

# Medical Accident Insurance Cover / Scheme

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# Concept

Airline insurance AND Railway travel insurance (Rs 10/= in ticket)

In case of accident, death is almost certain because of accident for which passenger is not at all responsible. Airline/Railway take care.

Accidents Rare, Number of passengers very high.

Therefore insurance is possible / feasible / profitable

**Similar insurance is required for medical accidents**

**ON NO FAULT INSURANCE PRINCIPLE AS IN NEW ZEALAND**

## **Medical Accidents**

Patient not responsible AND Doctor also not responsible :

**Examples** : Anaphylaxis / Reaction to test dose of injection

Severe reaction to drug not known to cause anaphylaxis

Anaphylaxis to second dose of injection taken earlier

Postpartum haemorrhage / Sudden unexpected hemorrhage /

Instrument failure

## **Medical Accidents**

Sudden unexpected cardiac arrest :

- i. Could not be revived by defibrillation and ventilation.
- ii. Could be revived but resulted in brain damage / death before revival.

Known complications of surgical procedures not amenable to adequate treatment.

Embolism : Amniotic fluid or Pulmonary Embolism

# Medical Negligence

A failure to behave with the level of care that someone of ordinary prudence would have exercised under the same circumstances.

Duty of care

Breach of the duty

Resultant damage to patient

Proof that damage is due to breach of duty of doctor

**Indemnity Insurance Will Protect the doctor**

# Medical Accident

**Doctor not responsible but patient party suffers losses**

Doctor has no liability as there is no negligence

Medical indemnity insurance company does not pay

Relatives suffers unexpected loss / death of family member

**This results in violence against doctors and hospitals**

Hence insurance is necessary

Incidence is very low and number of patients high, hence insurance is feasible

# How the new insurance product will work

1. Hospital registers patient details on the online portal with name, age, sex, diagnosis, investigations, procedure planned 72 hrs before surgery
2. Hospital pays say premium of say Rs 100 for Rs. 5,00,000 cover
3. Link is sent to patient by Email / SMS / WhatsApp for CONSENT for
  - a. Insurance
  - b. Surgical procedure
4. After all information is submitted to insurance company insurance company issues online policy to the patient with copy to the doctor
5. Procedure is carried out on the date and time as per plan submitted.
6. Events such as beginning and end of procedure are communicated to insurance company by hospital with verification by patient party.
7. If there is no mishap, insurance cover expires at scheduled time, if there is mishap hospital will follow due course of law e.g. post mortem etc.
8. On confirming that there was no negligence, patient party will be reimbursed.

# How the insurance can be made safe and scaled up later

| <b>Restriction for safety</b> | <b>Scaling up for expansion &gt; &gt; &gt; &gt; &gt;</b>    |                          |
|-------------------------------|---|--------------------------|
| Medical illness + maternity   | Acute or chronic illnesses                                  | Accidental injuries      |
| Age between 25-35             | Age between 5- 55   | No age limit             |
| 72 - 48 hrs before surgery    | 48-12 hours before surgery                                  | 12 hrs - emergency       |
| Minor procedures              | Medium-Major surgery  | Supra Major surgery      |
| Strictly fit patient          | Co-morbidities like DM, HT                                  | Any co-morbidity         |
| Ends 24 hrs after surgery     | Ends 72 hrs after surgery                                   | Ends after 1 week postop |
| Rs. 5,00,000 for Rs 100       | <b>Patient pays additional premium for additional cover</b> |                          |

# **Medical Accident**

No recognized definition of medical accident.

Mention in various British and Indian Court Judgments

Mention in various books.

Definition prepared by IMA Pune

Correspondence with IRDA

**Proposal needs to come from Insurance Company**

Tried with New India Assurance

Tried with Aditya Birla Health Insurance

# **Problem: Non Availability of Data of Medical Accidents**

General tendency of not maintaining ANY data by many medical professionals

Specific tendency of hiding such accidents where there is no death

In case of death tendency to SETTLE the matter out of court

Tendency of patients to go to consumer court

- a. Compensation possible
- b. Relatively fast
- c. Easy to file

Consumer Courts usually have sympathy for patient party due to death :  
negligence even if there is no negligence : **Accidents are not recorded**

**Doctors afraid of reporting accidents / near miss events fearing litigation**