



Who will stand
with you?





Alabama is ProAssurance's Home State

ProAssurance, through its predecessor, was founded by Alabama physicians in the late 1970s during the initial medical professional liability crisis when other insurance companies left the market. ProAssurance pioneered the aggressive defense of physicians in Alabama. Our goal is to defend the practice of good medicine whenever possible and discourag non-meritorious claims.

ProAssurance was instrumental in achieving and maintaining meaningful tort reform measures, a legislative package of protections. Over time, this approach helped stabilize the medical professional liability market.

Your Alabama business development representatives stand by to help:

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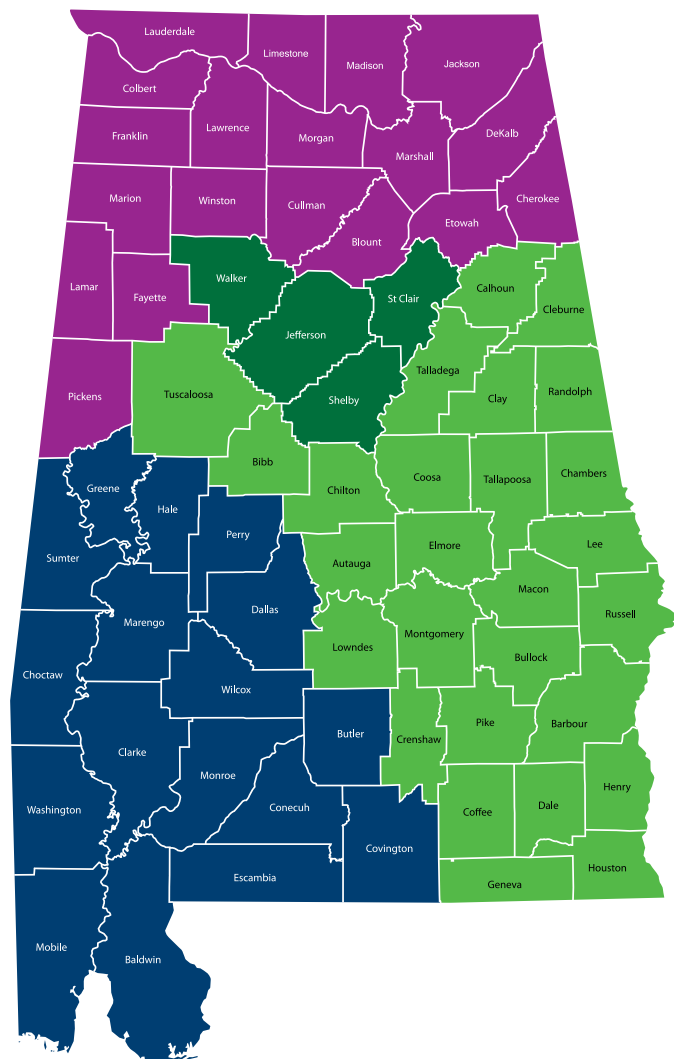
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Did You Know?

PROASSURANCE IS THE **ONLY** MEDICAL LIABILITY INSURANCE CARRIER IN ALABAMA THAT OFFERS **CONTINGENCY EXCESS COVERAGE**

As an Alabama physician insured by ProAssurance, you have an **extra \$2 million in coverage** in the event of a jury verdict that exceeds your policy limits.

It's called "contingency excess" and it is an automatic endoresement to your policy at **no extra cost to you.**

ALABAMA'S CURRENT MEDICAL PROFESSIONAL LIABILITY TORT REFORM STATUTES:

How Past Efforts Have Brought Us to a Stronger Present

Alabama physicians enjoy some of the strongest tort reform statutes in the United States. In 1987 the Alabama Legislature passed the Medical Liability Act, which reformed professional liability claims against healthcare providers. The constitutionality of several provisions of the Act has been tested before the Alabama Supreme Court, but most sections of the 1987 statute remain on the books.

