

ProSecure®

FOR PHYSICIAN PRACTICES, HOSPITALS, & HEALTHCARE FACILITIES

Coverage Scenarios

ProAssurance has collaborated with Tokio Marine HCC - Cyber & Professional Lines Group to offer ProSecure—a suite of coverages from which you can choose to address different kinds of healthcare-related risks. Coverage is designed specifically for physicians and medical practices insured with ProAssurance.

Enhanced Cyber Liability Coverage

You receive defined CyberAssurance® Plus protection with your ProAssurance medical professional liability policy at *no additional charge*. ProSecure's higher limits and additional coverages pick up where your policy's CyberAssurance Plus protection ends. Following are examples* of how ProSecure's Enhanced Cyber Liability Coverage can help:

- *A hacker used malware to seize control of a physician's computer system. When the physician's office manager attempted to access a file, a message appeared on the computer screen instructing them to pay a ransom in bitcoin in order to regain control of the system. The next day the office manager received a call from an informant who offered to provide information about the person responsible for the attack, in exchange for a reward. The physician agreed to pay a \$10,000 reward, and the information provided by the informant subsequently led to the arrest and conviction of the hacker responsible for the attack. ProSecure's Enhanced Cyber Liability Coverage covered the \$10,000 reward.*
- *As part of its new debt collection program, a physician's office implemented a new automatic telephone dialing system to contact patients and leave prerecorded voicemail messages concerning outstanding balances. Several patients filed a class action complaint alleging that the telephone calls were unsolicited, unauthorized, an invasion of privacy, and illegal under the Telephone Consumer Protection Act ("TCPA"). ProSecure's Enhanced Cyber Liability Coverage covered the defense costs incurred to defend the TCPA complaint, which totaled more than \$25,000.*
- *A doctor's office used a third party to host all software, data, and files. The third party provider experienced a ransomware attack. Rather than pay the ransom, the third party provider opted to install new servers and was able to recover and restore all information. In the interim the doctor's office was unable to access its data and files. As a result, scheduled patients were turned away because critical information needed to treat patients was not available and prescriptions could not be filled. The doctor submitted a dependent business interruption loss claim. To support the claim, the doctor provided a profit and loss statement, payroll summary, and deposit information. A forensic accountant was hired who determined that after consideration of the waiting period, the total amount of the loss was roughly \$40,000. ProSecure's Enhanced Cyber Liability Coverage covered this amount.*

Costs for these three situations far exceeded the defined coverage provided in each insured's medical professional liability policy. These scenarios outline possible instances that could trigger ProSecure's Enhanced Cyber Liability Coverage and may not be covered under the coverage provided with the medical professional liability policy.

Regulatory Risk Protection Coverage

Your ProSecure Regulatory Risk coverage provides extra protection for billing errors, medical regulatory violations, and regulatory fines and penalties. Following are examples of investigations addressed by this insurance:

- *A medical group received a Civil Investigative Demand from the United States Attorney's Office relating to a False Claims Act investigation alleging violations of the Anti-Kickback Statute for both Medicare and Medicaid. The accusation was that the medical group, which had an exclusive relationship with a specialty healthcare provider, was receiving kickbacks from the healthcare provider. The U.S. Attorney's Office sought extensive documentation from the medical group from the prior four and a half years, along with depositions and written discovery. The medical group negotiated with the U.S. Attorney's Office for a resolution. The ProSecure Regulatory Risk Protection policy covered approximately \$300,000 in defense costs.*
- *The Centers for Medicare & Medicaid Services ("CMS") conducted an audit of a physician for allegedly billing for services rendered to deceased individuals. The CMS investigated and found the allegations to be true. The CMS sought to suspend the physician's participation in Medicare and Medicaid programs. The physician's ProSecure Regulatory Risk Protection policy covered over \$24,000 in legal expenses incurred in connection with the CMS investigation.*

* All examples are for illustrative purposes only. The terms, limits, and conditions of each policy govern whether an actual claim would be covered. This communication provides a general product summary and should not be construed as a guarantee of coverage. Please refer to the policy for coverage details.



**Medical Professional Liability Insurance
& Risk Management Services**

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