

Nurse Practitioner Liability Claims

August 2010

The average indemnity and expense payments for nurse practitioner liability claims have increased at a rate of 2.3 percent per year over the past 10 years, according to a review of claims by CNA HealthPro.

The data showed that the average indemnity payment increased from \$168,600 in 1999 to \$189,300 in 2008 and average expenses included legal costs increased from \$28,500 to \$42,900 over the same period.

CNA HealthPro has paid \$64,800,000 in claims over the past 10 years and has placed \$24,900,000 in reserves.

In the last 10 years, nurse practitioners have increased their role in patient care; and as a result, there is a greater focus on nurse practitioners in malpractice litigation. Bruce Dmytrow, Vice President of Specialty Risk Control, CNA.

Other highlights of the report:

- The medical care office is the location with the highest number of claims.
- Adult/geriatric, family and pediatric/neonatal medicine specialties continue to have the most claims.
- Pediatric/neonatal specialty has the highest average claim severity.
- Several closed claims that settled at the policy limit of \$1,000,000 resulted from allegations of failure to diagnose or failure to properly assess.

Source: *Insurance Journal* March 29, 2010

Effective March 1, 2008 the Indiana Department of Insurance required NP'S maintain their own professional liability protection in order to be in compliance with the Indiana Medical Malpractice Act with the exception of hospital employed NP'S.

The combination of insurance and the Indiana Patients Compensation Fund provide a per claim capitation limit of \$1,250,000.

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