


<p>Name of Policy: Claims management committee.</p> <p>Policy Number: 3364-10-04</p> <p>Approving Officer: Provost and Executive Vice President For Health Affairs</p> <p>Responsible Agent (s): Senior Legal Counsel, Health Science Campus</p> <p>Scope: The University of Toledo, all campuses</p>	 <p>Effective date: July 1, 2008</p>
<input type="checkbox"/> New policy proposal	<input type="checkbox"/> Minor/technical revision of existing policy
<input checked="" type="checkbox"/> Major revision of existing policy	<input type="checkbox"/> Reaffirmation of existing policy

(A) Policy statement

The university will create and maintain a claims management committee (“committee”), as part of its litigation management process, that will evaluate claims made against the university, faculty practice plans (“FPPs”), or other entities or individuals insured by the university insurance program to determine approximate economic severity, set reserves, develop defense and litigation strategy, coordinate claims, set allocations of responsibility and do all other things necessary for management of litigation.

(B) Purpose of policy

The committee is established to assist the university and FPPs in the litigation management process.

(C) Committee functions

- (1) Review findings from the standard of care committee for claims where damages are alleged by patients or their designees against the insureds of the university insurance company.
- (2) Determine legal defensibility and formulate defense strategy based on strength of internal and external review, quality of documentation, damage assessment, risk exposure of institution and physicians, discovery issues to date and cosmetic concerns.
- (3) Determine the pragmatic course for disposition and make recommendations for settlement where proper.
- (4) Establish an indemnity and legal expense reserves for each claim and divide the reserve according to the percentage of responsibility allocated to each co-defendant as determined by the standard of care committee. Expense reserves

for the university will be established administratively by the office of legal affairs – health science campus (“HSC”). Monitor the reserves as the claim develops and amend as appropriate. Defense counsel will provide consultation for indemnity and expense reserving.

- (5) Coordinate claims between the university and FPPs as needed and ensure no conflicts and a presence of attorney-client privilege.
 - (6) Do all other things necessary for management of litigation.
- (D) Committee membership

Members of the claims management committee will be:

- Head Litigation Attorney for Professional Liability Claims (Chair)
- Senior Legal Counsel - HSC
- Hospital Chief Financial Officer or Finance Representative;
- Medical Director;
- FPP President;
- FPP Vice President;
- FPP Chief Financial Officer;
- Hospital Executive Director;
- Other attorneys*; and
- Risk Managers*.

* Non voting members

- (E) Meetings

The claims management committee will meet on a monthly basis or as often as necessary.

- (F) Protected information

The claims management committee supports legal counsel in anticipation or preparation of litigation, defense strategies, and resolution decisions. The activities of the claims management committee, including any information, data, reports, or records are attorney–client privileged/work product, are peer review protected and are not subject to disclosure.

