

# Member Benefit Plan





*Since 1988, the Wisconsin Medical Society (Society) and ProAssurance have provided members with high-value medical professional liability insurance programs. Your Member Benefit Plan delivers strong protection, a premium discount, and savings on Society webinars. This enhanced professional liability coverage provides higher limits and additional benefits, including cyber liability protection at no additional cost to you. Benefits are available exclusively to Society members with a ProAssurance policy written through WisMed Assure.*

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**608-442-3810**  
[wimedassure.org](http://wimedassure.org)



**Healthcare Professional Liability Insurance**

**800-282-6242**  
[ProAssurance.com](http://ProAssurance.com)

# 2024 Member Benefit Plan

*Wisconsin Medical Society members can earn savings on professional liability insurance and benefit from enhanced educational support focused on patient safety, loss reduction, and increased defensibility.*

## Premium Savings

### Earn up to 15% Premium Credit

In addition to the 7.5% premium credit for policy renewal that eligible program participants automatically receive, you can qualify for more savings—up to 15% total—through ProAssurance’s:

- **Loss-Free Credit**—2.5% premium credit if you qualify for loss-free credit.
- **Risk Reduction Program Credit**—2.5% premium credit for full participation in an approved program designed to manage risk.
- **Electronic Health Records (EHR) Credit**—2.5% premium credit for the following:
  - ▶ Implementation of Certified Electronic Health Record Technology (CEHRT)-accredited Electronic Health Record.

Eligible program participants’ corporate premium reflects an approximated 25% reduction.

### Eligibility Requirements

To receive these benefits, you must be a Wisconsin Medical Society member in good standing with ProAssurance medical professional liability coverage through WisMed Assure. For organizations, all physicians must be Society members in good standing.

To learn more, please call WisMed Assure at **608-442-3810**.

## Risk Management Resources

Your coverage includes:

- Personal assistance from ProAssurance Risk Management Consultants at **844-223-9648** or [RiskAdvisor@ProAssurance.com](mailto:RiskAdvisor@ProAssurance.com)
- Online seminars for continuing medical education (CME) credit and a premium discount
- New loss prevention webinar series for additional CME and premium discount opportunities
- Annual Baseline Self-Assessment for your practice
- Online resources and specialty-specific newsletters

## On-Demand Opioid Prescribing Courses

**NEW for 2024!** Wisconsin Medical Society On-Demand CME for Opioid Prescribing Now Qualifies for 2.5% Risk Reduction Premium Credit! Save time by using courses required to maintain your license to also earn premium credit toward your medical professional liability policy.

- [Alternatives to Opioids in Treating Acute and Chronic Pain](#)
- [The Opioid Epidemic and the Clinical Prescriber: Responses to Opioid Over-Prescribing](#)

## About Sure Med Compliance

Also take advantage of ProAssurance’s exclusive affiliation with Sure Med Compliance to help you develop and maintain responsible prescribing practices for opioids and other scheduled medications. The Sure Med digital health platform delivers clinical insights that help influence safer prescribing decisions and helps protect healthcare providers from liability by creating safer exposures to controlled substances.



It is available to ProAssurance insureds at no additional cost. Learn more at [ProAssurance.com/SureMedCompliance](https://ProAssurance.com/SureMedCompliance).

# 2024 Member Benefit Plan

As a Society member in good standing, you receive the following ProAssurance medical professional liability policy enhancements\* with your policy. You also may access additional coverage, if you so choose.

## Enhanced Healthcare Professional Liability Coverages

### CyberAssurance® Plus Coverages Address Critical Risks

Your Member Benefit Plan includes valuable cyber liability protections to help guard you against risks associated with emerging cyber threats.

These benefits are included in your \$150,000 annual maximum aggregate—at no added cost and with no need to provide additional information. Some of the coverages include:

- **Multimedia Liability**
- **Cyber Extortion**
- **Cyber Terrorism**
- **PCI DSS Assessment**
- **BrandGuard®**

Depending on your size or scope of practice, you may want to consider purchasing a comprehensive cyber and/or regulatory defense policy that includes higher limits and additional coverages designed to further protect you. Policy premiums vary with the number of physician and healthcare professionals insured, the type of specialty, as well as the number of patient records stored. Please contact your WisMed Assure agent for more information.

