



natmed
medical defence

www.medicaldefence.mobi

Natmed is an authorised FSP. FSP number 21144

**NATMED IS A PROUDLY SOUTH
AFRICAN COMPANY WHO HAS
BEEN BROKING FOR OVER 24 YEARS
AND ARE LEADERS IN ARRANGING
MEDICAL MALPRACTICE COVER.**





natmed medical defence

*What are Occurrence
and Claims-Made policies?
What will my premium be?
Do I have cover at retirement?*

*Who are the insurers?
Which lawyers do we use?
What happens to my past claims when
I switch to Natmed Medical Defence?*

*What incidents should I notify?
What indemnity limits are available?*

Medical Defence is who we are

As leaders in the organising of medical malpractice insurance, Natmed Medical Defence (Pty) Ltd have been arranging and creating medical malpractice insurance products in South Africa for over two decades.

Offering capabilities that allow protection for both private medical facilities and Healthcare practitioners alike, Natmed secures affordable indemnity cover for all specialists, distinguished by our vast knowledge base, personal & online efficiency, underpinned by our legal prowess.

Our association with top experienced local and international specialist insurers, as well as an unwavering commitment to our clients, ensures unique online and 24/7 services that are easily accessible and always available.

For individually calculated insurance quotations, specific to their practice, Healthcare practitioners can log on to medcaldefence.mobi and click on the Apply Now button.

Protecting

Private hospitals and practitioners alike



Providing

Free cover upon retirement subject to terms and conditions.

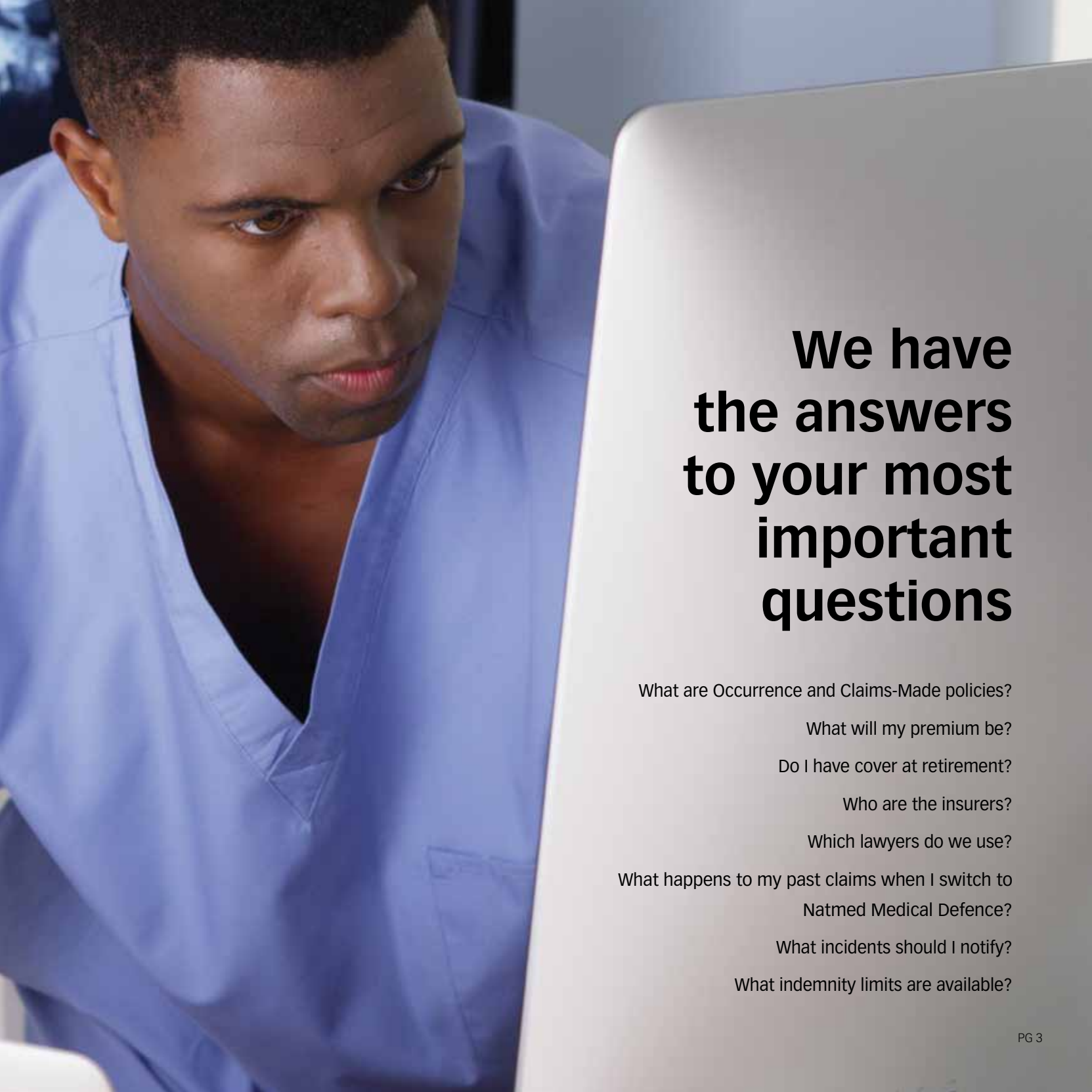
Individualised premiums tailored to you and your practice.