The remaining sections of the Act help ensure fairness in the adjudication of professional liability claims and a level playing field each day:

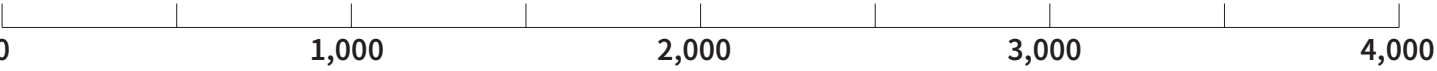
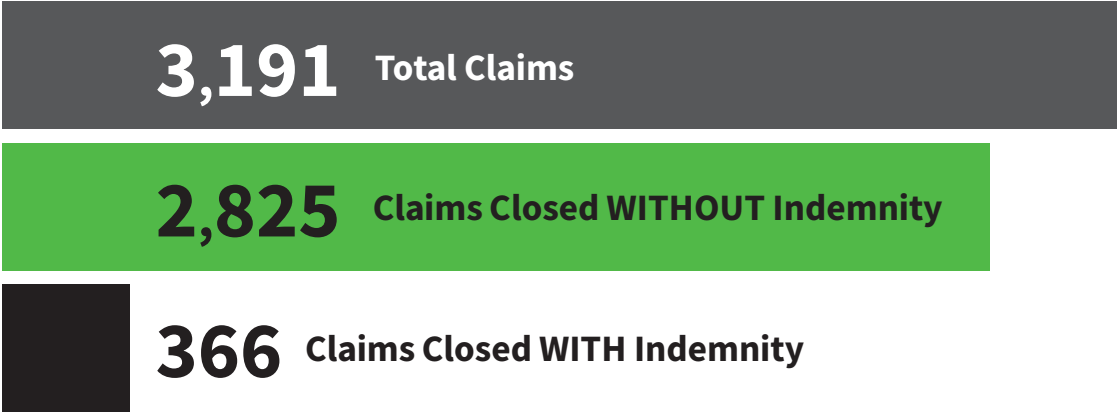
- *Specific pleading*—requires plaintiff's counsel to plead with specificity each and every act or omission. From day one, you know what the claim involves.
- *Expert witness qualifications*—requires plaintiff's physician experts to be "similarly situated." If the defendant is board-certified and practicing within a certain specialty, the plaintiff's experts also must be board-certified and practicing in the same specialty.
- *Abolishment of the collateral source rule*—juries are made aware of monies paid by other parties on behalf of the plaintiff (e.g., health insurance for medical expenses). Further, if there is a verdict for the defendant, the plaintiff won't be required to pay back any of that money.
- *Suit in county*—requires that the defendant physician be sued in the county where the medical incident occurred. If treatment took place in multiple counties, the case must be filed where the patient resided at the time of the incident (no "venue shopping"). Defendant physicians generally stand trial in the communities where they are known and respected.
- *Substantial evidence rule*—requires there must be substantial evidence of wrongdoing to take a case t o trial, helping discourage "nuisance suits." The previous evidence standard, known as the "scintilla rule," was much lower.
- *Witness' insurance carrier*—the plaintiff is precluded from proving the fact that the witness and defendant share the same carrier, which is important since a significant number of Alabama physicians are insured by ProAssurance.

Tort reform continues to work in Alabama; thanks are owed to those who made that happen. The remaining reforms help make the adjudication process of medical professional liability claims fairer for today's practicing physicians in the vast majority of cases.

