquarie CountryWide Trust and as that was so successful we rolled their service out to the other trusts as well. As the trusts have grown, the number of insurance claims has continued to rise, as have premiums and deductibles.

With Proclaim's assistance we have been able to establish a sound historical database of claims and incidents that we have been able to provide to our insurers upon renewal of our policy, thus helping to minimise premium and deductible increases. Proclaim have helped identify some "problem" areas where recurring incidents have occurred at our assets. They have provided a "hands-on" approach to managing each incident or claim, helping to reduce potential litigation taking place and minimising costs, while ensuring the way keep our customers happy.

Proclaim's services have made a significant contribution to our business from a cost saving perspective by minimising the costs associated with each incident and claim. They always provide an excellent level of service and have superbly managed the growing number of liability claims we have experienced across our property portfolios. We would not hesitate to recommend their services”.

Case studies – The Proclaim Edge in action

Our first claim for a client involved a very difficult situation, where as a result of a blood test a customer was given the very grave news that he was HIV positive. The problem was that he was not in fact HIV positive but it took over a month for him to be advised of that. The client understood their liability position was not strong, so we advocated attempts at early resolution. We obtained a brief advice on quantum and negotiated a settlement with the claimant's solicitors direct, without incurring significant legal costs. As the claim was resolved early we managed to settle it at the lower end of the range and without what could have been substantial costs if the claim had escalated.

Claim Management at Work - Liability – Portfolio management example

Proclaim commenced managing claims for a large property trust in 2002. At the time, their claims were being managed by an insurer and they had little control over their risk or their exposure. The average cost of claims over \$1 was over \$15,000 which was in line with industry standards but outside our KPIs.

We worked with the Trust to improve risk management, incident response and the claim management culture. We also worked in tandem with them and their brokers at renewal in providing presentations to insurers on their risk program.

5 years later and we have managed over 700 incidents and nearly 200 claims.

- Average cost of current & finalised claims reduced by 60% (\$4,000).
- Average cost of all finalised claims \$1,992 reduced by 75%

- 80% of claims settled for < \$5,000.
- 65% of claims settled for < \$1,000.
- Litigated claims < 5 %
- Lawyers instructed including Qld PIPA claims < 5%
- Investigators instructed < 5%

Includes 2 years preceding impact of tort reform.

Team and resources supporting Proclaim Liability Claims Management

Insurance Team

The Insurance team is managed by Richard Thomas and includes Maria Rosman as Technical Specialist and three further legally qualified Account Managers, together with a support teams plus a Trust Accountant and Business Accountant as well as the Directors of Proclaim. In any business we manage you can be assured of a strong and specialized team in support of your business objectives.

Corporate Team

The corporate team is managed by Marianne Lim in Sydney (Sydney, Brisbane) and by Matilda Luff in Melbourne.

Marianne and Matilda are supported by a team of 10 legally qualified Account Managers, together with a support team and technical specialists.

Our clients include:

Zurich	Dual	QBE
Marketform	Newline	HCC
CGU	AIG	Catholic Church Insurance