Do you worry that your clients will outgrow the capabilities of their healthcare liability insurer?

The combination of unrelenting financial pressure and healthcare reform has spurred tremendous change in the way healthcare providers and payors are organizing themselves in order to effectively deliver and finance care. Hospitals and physicians are increasingly coming together in one form or another. Formerly independent community hospitals are creating alliances, and larger hospitals are acquiring smaller ones, or merging with other like-size systems. Through all of this change, healthcare providers are taking on more financial risk as they move from “fee-for-service” to “fee-for-performance” reimbursement methodologies. The integration of the healthcare delivery model and the resulting coordination of services is blurring the traditional boundaries between and among those who provide and those who administer care. IronHealth understands that integrated delivery means integrated risk and is in a unique position to address these emerging risks, with unparalleled product offerings and expertise in virtually all areas of healthcare liability, employer and provider stop loss and HMO reinsurance.

Hospital Professional Liability

Professional Liability Insurance solutions including non-traditional risk transfer solutions for hospitals and integrated healthcare systems.

**Market leader in drop-down coverage:**

- Public Relations Event Expense reimbursement up to $50K
- Evacuation Expense reimbursement up to $50K
- Disinfection Event Expense reimbursement up to $50K
- Child Abduction Expense reimbursement up to $50K
- Personal Information Protection Expense reimbursement up to $50K
- Legal Defense reimbursement up to $50K
- Government Billing Legal Expense reimbursement up to $50K
- Professional Liability for insured individuals providing charitable medical services anywhere in the world up to $1M/$1M
- Primary, Lead Excess, Follow-Form Excess and Umbrella
- Reinsurance for Captives and the capability to participate on London line slip business
- $50M excess capacity and $1M/$3M or $2M/$4M primary capacity
- Individual physician limits and incidental Managed Care coverage available on primary

**Risk management services**

“Risk management dollars” are provided to insureds to be allocated toward the purchase of risk management products and services from the providers of their choice. To help stretch those dollars, IronHealth actively establishes partnerships with the leading healthcare risk management providers.

**Broad appetite**

- Hospitals (stand-alone or multi-hospital systems), rehabilitation facilities, psychiatric facilities, behavioral health facilities, long-term acute care facilities, critical access hospitals, specialty hospitals, and integrated delivery systems.
- Educational webinars
- Consultative approach to attorney selection
Physician Group Practice Liability

As the business of healthcare delivery has evolved, physician group practices have developed significant exposures that are no longer adequately served by traditional physician professional liability (PPL) products. As a result, Ironshore has created an upgraded PPL product combining outstanding PL coverage with enterprise risk management in the form of additional liability coverage that can help protect the assets of the group.

- Primary, excess (including excess of captives or SIRs), and reinsurance of captives and other retention vehicles
- Stand-alone “tail” coverage available for physicians who are changing carriers or employers
- Primary policy limits of $1M/$3M ($2M/$6M available upon request)
- Excess limits available up to $15M
- Broad appetite
- Physician groups of 10 or more and no specialty restrictions.

Miscellaneous Medical Facilities

IronHealth offers Miscellaneous Medical Facilities (MMF) Professional Liability Insurance solutions for over 75 classes and subclasses.

- Separate limits for PL, GL, EBL and Hired/Non-Owned Auto (Claims made PL and EBL, claims made or occurrence GL)
- Primary limits of $1M/$3M or $2M/$4M available
- Defense outside limit
- Indemnity-only deductible; first dollar defense coverage
- Affirmative coverage for punitive damages and physical/sexual abuse
- Affirmative coverage for medical directors performing direct patient care
- Blanket additional insured wording
- Follow form excess with limits to $10M

Coverage available for:

- HIPAA violations
- Evacuation expense reimbursement
- Public relations event reimbursement
- Patient loss of property

Broad appetite

- Surgery centers, home health agencies, hospice, medical staffing agencies/registries, ambulance, rehabilitation, dialysis centers, imaging centers (including mobile imaging), medical clinics/health departments/student health centers, oncology centers, lithotripsy centers, gamma knife centers, blood/tissue/organ banks, fertility clinics, sleep centers, optical centers, medical schools, laboratories, pharmacies, mental health/substance abuse counseling and weight loss clinics.

Federally Qualified Health Centers

IronHealth has developed a policy form to address the potential gaps in coverage for Grant-Supported Federally Qualified Health Centers.