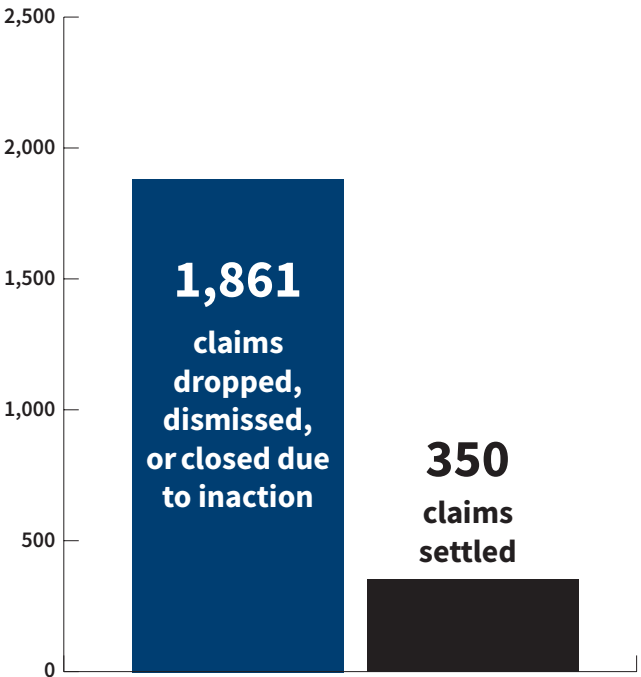


ProAssurance Alabama Medical Malpractice Claims Statistics

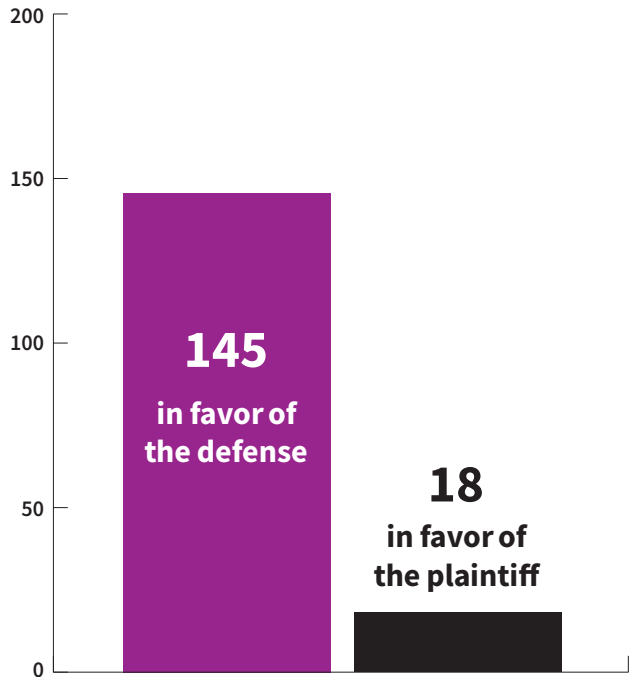
2015-2024 MEDICAL PROFESSIONAL LIABILITY CLOSED CLAIMS REPORT*



2,211 CLAIMS CLOSED PRIOR TO TRIAL



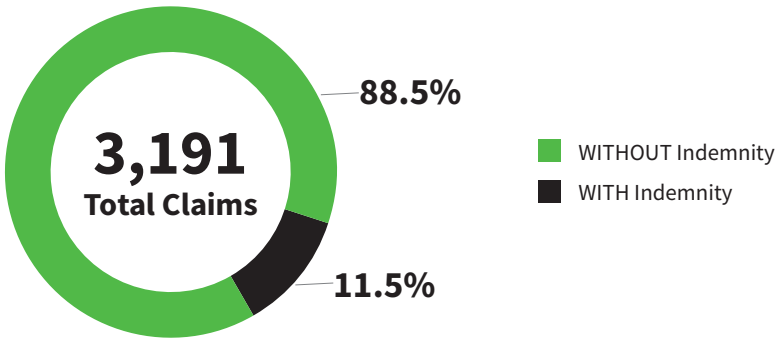
163 CLAIMS RESOLVED BY JURY TRIAL



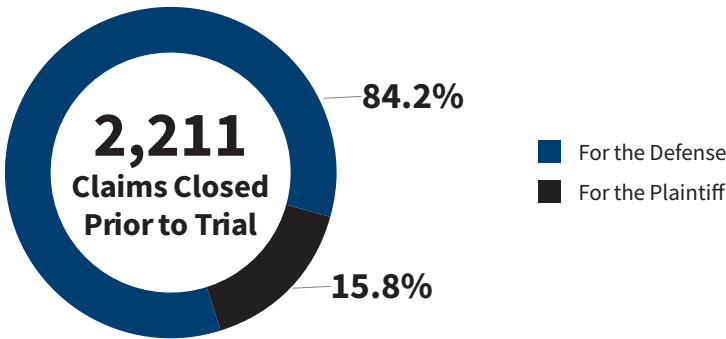
* These numbers represent medical malpractice claims from 2015-2024 extracted from the ProAssurance MPL claims reporting system.

