



About CRICO

Medical Professional Liability Insurance for Employees

Nurses, Advanced Practice Nurses,
Physician Assistants, and
Allied Health Professionals

crico | Protecting Providers.
Promoting Safety.

CRICO covers you.

This document provides answers to initial questions about your CRICO medical professional liability (MPL) insurance coverage and the claim process. For more personal service, we encourage you to contact your sponsoring institution's credentialing or risk management representative, your CRICO underwriter, or your CRICO claim representative.

CRICO OVERVIEW

Your insurance coverage is provided by CRICO (A Reciprocal Risk Retention Group).

Policies are written on a limited claims made basis. Limited claims made policies cover claims reported during the current policy year that resulted from services rendered while the policy is in effect. Claims related to services rendered prior to the effective date of your CRICO coverage should be covered by the insurance carried at the time the service was rendered.

EMPLOYEES COVERED

All non-physician employees are covered, including the following:

- **Nurses**, e.g., Registered Nurses (RNs) and Licensed Practical Nurses (LPNs).
- **Advanced Practice Nurses** (APNs), e.g., Certified Nurse Midwives (CNMs), Nurse Practitioners (NPs), Certified Registered Nurse Anesthetists (CRNAs), Clinical Nurse Specialists (CNSs), and Psychiatric Certified Nurse Specialists (PCNSs).
- **Allied Health Professionals** (AHPs), e.g., medical assistants, occupational and physician therapists, phlebotomists, social workers, and others.
- **All other clinical staff**, e.g., Physician Assistants (PAs) pharmacists, psychologists, and others.
- **All other non-clinical staff**, e.g., accountants, administrative support staff, architects, attorneys, information technology staff, maintenance staff, etc.

WHAT YOU SHOULD KNOW

- **Medical professional liability** (MPL or medical malpractice) coverage is provided to all individuals employed by a CRICO-insured organization.*

- **Employees are automatically covered** while acting within the scope of their duties for their CRICO-insured employer.
- **Full- and part-time** individuals employed by a CRICO-insured organization receive this coverage automatically when hired.
- **Coverage is the same for all employees.** CRICO-insured employees should note that the limit of liability for domestic MPL coverage is \$5 million per claim and \$10 million annual aggregate for each insured. Defense expenses (e.g., attorney fees) are paid by CRICO in addition to these policy coverage limits. For international MPL coverage, limits are \$2 million per event and \$2 million annual employee maximum. For international coverage, defense expenses are included within the liability limits.

CIRCUMSTANCES WHERE SUPPLEMENTAL INSURANCE IS NEEDED

Purchasing medical professional liability insurance for medical activities outside of one's CRICO-insured job might be necessary if you:

- have another job at a non-CRICO institution (i.e., private duty, hospice, physician practice group (PPG), and other moonlighting activities), or
- volunteer in your professional capacity in any setting.

Individuals who regularly engage in professional activities outside their CRICO-insured jobs need to determine:

- whether they are insured under another medical professional liability policy, and if so, the coverage limits;
- what activities are covered;
- under what circumstances the insurer will provide legal counsel; and
- whether the coverage continues after employment.

*A list of CRICO subscriber organizations is available at www.mf.harvard.edu/members

What's my risk?

CRICO insures more than 130,000 employees at our subscriber organizations, and on average, 56 are named in malpractice cases each year. Of the cases closed over the past five years that involved employee defendants, 18% resulted in a payment against an employee.

For as long as CRICO has been defending Harvard staff, our insight, experience, and data have established CRICO as a national leader in patient safety. To learn how you can improve the safety of your patients—and protect yourself from allegations of malpractice—visit www.rm.f.harvard.edu.

957 cases were closed from 2019–23. Of those, 160 cases involved 278 non-physician employees.

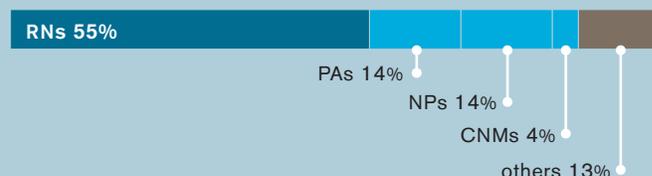


11% OF CASES INVOLVE AN EMPLOYEE

99%

OF THESE CASES ALSO INVOLVE AN ORGANIZATION AND/OR ONE OR MORE PHYSICIANS

EMPLOYEE DEFENDANTS



COVERAGE FOR CERTIFIED NURSE-MIDWIVES

Certified Nurse Midwives (CNMs) are required to submit an application for coverage at all CRICO organizations where employed. Only those CNMs who perform deliveries will pay a premium for their MPL coverage. Please note, there is no coverage available for home deliveries.

