



PROFESSIONAL LIABILITY INSURANCE

FOR BIOS MEMBERS

In this litigious society it is not uncommon for healthcare professionals to be blamed for negligent omissions, treatments or advice. The NHS claim payments alone amounted to an eye watering £650 million for the year ending 2010, together with a further £120 million paid in legal costs. The development of the blame and claim culture is supported by lawyers pursuing cases on a no win, no fee basis, which will inevitably continue to escalate the number of medical negligence claims already rising at an alarming rate.

As a professional Orthoptist, BIOS members are not immune from this rising tide as the brief case studies below will demonstrate. The majority of claims however are unfounded, and members have successfully been able to defend themselves with the help of the BIOS specialist brokers, LFC Graybrook Limited, and MPS Risk Solutions the current insurer. Both organisations support members through this anxious period with helpful guidance, advice and expert medico legal assistance, all of which is provided free to members as part of BIOS membership benefits.

The BIOS member's policy meets all legal defence costs for civil liability claims, together with compensation awards, up to a limit of £2,500,000, with an annual limit of £5,000,000 for each member. These valuable benefits if purchased individually would cost in the region of £200-£300, and therefore represents exceptional value from membership subscriptions.

CASE STUDIES

Over recent years insurers have supported many members in some of the following claims:-

- Legal representation for members attending Court as a witness involving claims against Consultant Ophthalmologist.
- Representation for member providing pre-op biometry which later resulted in a claim against the surgeon for inappropriate lens calculation/surgery.
- Alleged negligent biometry test resulting in medical negligence claim.
- Capability and competence issues revealed following audit of member's work which may in future give rise to medical negligence claims.
- Alleged inaccurate reading of the Axial length of eyes during the pre operative assessment.
- Alleged insult from member to patient resulting in a potential legal action.
- Child blind due to delayed diagnosis of brain tumour (several members involved in the subsequent legal action).
- Potential claim against member for defamation of character.
- Alleged wrongful diagnosis and delay in referral resulting in Optic Atrophy, misinterpreted as Myopic Fundus.
- HPC fitness to practice investigation which may have consequences on subsequent medical negligence claim.

In all cases there was no contribution from or cost to the member's concerned. The cover applies to all members whether employed or self employed provided they are a member of BIOS at the time of treatment.