With the purchase of this enhanced coverage, not only will you receive higher limits for coverages, you will also benefit from the following enhancements, including:

- **First-Party Insuring Agreements:**
  - Dependent System Failure Coverage for income loss and business interruption
  - Post-Breach Remediation Costs Coverage
  - Bricking Loss Coverage
  - Property Damage Loss Coverage
  - Rewards Expenses Coverage
  - Court Attendance Costs Coverage
  - Breach Event Costs Outside the Limit Enhancement (Breach Event Costs Limit will not reduce the Policy limit)
- **Third-Party Insuring Agreements:**
  - Property Damage Liability Coverage
  - Telephone Consumer Protection Act (TCPA) Defense Coverage
  - Additional Defense Costs Limit now included

### Separate Contractual Liability Coverage

Your ProAssurance policy's Contractual Liability Endorsement covers defined damages resulting from professional healthcare services that you may be obligated to pay under an agreement or contract. The agreement or contract may be with a health maintenance organization, preferred provider organization, or other managed care organization. This coverage is provided as a separate limit for each insured physician in addition to the primary professional liability limits carried with ProAssurance.

### Additional Member Plan Coverages with higher limits than standard at no additional charge<sup>‡</sup>

- **Contingent Excess Liability Coverage**—Provides coverage should the Injured Patients and Families Compensation Fund deny coverage for damages you are obligated to pay in excess of ProAssurance's \$1,000,000/\$3,000,000 coverage limit. This endorsement provides additional coverage up to \$1,000,000 per policy year.
- **Medicare/Medicaid Billing Errors & Omissions**—Provides coverage up to \$50,000 that insured professionals share with the policyholder. This is for defense and investigation costs associated with government investigations into Medicare/Medicaid billing violations, subject to conditions of coverage being met.
- **Legal Expense Coverage**—Pays for legal expenses incurred, up to \$25,000, for interviews, hearings, or depositions about professional healthcare services you provided when no claim has been made against you. You also receive coverage for legal services associated with disciplinary proceedings or hearings brought against you by a governmental or peer review board.
- **Expanded Medical Director's Coverage**—Provides coverage for your medical director's professional services rendered in the scope of administrative duties, subject to the terms and conditions of the endorsement.

<sup>\*</sup>For a complete list of terms and conditions, please read endorsement PRA-HCP-700 that WMS provided with your policy or contact your ProAssurance agent or representative.

<sup>‡</sup>Coverage does not apply to hospitals or other facilities. Please refer to the policy and applicable endorsements for complete terms, conditions, and exclusions of coverage.



*Here's help anticipating and addressing potential risks that can affect your practice. These services are yours through the Wisconsin Medical Society's exclusive Member Benefit Plan. Discover specific risk-reduction practices and stay up-to-date with many value-added services. Some may even reduce your premium payment or solve the question you have right now!*

## Risk Management Resources

Take advantage of these services included in your coverage:

- **Annual qualifying seminar for premium credit**

Take the online seminar earmarked for premium credit and pass the post-test to earn savings at renewal, as well as continuing education credit. You can earn additional continuing education credits by participating in other ProAssurance online Risk Management activities for physicians.

- **Personal assistance from our experienced Risk Management Consultants**

Call **844-223-9648** (Monday–Friday, 8:00 a.m.–5:00 p.m.) or email [RiskAdvisor@ProAssurance.com](mailto:RiskAdvisor@ProAssurance.com).