Claims-made or occurrence-based cover

Accessible

24 hours a day, seven days of the week, backed by our dedicated and knowledgeable team



A close-up photograph of a man with short dark hair, wearing a light blue button-down shirt, looking intently at a laptop screen. The laptop is silver and occupies the right side of the frame. The background is slightly blurred, showing what appears to be an office or home workspace.

We have the answers to your most important questions

What are Occurrence and Claims-Made policies?

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Which lawyers do we use?

What happens to my past claims when I switch to

Natmed Medical Defence?

What incidents should I notify?

What indemnity limits are available?



Why Medical Malpractice is important to doctors?

According to Donald Dinnie, the CEO of Natmed Medical Defence (Pty) Ltd, claim values have increased exponentially, which has undoubtedly had a negative effect of driving professionals from the private market and affected the cost of the relevant professional indemnity cover.

Because of both costs and liability exposure, a March 2018 supreme court of appeal judgement awarded close to R 20 million in damages in a cerebral-palsy baby claim (with some awards and settlements over the years being in excess of that), it is critical for practitioners to ensure that their medical malpractice insurance cover is tailored to their particular practice.

Natmed provides obstetricians & gynaecologists with cover for as little as R 200 000.00 per annum, subject to the risk profile of the practitioner with certain terms and conditions. Should the insured have a high risk profile, the premium costs can be multiples of this. It is a growing requirement of many private health facilities that the medical practitioner must hold the appropriate indemnity cover in order to practice from that facility, meaning that the existence of cover is a practical prerequisite to that private practice.

**Natmed provides cover
for as little as**

R200 000


**per annum for obstetricians
and gynaecologists**

Stephen Kellerman founder of Natmed Medical Defence (Pty) Ltd comments that Natmed's expertise acquired over the last 24 years in the field has enabled them to design a product balancing both affordability and risk protection.

Natmed Medical Defence (Pty) Ltd offers medical practitioners affordable, claims-made cover through South African registered insurers, such as Constantia Insurance Company Ltd FSP No. 31111, who provide contracts of insurance to clients, in accordance

with the Short-term Insurance Act. To ensure peace of mind, especially considering large baby-related claims, the cover offered through Natmed Medical Defence is not discretionary with each policy detailing the relevant indemnity limits, as well as the precise terms and exclusions of your cover.





To further assist you with covering future claims, any adverse or unusual events which may give rise to claims that are notified to us when they occur, during any period of insurance (even if you do not feel that you were at fault), are covered in the future, irrespective of when any claim in respect of those events is actually made against you. These adverse or unusual events can be reported using our secure, online incident-management system.

