

## TYPES OF CLAIMS

“**CLAIM**” MEANS EITHER A “**SUIT**,” A FORMAL DEMAND FOR “**DAMAGES**” OR “**INCIDENT**.”

### Know the Three Categories of Claims

1

**Lawsuits** - A litigated demand for damages alleging a failure to provide appropriate medical services to a patient. A Summons and Complaint is filed with the court and served personally upon the physician.



2

**Attorney liens** - A pre-litigation demand for damages alleging a failure to provide appropriate medical services to a patient. The physician will receive the attorney lien through the mail.



3

**Direct patient claims** - A pre-litigation demand for damages received directly from the patient alleging a failure to provide appropriate medical services. This demand may come in the form of a letter or a direct communication from the patient.



Note that both an attorney lien and direct patient claim may turn into a lawsuit. If you have any questions about claims or need to report one, call the Claims Division immediately at 800-782-4767 or email [claimreports@ismie.com](mailto:claimreports@ismie.com). If you utilize an insurance broker, you may also wish to contact him or her.

### ISMIE MUTUAL POLICY DEFINITIONS

“**Claim**” means either a “**suit**,” a formal demand for “**damages**” or “**incident**.”

“**Damages**” means monetary compensation which is owed as a result of “**personal injury**.”

“**Incident**” means a specific event that a “**named insured**” has reason to believe will result in a formal demand for “**damages**” or “**suit**” in the future. There must be some specific basis for the belief that the patient will pursue an “**insured**” for “**damages**” in the future. Reporting a list of patients treated or simply reporting an unexpected outcome will not be considered “**incidents**” under this policy.

“**Personal Injury**” means bodily injury to, death of, libel of, slander of, defamation of character of or invasion of privacy of any patient and bodily injury to or death of any other person involved in providing health care services to patients which arises out of the rendering or failure to render “**professional services**.”

“**Professional Services**” means only those services which an “**insured**” is licensed to perform and disclosed in the application for this policy that are performed in providing health care services to patients.

“**Suit**” means a lawsuit, or arbitration proceeding seeking “**damages**” and includes a counterclaim asserted against any “**insured**.”