Count on our team for:

- ▶ **Industry experience**—Decades of diverse legal, clinical, risk, and healthcare management backgrounds
- ▶ **Perspective**—Shaped by hundreds of practice, facility, and hospital risk assessments and thousands of service requests
- ▶ **Local knowledge**—Wisconsin Risk Management Consultants understand your medical professional liability environment

You can also contact a Risk Management Consultant to request more in-depth services, including:

- ▶ **Virtual risk assessments**—A ProAssurance Risk Management Consultant can visit with you to evaluate major risk categories, recommend prevention strategies, and provide resources to help you succeed
- ▶ **Online education**—Our team delivers programming on unique challenges facing physicians and practices

- **Publications and online resources help make your practice safer**

- ▶ **Newsletters**—Specialty-specific case studies and articles for physicians, practice managers, and risk managers
- ▶ **Checklists, guidelines, and tool kits**—Easy-to-adapt resources on subjects ranging from workplace violence to telehealth
- ▶ **Two-minute videos**—Concise risk management topics that are easy to view and share on any device



Contact a consultant at **844-223-9648** or email [RiskAdvisor@ProAssurance.com](mailto:RiskAdvisor@ProAssurance.com)

## Protecting a Vital Profession

ProAssurance has been protecting good medicine for more than 40 years.

If our policyholder has a case to defend, we take action to ensure they are treated fairly.

A claim can have a negative impact on a medical professional's career and be personally devastating.

Our legal teams work diligently to defend our physicians and their organizations throughout the claims process.

### ProAssurance, Treated Fairly

Our culture is firmly rooted in the principle of fairness and a commitment to provide dependable coverage.

- **Protecting good medicine**—with over 25,000+ HCPL policies nationwide
- **Providing clarity**—communicating with honesty, consistency, enthusiasm, and transparency
- **Lessening uncertainty**—helping insureds proactively reduce risk and increase defensibility by providing patient safety education and risk resources
- **Sharing control**—offering insureds a voice in their defense with considerate guidance and rigorous legal support
- **Ensuring stability**—maintaining solid financial reserves to help support and defend favorable outcomes
  - ▶ ProAssurance Group is rated “A” (Excellent) by AM Best
  - ▶ ProAssurance Corporation has over \$5.7 billion in assets, with approximately \$4.5 billion in liabilities\*

Visit [ProAssurance.com/FinancialStrength](https://www.proassurance.com/FinancialStrength)



*As a physician in Wisconsin, your professional reputation is one of your most important assets.*

*Is your medical professional liability insurer committed to helping you protect it?*

#### NATIONWIDE MEDICAL PROFESSIONAL LIABILITY

### 5-Year Claims Summary

2018-2022<sup>†</sup>

- ▶ **26,000+ open malpractice claims** were managed by ProAssurance.
- ▶ **96.2% of closed claims were resolved** without going to trial.
- ▶ **79.3% of claims were closed without indemnity**, meaning no money was paid to the plaintiff.

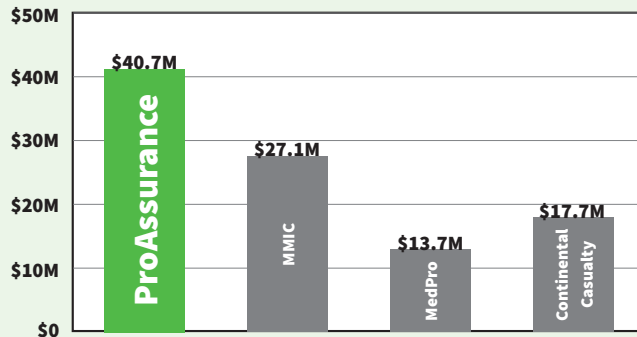
#### STATE OF WISCONSIN MEDICAL PROFESSIONAL LIABILITY

### Defense Costs

2013-2022<sup>‡</sup>

ProAssurance spends more defending insureds than our competitors do. Defense is important because unnecessary settlements can tarnish your reputation.

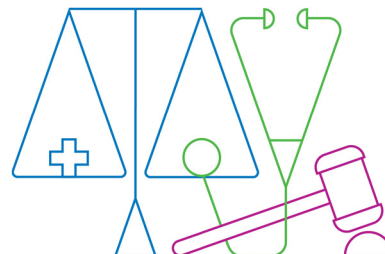
Over the last 10 years, ProAssurance has spent more than 50% more on defense than our competitors.



#### SOURCES:

<sup>†</sup>These numbers represent nationwide medical malpractice claims from 2018 to 2022 extracted from the ProAssurance HCPL claims reporting system.