Should you not be aware of any adverse or unusual events resulting in no notification of their occurrence, and a claim is lodged for an event that took place whilst you are insured through us, that claim will fall under the period of insurance in which the claim is lodged subject to the terms and exclusions of the policy in force at the time when the claim is made, even if this is years after the event. There will however be no cover if known adverse circumstances, events or the claims were not notified during the period of

insurance when they occur, or during any extended reporting period of the cover obtained through us.

With 24 years experience in short-term insurance, Natmed Medical Defence has developed sound risk management and online systems that support policy transactions, administrative and claims or incident management 24-hours a day. Aside from immediate access to our internal legal team, litigation is handled by experienced attorneys, such as those on the disputes and litigation team at Norton Rose Fulbright, and other large law firms, ensuring that you always have timeous and effective legal assistance in the event of a claim, a complaint or any issues with the HPCSA.

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Difference between Claims-made and Occurrence-based policies

The indemnity cover obtainable via Natmed Medical Defence (Pty) Ltd is primarily a claims made policy that covers claims (as defined) arising after the start or retroactive date chosen by you and agreed upon with the insurers, and first brought against you whilst the policy is in force.

There are provisions that make available extended reporting periods and premium holidays, which include (amongst others) death (along with your estate), disability, pregnancy and retirement.

EthiQal indemnity insurance is also available via Natmed on an occurrence basis, which is similar to how mutual society cover operates and provides cover for events that

occur during the period of insurance.

We provide you with the added peace of mind that our cover, not being discretionary, is recorded in a contract of insurance with you that explains simply and precisely the terms of your cover as well as future dealings between us. These contracts comply with the Short-term Insurance Act, which is legislation aimed at ensuring that your insurer is able to pay claims, and that consumers claims are covered on the terms offered and agreed.

There are distinct advantages and disadvantages to each type of policy, which can be explained should you need further information. Here are some key differences between the policies:

Medical Practitioner Indemnity Policy - Claims-made policy

The Natmed Medical Practitioner Indemnity Policy (underwritten by Constantia Insurance Company Ltd FSP No. 31111) indemnifies you against covered claims that are first made against you and notified to the Insurer during the period of insurance.

You are covered for claims made during the current insurance period. This also applies if the event that gives rise to the claim occurred after the retroactive date stated in the schedule to your policy.

You must fulfil your reporting obligations (see "Notifications" pg 8).

If you die or cease to practice, in most circumstances, the policy provides for purchasing an extended notification period for claims made within 36 months from the date the policy terminated for that reason, without additional premium payment. For an additional premium you have the option to extend that period.



Medical Practitioner Indemnity Policy - Occurrence-based policy

The EthiQal Medical Risk Protection Policy (underwritten by Constantia Insurance Company Limited FSP: 31111) is an occurrence-based policy which means that the policy covers you for events that occur during the period of insurance, irrespective of when the claim is made.

Please remember that you must fulfil your reporting obligations (see “Notifications”).

Notifications

Whether you have a claims-made or occurrence-based policy you must, amongst other things, notify all facts, circumstances, incidents or events which may give rise to a claim, as and when they happen. This includes indications of a possible future claim such as a request for patient information or medical records, a complaint, suggestion of fault, refusal to pay an account, a difficult meeting with a patient or their family, or anything else that suggests that an event may give rise to a claim.

Be sure to familiarise yourself with your policy to see what is specifically required of you to ensure that you do not lose your right to claim.

You must notify any incident involving complications or any circumstances out of the ordinary whether or not you consider yourself to be at fault.



How can Natmed help you?

Your indemnity insurance covers the insured as defined in the policy schedule, and separate cover is required for a company, a partnership, an association or casualty practice (to name a few).

Natmed Medical Defence (Pty) Ltd can also obtain for you expert guidance, advice and peer review of your performance in order to promote good healthcare practices, which can be requested at any time by contacting us.

The indemnity limit, which is the

total amount of cover available annually to you or your practice in the event of any claims under the policy, must satisfy your specific risks, indemnity and business requirements. This means that your chosen annual indemnity limit should provide for, at least, expected and unexpected claims, all legal fees, expenses, interest, costs and VAT.

