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Victory for Physicians: Plaintiff Lawyers Cannot Grab Larger Slice of Settlement

Recently, the Illinois State Supreme Court ruled 7-0 in a case which would have upended the current procedure for how health care liens are disbursed in civil cases. Plaintiff's lawyers were seeking to deduct attorney fees from civil case settlements prior to calculating liens paid to health care entities and physicians.

In essence, this change would have prevented health care professionals from receiving the full reimbursement to which they are statutorily entitled.

The ruling, supported by the Illinois State Medical Society, calls for the statute to be "unambiguous and does not permit the deduction of attorney fees and costs prior to calculating the amount to be paid to any health care lienholder."

Kudos to the State Supreme Court for not allowing plaintiff lawyers to further game the system!

Medical Identity Theft Is Rising. Here's How ISMIE Protects Your Practice.

So far 2015 is shaping up to be another [year of the health care data breach](#). The reason is simple: Medical records contain a slew of highly sensitive information, namely credit/debit card and social security numbers.

But ISMIE policyholders can rest assured. [Cyber liability protection](#) is a feature of your policy at no additional cost (subject to a deductible) and covers:



About Us

- Unauthorized disclosure of patient health information and patient identifiers and failure of computer security to prevent a system breach.
- Privacy breach response services, which include costs for a computer security expert and notifications to affected individuals.
- Any regulatory proceeding brought against the policyholder because of an unauthorized disclosure, security breach or failure to disclose such acts in violation of a breach notice law.
- Income loss and any extra expense that is a direct result of a computer system's failure due to a "security breach."
- Claims arising from your medical practice's website media content.
- Reimbursement for expenses related to crisis management and public relations.
- Fines and costs incurred under the terms of a credit/debit merchant services agreement.

All policies, including new business and renewals, are issued a cyber liability endorsement—at no additional cost to policyholders.

More information on ISMIE's cyber liability protection is [available on our website](#). Please note, you may purchase higher limits for your cyber protection by contacting the Underwriting Division [via email](#) or at 800-782-4767 ext. 3350. If you utilize an insurance broker, you may also wish to contact him or her.

Dive into June with a Practice Management Day and Online Courses

Face it. Medical practices today swim in a sea of potential liability risk. Stay afloat by learning to assess and resolve such threats [by attending a live Practice Management Day](#) in 2015.



This day-long program, designed for policyholders and staff, will feature:

- A morning session on *Hot Topics in Legislation and Regulation* covering medical cannabis, concealed carry, direct patient access to lab reports, unaccompanied minors seeking care, advanced directives, Hepatitis C screening, and more.
- An afternoon session on *Coping Well with Stress at Work*.

You have five chances to attend this year, [so sign up today for a date that best fits your schedule!](#)

Dates and locations:

- **June 17** - Downtown Chicago
- **July 16** - Oak Brook
- **September 10** - Peoria
- **October 15** - Collinsville
- **November 12** - Northbrook

CME offered; there is no cost for ISMIE policyholders and staff. Breakfast and lunch will be served.

Juggling office hours and summer travel plans? Try flexible online learning

Even with the challenges of a busy summer schedule, there are plenty of opportunities to earn CME and Risk Rewards discounts.

From cultural competency to risk management issues, ISMIE's full array of quality online learning programs are easily accessible from your computer, notepad or handheld device—any time, day or night. Have your log in info handy and [explore the full course catalog today.](#)

As a bonus, policyholders are also able to earn Risk Rewards premium discounts and *AMA PRA Category 1 Credit™* for successful completion of online courses.

Questions? Contact ISMIE's Risk Management Division at 800-782-4767 ext. 3300 or email riskmanagement@ismie.com.

When an Unanticipated Outcome Occurs, Call ISMIE First

Regardless of the circumstances, immediately notify ISMIE Claims should any unanticipated outcome occur during or after treating a patient. Our professional Claims staff is available to answer your questions M-F from 8:30 a.m. until 5:30 p.m. Simply call 800-782-4767 or send an email to claimreports@ismie.com. If calling after hours, leave a message and we'll get back to you the next business day.

No matter the intention, any payment or offer of compensation directly from a physician to a patient could prejudice subsequent legal proceedings, be construed as an admission of liability and potentially impair your insurance coverage.

Bottom line: If there's any doubt about a treatment issue, contact ISMIE and we'll work with you toward the best possible resolution.

Only 3 out of 10 health care organizations have documented social media guidelines.

Yet ...



67%
of physicians who use social media do so for professional use



25%
of U.S. hospitals participate in social media

Source: Mayo Clinic and Institute of Medicine

Develop your social media protocols today

Social Media Guidance for Physicians and Their Practices

Developed in partnership with the Illinois State Medical Society

ISMIE
Mutual Insurance Company

Let us know how we can make *ISMIE News* more useful to you. Please send your comments to e-news@ismie.com.