

What a claim for a claimdream

The Dutch Treat

What a claim for a claimdream
What a day for a claimdreamin' boy
And I'm lost in a claimdream
Dreamin' 'bout my bundle of joy

(inspired by Lovin' Spoonful 1966)



Mr. W.J.Admiraal dentist



Bart Admiraal

- Dentist in 1973
- Law Degree 1983
- 1979-now: Dentist general practitioner
- Guest lectures in “Jurisprevention”
- Independent advisor working for patients & injury lawyers & insurance companies



Dentist hunted

- If you can't sue
God go after the
dentist.....



Dental Liability Insurance not compulsory in The Netherlands

Liability Insurance solo dentist €115 > max €1.200.000 per case

Implantologist €285

Liability plus legal assistance dentist plus max 4 dental nurses €500



Liability Insurance solo dentist €115 > max €1.200.000 per case

So what's the
problem?



Disciplinary Tribunal “claims”

- 2006 62
- 2007 76
- 2009 108



Disciplinary Tribunal “claims”

- Alle verdicts on internet since 2006
- 2000 hits daily
- www.tuchtcollege.gezondheidszorg.nl



Dutch dental association`mediation commitees

	2005	2006	2007
“claims”	230	237	256
Settled	183	199	179

Ca 70-80% settled



Dutch dental association complaints committee (CKC)

	2005	2006	2007
cases	67	61	43
founded	34	39	22

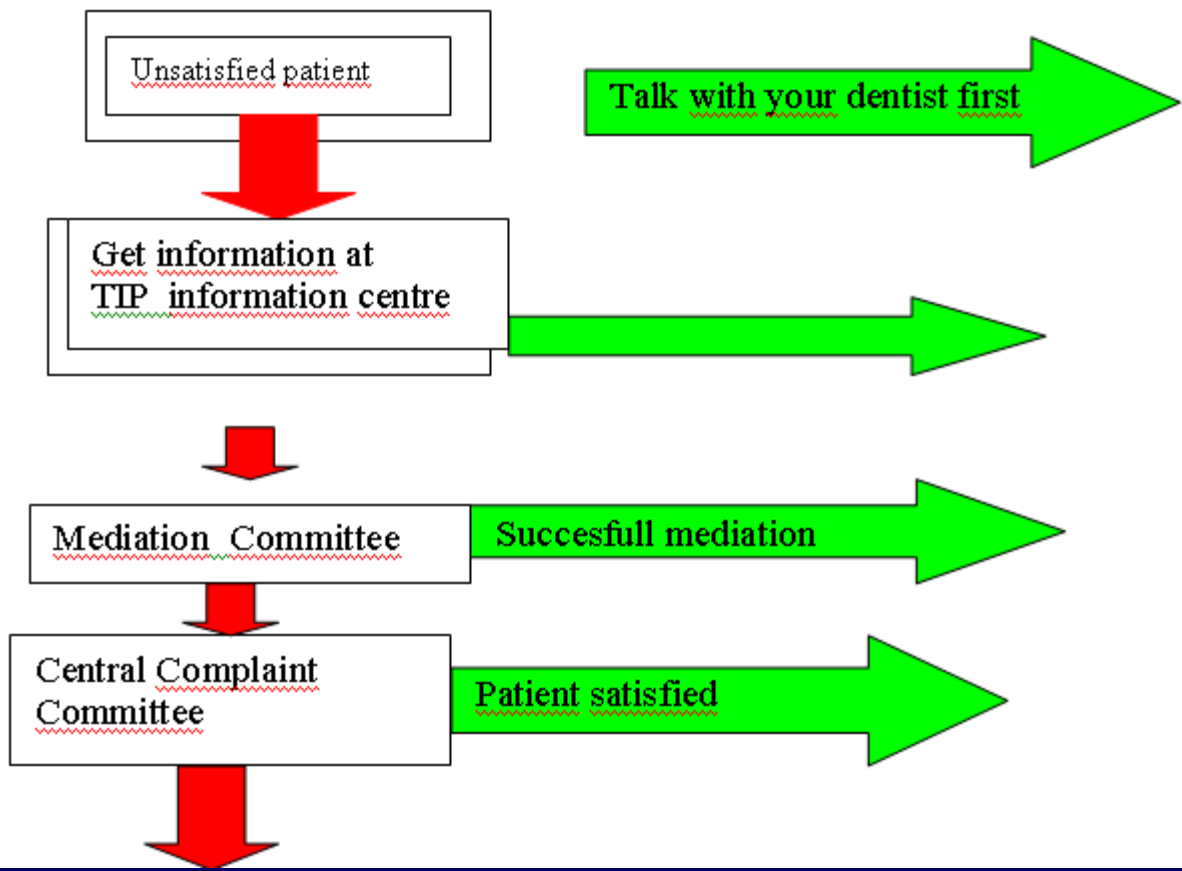


Complaint Committee Association Dutch Dentists

	2005	2006	2007	2008
cases	19	24	31	53
founded	8	8	8	33



CLAIMS
THE DUTCH TREAT



Civil liability claim



Insurance company dentist

Legal assistance company
patient.

Civil court

Happy?





Oral Care Association Guarantee Fund 2009



Is there any support from the
national authorities?

NO



Usual steps taken by a patient
when they come up with a claim?

Talk with the
dentist first



Number of claims rising?

In % yes

In total mwahhhhh

8000 dentists > millions treatments



Do you know how many claims are files against dentist on a yearly basis?

- Dental Associations & Disciplinary boards ca 200
- Civil claims: unknown not easy to find
- Insurance companies: keep silent, afraid to bring an idea?



What measures does a dentist take when confronted with a claim?

- Contact their professional organisation
- Contact their legal assistance company



Who takes the lead in these procedures. The insurance company or the dentist?

- The Insurer
- Dentist gives information and is kept informed



Role of dental advisor of the insurance company

- No special skills or special training
- Relation: direct employees of incidental free lancers
- No Solvers, only advisors
- Paid by the hour, fixed fee or on the payroll



Who assists the patient and how he is paid

- Legal assistance insurer
- Lawyer Fee per hour

- No Cure No Pay in NL



Agreement between patient and insurance company

- Agree settlement by letter is binding



How many cases are dealt by courts?

- I think: <1% . No central register



Limitation for dental damage..

- No limitation ,in relation to the negligence
Full compensation
- Present and futurd treatment costs
- Immaterial damages
- Other related costs
- Costs dental advisor.



I want to go to
someone who
cares more about
me than the
money