Deductibles are defined and specified separately, if applicable, although there are often none. HPCSA, criminal and inquest defence costs are also covered within the limits, with no deductibles.

Please ensure that the indemnity insurance offered satisfies your specific indemnity and business requirements and let us know if you need specific information and guidance. If, for example, you practice as a corporation, partnership or alliance; you are changing the level of specialisation or its private practice component; you employ nursing staff. You may increase or decrease

the indemnity limit each year, but considering the litigation environment, it is recommended that you secure the maximum indemnity limit available. Once you receive your quotation, please inform us if you would like to discuss any alternative indemnity options so that we can provide further information and guidance.

Natmed Medical Defence is also proud to announce the launch of an exclusive series of helpful and informative publications which have been made available to our clients who are medical practitioners, health facility operators and medical negligence insurers and brokers in the case of any legal or insurance claim. These include a What if Series, A Medical Defence Review and Ten Takeaways. As a contribution to the health and insurance industry, and exclusive to Natmed's clients, this series will be published starting with our first release "What if...I receive a subpoena?".

Natmed also helps you through:

Natmed's track record and longevity within the medical malpractice industry and experienced team to support policy fulfilment, claims notifications, defence engagements and settlement administration.


Natmed's expertise and extensive experience in and understanding of the medical malpractice insurance market due to Natmed's central role in the development of some of the medical malpractice policy wordings currently in use.

Natmed's 24-hour 7 days a week legal assistance help line supported by Natmed's dedicated and knowledgeable internal legal team.

Natmed's commitment to the regular publication of Natmed's knowledgeable, incisive and thought leadership articles on a variety of healthcare industry relevant topics including medico-legal and medical risk issues.

Natmed's relationships with and regular engagement with healthcare industry leaders, political and commercial, and Natmed's engagement with the South African law reform commission on medical law reform.

Natmed's promotion of early mediation and dispute resolution.



The series is complemented by Natmedipedia, Natmed’s Glossary of Medical Negligence and Insurance terms, which is a plain language guide drawing on Natmed’s long and distinguished history, expertise and experience in the medical negligence insurance industry.

About Natmed What if series?

Each edition is a simplified guide to assist our insureds with regards to common medicolegal issues that may arise in the future, as well as a basic reference to making legal terms and jargon more understandable and less intimidating. With step-by-step advice, it assists health practitioners deal with the legal processes which they most commonly may receive. This series is available to our Natmed clients via their Natmed.mobi profiles.

About Natmed’s Medical Defence Review

The Medical Defence Review is a collection of lay person friendly case reviews, lessons learnt, and guidelines for healthcare practitioners and healthcare facility operators.

About Natmed’s Ten Takeaways

Natmed’s Ten Takeaway series is a first stop point of reference for busy healthcare practitioners and healthcare facility operators and intended to be reference in conjunction with the Natmed “What If?” series, Natmed Medical Defence Review and the Natmed Glossary of Medical Negligence and Insurance Terms.





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Legal Advice and Help Line 24/7/365 - 082 462 8633

Visit us on LinkedIn - [natmed-medical-defence](https://www.linkedin.com/company/natmed-medical-defence)

For a tailored, obligation free and competitive quotation please visit www.natmed.mobi

Disclaimer: This Brochure is not legal advice. You must take specific legal advice on any issue that concerns you. Only specific financial and/or insurance advice should be relied upon, and any information contained in this Glossary is deemed to be general information only. Natmed Medical Defence (Pty) Ltd is an authorised financial services provider under FSP number 21144.

The SARS Commissioner has directed in terms of Sections 20(7) and 21(5) of the VAT Act 89 of 1991 that a short-term insurer does not have to issue a tax invoice, credit note or debit note in respect of a supply of short term insurance.

For the purposes of deducting input tax, the Insured (being a vendor seeking to deduct the VAT as input tax) must be in possession of the Policy document together with proof that the premium has been paid (for example, bank statements).