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

- Professional Liability Insurance solutions including non-traditional risk transfer solutions for long term care facilities
- Claims made or occurrence primary coverage available
- Coverage for medical director
- No minimum earned premium
- 60 days to report claim following policy expiration
- Umbrella, claims made or occurrence coverage and follow-form excess coverage with limits up to $10M
- Risk management services
- IronHealth sponsors annual education sessions featuring the most knowledgeable and respected risk management experts and service providers in the long term care industry. Each account will be allocated a budget for risk management services provided by Pendulum, LLC.

Separate limits for:

- Professional Liability up to $1M/$3M
- General Liability up to $1M/$3M
- Employee Benefits Liability up to $1M/$3M
- Public Relations and Evacuation up to $100K
- Resident Loss of Property up to $5K/$25K
- Disinfection Event Expense up to $25K

Broad appetite

- Not-for-profit and for-profit long term care entities including independent, assisted and skilled nursing facilities.

Life Science Liability

General and Product Liability Insurance solutions for life science companies, including non-traditional risk transfer solutions.

- Primary and excess limits available
- Claims made coverage for Products-Completed Operations Liability
- Claims made or occurrence coverage for Commercial General Liability
- Up to $20M of capacity
- Minimum premium $5K

True follow form excess policy with drop down coverage enhancements

- Personal Information Protection Event Expense ($25K)
- Human Clinical Trial Medical Expense ($10K per participant/$25K aggregate)
- FDA Withdrawal Expense ($25K)
- Medical Monitoring Expense ($10K per participant/$25K aggregate)
- Medical Waste Civil Fines ($25K)

Broad appetite

- Medical device and medical products manufacturers and distributors, specialty and generic pharmaceutical companies, biotechnology companies including companies engaged in human clinical trials.
Managed Care Errors & Omissions Liability

Professional Liability Insurance solutions including non-traditional risk transfer solutions for managed care organizations.

- Broad definition of Managed Care Services
- Separate limit available for Private Information Protection Event Expense Coverage
- Broad definition of Claim
- Improved Related Claims language
- Significantly fewer exclusions than competitive forms
- Good Samaritan coverage
- Definition of Insured Person extended
- Primary and excess coverage
- $50M capacity
- Available on a duty-to-defend or reimbursement basis
- Separate limits available on our Managed Care D&O form for E&O insureds
- Option to purchase additional limit, as if purchased on day one. Excess policyholders have the option to purchase “top off” insurance over their existing tower of insurance during the policy period or during the 12 months after policy expiration for renewals, as if purchased on day one.

Benefit Plan Sponsor Liability Insurance

IronHealth has created a policy form to address various exposures self-insured employers, unions and associations have created by designing their employee benefit programs, creating incentives to members to keep costs down, and providing some or all administration in-house.

- Broad definition of Benefit Plan Sponsor Activities
- Separate limit available for Private Information Protection Event Expense coverage
- Broad definition of Claim
- Care coordination coverage and worldwide territory important for medical tourism
- $10M capacity

Integrated Delivery Organization Liability Coverage

As healthcare companies become more integrated so should their insurance coverage. That’s why IronHealth has created an Integrated Delivery Organization (IDO) policy to address the potential gaps that exist in the multi-policy liability insurance approach typically taken by healthcare organizations that are building and blending care delivery and care management/financing vehicles.

Coverage includes:

- Directors and Officers Liability
- Employment Practices Liability
- Managed Care Errors and Omissions
- Medical Professional Liability
- General Liability
- Fiduciary Liability
- First and Third Party Privacy
- Option for Government Billing E&O

Coverage features:

- Coverage parts that are designed to dovetail with each other
- Duty to defend form
- Broad definitions of Insured, Claim and Managed Care Services
- Aggregate limits available up to $25M
- Limits can vary by coverage part
- Self insured retentions start as low as $15K

IronHealth underwrites the full range of managed care organizations. We understand and have expertise in underwriting not only the large traditional managed care organizations such as HMOs and PPOs, but also the myriad of other organizations providing managed care services, including ACOs, IPAs, PHOs, UROs, MSOs, TPAs, PROs, QIOs, CVOs, care management and disease management companies and healthcare consultants.
Accountable Care Organization Liability Coverage

In addition to the IDO form outlined above, IronHealth recognized the unique coverage needs of Accountable Care Organizations (ACOs) and developed a policy form specifically for these organizations, but with all of the same coverage parts and coverage features as the IDO form.