CNMs who perform deliveries are encouraged to participate in the CRICO OB Patient Safety Program. This program entitles participants to a premium discount for each year in which they complete assigned risk reduction activities. For more information, visit www.rm.f.harvard.edu/obpatientsafetycnm.

TAIL COVERAGE: POST-DEPARTURE

Employees who retire or otherwise end their employment will continue to be covered for claims made subsequent to their departure, if a) those claims arise from medical incidents that occurred during their participation in the program, and b) the employing organization's policy has been kept in force from the time the medical incident occurred through the year in which the claim is made. No coverage is provided for any claim arising out of services rendered after an individual is no longer participating in the CRICO insurance program. Please note: if you are employed by a private practice group, separate coverage terms for tail may apply.

The descriptions and summaries of CRICO's policies herein are provided for ease of reference only, shall not be construed as constituting a contract, and do not replace, reduce, enhance, or alter the specific terms of the policies. Nothing in this document should be construed as an opinion regarding whether coverage is available for any particular potential claim, claim, or suit, or under any particular circumstances. Please refer to the policies for the actual pertinent terms and conditions, available through CRICO's Underwriting Department at 617.450.8219 or Underwriting@rmf.harvard.edu.

Reporting a Claim or Lawsuit

Employees should immediately notify their manager *and* an institutional risk manager upon receipt of:

- a Summons and Complaint;
- a letter from a dissatisfied patient/family, or the patient's attorney that requests money or a copy of the patient's medical record;
- subpoena or other notification of deposition in a medical malpractice action;
- the threat of legal action by a patient/family that may lead to a claim or suit; or
- contact from the Board of Registration of Nursing regarding investigation of a patient complaint.

Your risk manager will inform CRICO of the situation.

Circumstances Under Which CRICO Provides an Attorney

CRICO assigns and pays for an attorney for any employee named as a defendant in a lawsuit based on his or her professional activities for a CRICO-insured employer. In other instances, CRICO may assign an attorney to an employee not specifically named in a lawsuit (e.g., a CRICO-insured RN deposed for a lawsuit naming other defendants). This is especially true if it appears that employee might be added to the lawsuit at a later date.

In addition, attorneys may be assigned by CRICO to advise and accompany an employee called before a regulatory board (e.g., the Board of Registration in Nursing).

Protecting Providers. Promoting Safety.

CRICO's mission is to protect providers and promote safety. To do this, we provide a superior medical malpractice insurance program to our subscribers, and assist them in delivering the safest health care in the world.

Did you know...

CRICO is much more than protection after a claim is made. We are at the forefront of the patient safety movement, using data to create tools and resources to help you deliver the safest possible care for your patients.

CRICO IS...

- clinical guidelines and algorithms
- fact-based malpractice case studies
- extensive patient safety research and expertise
- specialty-specific data
- online CME courses (convertible to CEUs)
- content for risk management CME credit

ALL WEB ACCESSIBLE, PLUS...

- more about your coverage
- and you can request your claims history from underwriting@rmf.harvard.edu

Through decades of experience protecting the Harvard medical community's clinicians and organizations, CRICO has established itself as a leader in medical professional liability (MPL) insurance. It is our mission to protect providers and promote safety.

Founded close to 50 years ago, the CRICO insurance program includes all of the Harvard medical institutions and their affiliates, providing coverage to 34 hospitals, 17,500 physicians, more than 325 other health care organizations, and in excess of 130,000 other nurses, advanced practice clinicians, all other clinicians, and employees. Soon after its inception, CRICO implemented a data-informed approach to reducing medical error through clinical analysis of malpractice claims, which has made it a leader of patient safety today.

Through national partnerships, Candello, established as a division of The Risk Management Foundation of the Harvard Medical Institutions Incorporated, pools malpractice data and expertise from captive and commercial professional liability insurers across the country to provide clinical risk intelligence products and solutions. Combining data from CRICO's Harvard-affiliated subscribers and Candello's national partners, the data represent one-third of U.S. MPL cases, and include open and closed cases as well as cases with and without indemnity payments. An active online community facilitates peer discussion, fosters shared learning, and provides access to exclusive content. Web-based tools leverage Candello's proprietary claims coding taxonomy to generate individual and comparative analytic reports that enable health care leaders to connect the dots from medical error to patient safety interventions and help transform risk into opportunity. Our benchmarking reports uncover the drivers of patient harm.



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