<sup>‡</sup>SNL State Page Data Summaries by Company, calendar years 2013-2022.



**To report a claim 24/7: 877-778-2524**

\*As of June 30, 2023

# Wisconsin Injured Patients and Families Compensation Fund

*In 1975, Wis. Statute Chapter 655 established the Injured Patients and Families Compensation Fund (Fund) to provide excess medical professional liability insurance coverage above primary insurance requirements for Wisconsin healthcare providers.*

*The Fund provides occurrence coverage for healthcare providers who permanently practice in Wisconsin. Presently, the Fund pays the portion of medical professional liability claims which exceeds \$1,000,000 for each occurrence and \$3,000,000 for all occurrences in any one policy year.*

The Fund operates on a July 1 through June 30 fiscal year. Participating healthcare providers pay assessments which cover claim payments and the Fund's administrative and operating costs. Chapter 655 sets forth the obligations and benefits that apply to healthcare providers defined in the law:

- Defined healthcare providers must participate in the Fund and pay Fund assessments.
- The personal liability of a Fund-participating healthcare provider who complies with the requirements of this statute for acts of malpractice is limited to the mandatory insurance limits required by law.
- The Fund pays damages in excess of \$1,000,000/\$3,000,000 and in accordance with Chapter 655 provisions.

## Mandatory Insurance Requirements

Chapter 655 also delineates insurance requirements that must be met by healthcare providers. The requirements are described in the statute as follows:

- Every healthcare provider permanently practicing or operating in this state either shall insure and keep insured the healthcare provider's liability by a policy of healthcare liability insurance issued by a Wisconsin-licensed insurer, or through a self-insurance plan approved by the Commissioner of Insurance.
- Permanently practicing in this state means the full- or part-time practice in this state of a healthcare provider's profession for more than 240 hours in any Fund fiscal year by a provider whose principal place of practice is in Wisconsin.
- Principal place of practice means that during the fiscal year the provider will derive more than 50 percent of their income from practice in Wisconsin or will attend to more than 50 percent of their patients inside the state of Wisconsin.
- Every healthcare provider subject to the law must have medical malpractice insurance protection of at least \$1,000,000 per occurrence and \$3,000,000 per policy year.
- Every healthcare provider subject to the law must pay an assessment fee to the Fund. A provider may be subject to an individual surcharge of Fund fees based upon individual claims experience if recommended by the Fund's Peer Review Council.

## Compliance

Providers required to participate in the Fund must obtain a primary professional liability insurance policy from a Wisconsin-licensed insurer or through an approved self-insurance plan (must be approved by the Office of the Commissioner of Insurance), with limits equal to the statutory requirements to coincide with the date(s) of practice. Once a provider has obtained this coverage, the following events should occur:

- Within 45 days of the issuance or binding of the policy, the insurer or approved self-insurer must electronically file a certificate of insurance that includes ISO code and provider type, on behalf of the provider, with the Fund.
- The Fund will record this certificate, and it will be used to produce assessment bills.
- Upon receipt of the Fund assessment bills, a provider must pay the Fund bill by the due date for payment.

Certain healthcare providers may claim an exemption from the Fund. A provider who claims an exemption is not protected by the Fund and may be personally liable for damages awarded for malpractice.

## Governance

The Fund is managed by a 13-member Board of Governors consisting of:

- Three insurance industry representatives
- One representative named by the Wisconsin Association for Justice
- One representative named by the State Bar of Wisconsin
- Two representatives of the Wisconsin Medical Society
- One representative named by the Wisconsin Hospital Association
- Four public representatives appointed by the Governor
- The Commissioner of Insurance, who serves as the Chairperson

The Fund's Board of Governors is assisted in its duties by the Underwriting and Actuarial, Legal, Claims, Investment/ Finance and Audit, and Risk Management Committees, as well as the Peer Review Council.

Source: The Wisconsin Office of the Commissioner of Insurance, "Injured Patients and Families Compensation Fund" and related pages.

## For More Information

Your WisMed Assure agent can provide you with information about ProAssurance medical professional liability coverage and the Fund. If you don't have an agent, please contact:



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