Another way to look at it...

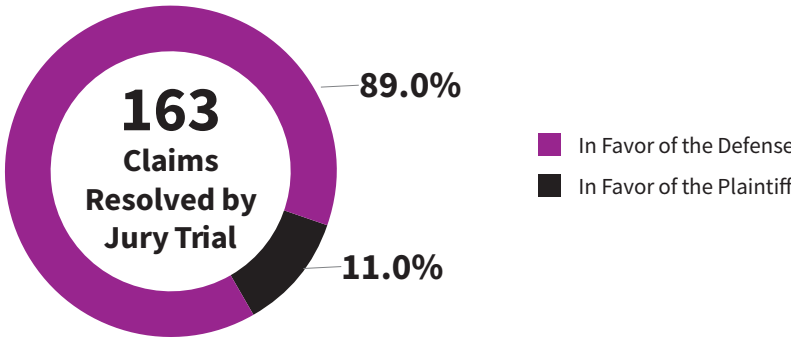
From 2015-2024*, ProAssurance closed **3,191** claims in Alabama. Of those claims, **88.5% (2,825)** were closed without indemnity, meaning no money was paid to the plaintiff.



2,211 of the claims closed didn't make it to trial. Of those claims, **84.2% (1,861)** were dropped, dismissed, or closed due to inaction.



163 of the claims closed were decided by a jury verdict. Of those claims, **89.0% (145)** were in favor of the defense.



* These numbers represent medical malpractice claims from 2015-2024 extracted from the ProAssurance MPL claims reporting system.



Alabama's Leading Malpractice Litigators



The attorneys of **Frazer Greene** collectively have more than 100 years' experience representing physicians, physician practice groups, hospitals, nurses, and other healthcare providers. The firm has a proven track record in difficult, high-exposure lawsuits brought by the most aggressive plaintiff lawyers in the southeastern United States. The firm's attorneys have extensive experience defending clients in complicated cases and understand the pressures on physicians and other healthcare providers created by intense litigation.

The lawyers of Frazer Greene are members of many respected professional organizations, including the American College of Trial Lawyers, the International Academy of Trial Lawyers, the American Board of Trial Advocates, and the International Society of Barristers. Lawyers in the firm also have been recognized in Alabama Super Lawyers and Best Lawyers in America.



Lanier Ford is in Huntsville and is the largest law firm based in North Alabama. Representing healthcare providers, and defending against claims for medical malpractice, has long been a cornerstone of the firm's practice. The firm represents the Huntsville Hospital health system throughout North Alabama and Tennessee, as well as many physician groups and other providers. The firm has represented insureds of ProAssurance and its predecessors for several decades.

Several lawyers in the firm's medical malpractice defense group have made this work the focus of their practice for many years. They have represented healthcare defendants in malpractice cases all over Alabama, in state and federal courts. At the appellate level, the firm has represented ProAssurance's insureds in several of the most significant medical malpractice decisions released by the Alabama Supreme Court in recent decades. The firm's lawyers greatly value their relationship with healthcare providers, and work hard to defend them.



Lightfoot, Franklin & White LLC is a nationally recognized litigation firm with more than 70 trial lawyers working from Birmingham and Houston. We represent professionals, businesses, and Fortune 500 corporations in complex, high-stakes disputes; government and internal investigations; and compliance and risk management matters.

Our attorneys have deep experience defending healthcare providers, practitioners, and administrators in professional liability cases and board proceedings, alongside a broad portfolio spanning product liability, commercial litigation, and white-collar defense.

Lightfoot combines the resources, technology, and innovation of a national firm with the agility and personal service of a boutique. True to our Trial Tough, Solution Savvy® mantra, we have been named a Benchmark Litigation "Alabama Firm of the Year" for nine consecutive years and consistently rank among the nation's leading firms for trial work and client service.