**Coverage includes:**

- Directors and Officers Liability
- Employment Practices Liability
- Managed Care Errors and Omissions
- Medical Professional Liability
- General Liability
- Fiduciary Liability
- First and Third Party Privacy
- Option for Government Billing E&O

**Coverage features:**

- Coverage parts that are designed to dovetail with each other
- Duty to defend form
- Broad definitions of Insured, Claim and Accountable Care Organization Services
- Aggregate limits available up to $25M
- Limits can vary by coverage part
- Self insured retentions starting at $25K

Provider Excess Insurance (PEI) and HMO Reinsurance

IronHealth’s Provider Excess Insurance (PEI) and HMO Reinsurance products respond to the ongoing evolution in the healthcare sector as healthcare providers and Health Maintenance Organizations assume additional financial risk in connection with the cost of care for members.

**Provider Excess Insurance (PEI) and HMO Reinsurance**

- Commercial, Medicare, and Medicaid membership classes
- Unlimited coverage available per Member
- No aggregate policy maximum
- Continuation of Benefits coverage available for qualifying HMOs
- Multiple funding options available (e.g., retro corridor, inner aggregate, ASD, etc.)
- Experience Refunds available
- Flexible minimum premiums
- Eligible Services include Hospital, Professional, and combined coverage
- PEI coverage written on an admitted basis
BLISCARE–Complication Protection Insurance
BLIS, Inc. has created a new, one-of-a-kind product, 'BLISCare' surgical complication protection insurance, which is now available exclusively to those surgeons who meet BLIS underwriting standards. Once approved, the BLIS surgeon is uniquely positioned in their market to provide their patients and/or payers with protection from complication-related medical bills. The BLIS surgeon is able to utilize the BLISCare insurance program to provide a range of complication protection options for their patients. This unique approach creates a solution that is well positioned in a healthcare market that is quickly evolving into an outcomes based environment.

• Customized coverage.
• Per procedure paid limits up to $250K.
• Protection time periods up to 60 months.
• First dollar paid claims.
• No patient financial responsibility.

Employer Stop Loss
IronHealth offers Employer Stop Loss coverage through its wholly owned MGU, Excess Risk Reinsurance (ERR). ERR offers both specific and aggregate employer stop loss products for all classes of business. Specific retentions are flexible from $15K to $1M with unlimited maximums. Aggregate Stop Loss is written with a $1M limit of liability.

• Wide range of industries considered and specialize in hospitals and government entities
• Currently fully insured groups are eligible with manual aggregates for groups where no experience is available

• ERR provides access of OptumHealth Care Solutions, one of the nation’s premier transplant networks
• Managed Care Associates, a wholly owned subsidiary of ERR, provides claim negotiations on dialysis services, In and Out of Network claims, and negotiations for problem claims

BLISCARE–Complication Protection Insurance
BLIS, Inc. has created a new, one-of-a-kind product, 'BLISCare' surgical complication protection insurance, which is now available exclusively to those surgeons who meet BLIS underwriting standards. Once approved, the BLIS surgeon is uniquely positioned in their market to provide their patients and/or payers with protection from complication-related medical bills. The BLIS surgeon is able to utilize the BLISCare insurance program to provide a range of complication protection options for their patients. This unique approach creates a solution that is well positioned in a healthcare market that is quickly evolving into an outcomes based environment.

• Customized coverage.
• Per procedure paid limits up to $250K.
• Protection time periods up to 60 months.
• First dollar paid claims.
• No patient financial responsibility.

Coverage highlights:

• No co-pays or deductibles to patient.
• Costs resulting from complication event during policy period are covered for up to 1 year after expiration of coverage period.
• Blis. Inc. serves as Managing General Agent for the BLISCare program.
• BlisCare is underwritten by ISIC.
Regulatory Products

Representations and Warranties Insurance Policy

During merger and acquisition negotiations, the buyer and seller often negotiate the scope and nature of the representations and warranties provided by the seller in the purchase and sale agreement. Contentious negotiations may result in deal delays or may entirely derail a transaction. Transferring risk to a third-party bridges the gap and allows parties to close deals with comfort and confidence. Representations and Warranties Insurance can protect the buyers and sellers involved in mergers and acquisitions from loss if inaccuracies in representations and warranties are made.

Healthcare is the most active M&A sector, comprising nearly 20% of all deals. However, until recently, Representations and Warranties Insurance has been largely unavailable in this space. Ironshore with its dedicated global team of M&A experts, and its innovative and responsive healthcare product suite, can offer tailored coverage for M&A transactions in the healthcare field.

