



W. Stancil Starnes

Your Practice

Professional liability coverage, transparency, and your future

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Editor's Note: The Wisconsin Medical Society helped form PIC WISCONSIN in 1986 to ensure the availability of medical professional liability insurance for Wisconsin physicians. Today, the Society continues to endorse ProAssurance Wisconsin Insurance Company (formerly PIC WISCONSIN) to provide professional liability insurance coverage with unmatched success in claims defense. For more information, call Wisconsin Medical Society Insurance & Financial Services, Inc., at 866.442.3810.

Consider for a minute the strength of an ordinary piece of paper. Despite the fact that most paper is so flimsy a baby can tear it, all too often we trust our futures to just a few sheets of paper. The real strength of the paper lies in the promises made by the words printed on it. In the world of medical professional liability policies, they must be promises you can count on—now and in the future.

We are moving toward an unparalleled era of transparency, propelled at warp speed by the Internet. Consumers in 17 states can already see the outcome of malpractice lawsuits filed against

physicians via online medical board physician profiles, no matter how worthy or frivolous.¹⁻² While Wisconsin is not currently among those states, there is genuine concern that the National Practitioner Data Bank can be made completely public with the stroke of a health care reformer's pen.

In this age of transparency, patients may make judgments about the quality of a physician's care based on a few lines of text on a computer screen. In their eyes, money paid out related to a lawsuit will signify that the subject physician did something wrong. Consumers won't consider that paying money may have been the last thing you wanted, or that the lawsuit may have been settled over your objections.

With the coming age of transparency and the implications for consumer choice and credentialing nightmares, every physician should be aware of the nature of the promises made by the medical liability insurer. Have those prom-

ises been put to the test of time? Does the insurer have the skill and the will to represent your interests when it's time to test the insurance promise?

Wisconsin's reputation as one of America's more benign malpractice environments is under attack.³⁻⁴ Challenges to the recently reinstated cap on noneconomic damages and the ongoing threat to the Injured Patients and Families Compensation Fund are but 2 examples of the risks posed to the foundations of a stable liability climate. The Wisconsin Medical Society is leading the fight to ensure fair and equal treatment for Wisconsin physicians, but while that fight goes on, preparations are in order. Your medical professional liability policy and the company behind it are your first line of defense.

As you evaluate the strength of your medical liability policy, learn all you can about the company in which you place your trust. Be sure beyond a doubt that the company is willing—and able—to go to bat for you. Ask about their track record of trying lawsuits, find out how many they've tried, how successful they've been and which lawyers will be fighting for your reputation.

Get the specific data just as you would if you were choosing a heart surgeon. Just as you only would

Stan Starnes is the CEO of ProAssurance, the parent company of ProAssurance Wisconsin Insurance Company (formerly PIC WISCONSIN). ProAssurance Corporation is the nation's fifth largest writer of medical professional liability insurance through principal subsidiaries ProAssurance Indemnity Company, Inc., ProAssurance Casualty Company, ProAssurance National Capital Insurance Company, ProAssurance Wisconsin, and ProAssurance Specialty Insurance Company, Inc.

trust a skilled specialist to treat your heart condition, you entrust your defense in a malpractice lawsuit to only the most skilled attorneys backed by a company that won't cut corners in paying for your defense. Before you agree to accept coverage from anyone, ask to see their attorney roster and trial statistics.

Ask, too, about their record of support for organized medicine and their willingness to be involved in those issues that will shape the future of your practice in Wisconsin. And finally, ask about their financial strength. That's the foundation upon which every other promise is built.

ProAssurance Wisconsin Insurance Company (formerly PIC WISCONSIN) will be forthcoming with those answers. You will find our track record reassuring because we are defined by our long-term commitment and our unmatched record of courtroom success in Wisconsin. Please put us to the test, and let me know how we stack up.

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