ProAssurance continues to defend healthcare providers in courtrooms all across the state through our unparalleled and exclusive access to the state's premier law firms.



Rushton Stakely provides the highest level of legal expertise to its clients. For over half a century, the firm has vigorously defended physicians, hospitals, dentists, nurses, nursing homes, and other healthcare providers in courtrooms, administrative hearings, and other adversarial settings. With offices in Montgomery and Birmingham, Rushton Stakely's team of lawyers who specialize in this field have successfully tried hundreds of medical malpractice cases throughout the State of Alabama. In recognition of the firm's expertise and experience in the specialty of trial practice, Rushton Stakely lawyers have been inducted into leading invitation-only national trial lawyer organizations, including the American College of Trial Lawyers, the American Board of Trial Advocates, and the International Academy of Trial Lawyers. In addition, the firm's lawyers are consistently recognized for their expertise in medical malpractice defense in *Best Lawyers in America* and other such publications.



Starnes Davis Florie has defended physicians, hospitals, nursing homes, long-term care facilities, and other healthcare providers in medical malpractice actions for over fifty years. During that time, the firm has a longstanding history of trying to jury verdict medical malpractice defense cases. With this experience, the lawyers at Starnes Davis Florie developed the keen insight to understand complex medical issues and the unique ability to break down and present these issues to a jury, judge, arbitrator, or other authority. Along with this insight, the firm combines a work ethic and diligence that leaves no stone unturned in its trial preparation and defense of cases.

The Starnes Davis Florie firm is recognized by colleagues and institutions throughout the Southeast:

- 177 trial wins over the last 16 years
- 3 partners are Fellows of the American College of Trial Lawyers
- 10 partners are members of the American Board of Trial Advocates
- Best Lawyers lists Starnes Davis Florie as a Top Tier firm in the field of Medical Malpractice - Defendants with 22 medical malpractice attorneys
- Best Lawyers has named 9 Starnes attorneys "Lawyers of the Year" for Medical Malpractice Law - Defendants; Professional Malpractice Law - Defendants; and Health Care Litigation (from 2013-2026)
- U.S. News – *Best Lawyers* "Best Law Firms" ranks Starnes Davis Florie in Tier 1 for Medical Malpractice Law – Defendants
- *Chambers USA* ranks Starnes Davis Florie as the only firm in the state in Band 1 in the category of Litigation: Medical Malpractice Defense, along with 7 medical malpractice defense attorneys
- *Benchmark Litigation* ranks Starnes Davis Florie a highly recommended litigation firm for medical malpractice, recognizing 8 attorneys for their medical malpractice defense work

ProAssurance Risk Management Services

Your physicians, administrators, and healthcare staff have access to risk consultants with prior experience as healthcare administrators, attorneys, nurses, and quality professionals. Risk Management consultants assist insureds with their liability concerns and questions using specialized knowledge of healthcare risk management issues and the Company's experience defending claims.

All risk management services are available to ProAssurance insureds at no additional cost.



This risk management assessment survey takes each team member approximately 15 minutes to complete.

Risk Management consultants review the aggregated results, pinpoint knowledge gaps, and offer resources and activities to boost operational proficiency.

Educational Seminars and Publications

Online loss prevention seminars are available on-demand.

Claims Rx online CME courses offer claims-based learning and risk reduction strategies on trending topics.

Malpractice Claims Studies offer risk management insights on a variety of specialty-focused cases.

2 Minutes: What's the Risk? videos feature clinical, quality, and legal consultants discussing medical liability issues.

Rapid Risk Review is a monthly podcast offering quick, practical insights on emerging risks and challenges in healthcare liability and patient safety.

Medical liability articles and content bundles on current topics are in regular development.

Sample letters, checklists, forms, and guidelines are available on the ProAssurance website to support proper documentation and best practices.



Risk Management Helpline

Anyone in your practice can reach out to a **Risk Management consultant** for answers to pressing concerns.

Call **844-223-9648**

Email **RiskAdvisor@ProAssurance.com**

**Monday-Friday,
8 a.m. to 5 p.m.**

