Community health centers have delivered comprehensive primary health care to patients, regardless of their ability to pay, for more than 45 years. They have become the essential primary care “medical home” for millions of Americans. As a testament to their continued importance, the Affordable Care Act established the Community Health Center Fund, which provides $11 billion over a 5-year period for the operation, expansion, and construction of Federally Qualified Health Centers (FQHCs). Of that amount, $9.5 billion is targeted to support ongoing operations, create new health center sites in medically underserved areas, and expand preventive and primary health care services at existing sites; another $1.5 billion will support major construction and renovation projects at health centers nationwide.

Grant-Supported FQHCs are public and private not-for-profit health care organizations that meet certain criteria under the Medicare and Medicaid Programs of the Social Security Act and receive grant monies under the Health Center Program (Section 330 of the Public Health Service Act). Under the Federally Supported Health Centers Assistance Act of 1992 and 1995, FQHCs were afforded protection under the Federal Tort Claims Act (FTCA) for liability arising out of their alleged acts or omissions related to medical malpractice. Following an annual application process, “deemed” entities and their employees, as well as certain other individuals identified by the statute, are covered under the FTCA.

In 2012 the health center program had the following impact:

- Served 21 million patients
  - 93% below 200% poverty level
  - 72% below 100% poverty level
  - 36% uninsured
  - 1,121,000 homeless individuals
  - 903,000 migrant/seasonal farm workers
  - 219,000 residents of public housing
- Provided 84 million patient visits in approximately 1,200 organizations across more than 8,900 service sites

The intent of the Health Center Medical Malpractice Program is to increase the availability of funds for FQHCs, expand access to quality health care and increase the number of patients served, while substantially mitigating the costs associated with buying malpractice insurance. Because FQHCs typically are engaged in activities and provide services outside the Federal Section 330 scope of project, they often purchase “gap” or “wrap-around” coverage for those exposures, as well as for medical providers who do not qualify for protection under the FTCA. For example, volunteers and part-time contracted dentists are not covered; all general liability exposures are excluded from coverage; and there is no coverage for medical professional liability arising from any new services or activities in which the FQHC has engaged since the “deeming” application was submitted and approved. Until those activities and services have been “deemed” – and are therefore subject to FTCA coverage – private insurance should be purchased for the medical malpractice exposure created by the new activities and services.
In response to this need, IronHealth has developed a policy form to address the potential gaps in coverage with the following features:

- Professional Liability/General Liability “wrap-around” coverage
- Coverage available for deemed and non-deemed services and activities
- Primary and excess limits available (up to $5M)
- $25K sub-limit for:
  - Personal Injury Protection Reimbursement Coverage
  - Legal Defense Reimbursement Coverage
  - Evacuation Expense Reimbursement Coverage
- Risk Management dollars available
- Separate limits available for employed medical practitioners
- Coverage provided for volunteers and part time dentists
- Good Samaritan Coverage

By applying the same solution-based thinking to this growing segment of the healthcare market, IronHealth provides coverage that enables FQHCs to deliver the services needed without worrying about potential gaps in coverage.

For more information, contact:

**Meg Gaffney**  
SVP, Product Manager  
meg.gaffney@ironshore.com  
(860) 408-7811

**Nicole Hayes**  
Northeast, Greater NY & Mid-Atlantic  
nicole.hayes@ironshore.com  
(860) 408-7803

**Alyson Lewis**  
Northwest & Southwest  
alyson.lewis@ironshore.com  
(213) 416-2312

**Margaret Lowe**  
Southeast  
margaret.lowe@ironshore.com  
(404) 845-7548

**Fred Miller**  
South Central  
fred.miller@ironshore.com  
(469) 248-4330

When considering a long-term insurance partner for your business, please call 1-877-IRON411, visit www.ironshore.com or email: info@ironshore.com