Coverage highlights:

- Customized coverage for transactions with values from $50M to $1B
- Up to $50M in coverage is available with additional capacity provided on a case-by-case basis
- Policies are non-cancellable, ensuring coverage remains intact for the duration of potential liabilities
- Policy periods can either match or extend beyond the survival period in the purchase agreement
- Robust coverage for all representations via two separate insuring agreements: A) All non-healthcare representations and B) Healthcare regulatory representations
- Healthcare regulatory representations premium is typically 2% of the amount of insurance purchased, and all non-healthcare representations premium range is typically 2.5% to 4% of the amount of insurance purchased
- Retentions for each insuring agreement are typically between 1% to 3% of the transaction value, subject to diligence with cross-erosion available.

Healthcare Regulatory Liability Errors and Omissions

Ironshore’s Healthcare Regulatory Liability Errors and Omissions product offers coverage to mitigate the serious exposure presented by regulatory actions, investigations and audits involving the False Claims Act (including qui tam suits), Stark Law and Anti-kickback allegations, and voluntary disclosure of billing errors to the govern ment commercial payors.

Target market:

- Non-profit hospitals, physician groups (greater than 100 physicians) and long term care facilities with greater than $75M in revenues

Coverage highlights:

- Limits up to $10M on a primary or excess basis
- Minimum Retention of $500,000
- Co-Insurance Required (10-25%)
- Optional retroactive coverage for up to 3 years
- Coverage includes: defense and investigative costs, civil fines and penalties including multiplied damages component
- Regulatory Risk Mitigation Consultation Services
- Non-admitted product, available in all 50 states
Medicare Reporting & Secondary Payer Act Liability

IronHealth created this first of its kind policy to provide protection from the complex reporting and compliance requirements of MMSEA (The Medicare, Medicaid and SCHIP Extension Act) Section 111 and MSPA (Medicare Secondary Payer Act).

This policy addresses:
- The “first party” risk and penalties from failing to report, or reporting inaccurately, under Section 111
- The “third party” risk and penalties from inaccurate reporting under Section 111 or failing to protect Medicare’s financial interests under MSPA

Medicare Set-Aside Liability Insurance

Medicare Set-Aside Arrangements (MSAs) are often a significant cost driver in the settlement of Workers’ Compensation claims. There is no requirement that the Centers for Medicare and Medicaid Services (CMS) approve MSAs, but many Workers’ Compensation carriers and self-insured employers do not want to take the risk that CMS might come back at some future time and allege that an MSA put in place without its approval was not sufficiently funded. So, in addition to satisfying state-specific requirements, these carriers and self-insured employers choose to submit MSA proposals to CMS for review and approval, which typically increases both the time required and costs involved.

IronHealth has developed a first-of-its kind Medicare Set-Aside Liability Insurance Policy that allows the carrier or employer to bypass the voluntary review process by addressing the concern that CMS may question the adequacy of an MSA amount at a later date.

Sublimits available for:
- Medicare billing error liability
- Public Relations Expense Reimbursement
- Personal Information Expense Reimbursement
- Medical Payments Expense Reimbursement

$5M capacity

• Occurrence coverage incepting the date of the Workers’ Compensation settlement
• Coverage available either for an individual MSA or for all of the MSAs a Workers’ Compensation carrier or self insured employer enters into in an annual period
• Coverage includes defense of the adequacy of the MSA amount as well as indemnity coverage and a sublimit for medical expenses incurred during the dispute process
• No requirement that a specific MSA vendor be utilized. We can review an MSA determination that has already been prepared or recommend an MSA amount in conjunction with underwriting the policy
• Ability to include additional insured coverage for a number of parties involved in the transaction
• Minimal exclusionary language
• Limits up $10M for a portfolio of MSAs

Custom Accounts and Asset Protection Solutions

Flexible solutions in an unconventional world

Not every insured is looking for standard, traditional risk transfer options. Some may require a creative solution not easily found. IronHealth’s Custom Accounts and Asset Protection Solutions unit specializes in non-traditional risk transfer solutions and in developing ways to address a specific need that other carriers cannot or will not consider.

By applying our underwriting expertise, analytical skills, and an innovative approach, we create financial solutions that are individually tailored to the customer’s needs and provide greater flexibility for managing the customer’s business. Examples of such solutions include, but are not limited to:

• Loss portfolio transfers
• Stop loss coverage for an insured’s self-insured retention
• Options to purchase insurance coverage or additional limits at a later date at preset terms, including potential coverage for existing claims
• Swing-rated, or “loss sensitive” arrangements that allow the client to pay premiums as losses are incurred, rather than up front as with traditional guaranteed cost coverage; the client thereby retains cash that would otherwise be paid out to a commercial carrier or captive
• Fronting arrangements
Submissions should be sent to ironhealthsubs@ironshore.com

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