

Patient Safety and Dental Liability Insurance systems in different countries – The Nordic Model

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Patient Insurance Centre

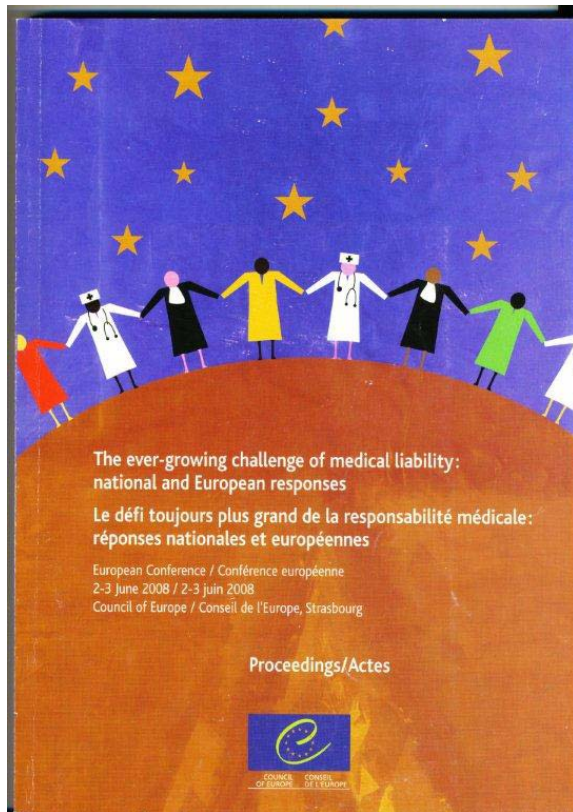
- All insurance companies writing Patient insurance shall be members of the Centre
- Grants Patient insurance for public health care
- Settles all claims and pays compensations

- Over 60 full-time employees
- Over 20 part-time medical advisers
 - 3 dentists

Structure

- Typical features of Nordic societies
- Nordic system of claims handling
- Grounds for compensation
- Amount of compensation
- Claims handling process
- Links to patient safety

Special Thanks



- Mr. Kaj Essinger – Sweden
- “Medical Liability: Alternative ways to court procedures” in
- The ever-growing challenge of medical liability: National and European responses
- www.coe.int
 - Search for “Medical liability”

Background and preliminary remarks

- Lot of adverse events (=possible treatment errors) in health care
 - App. 10 % of in-patients
- Worldwide problem
 - Health care professionals
 - Lawyers
 - Politicians
- Scandinavia vs. Nordic countries

Nordic countries=
“No blame”
Insurance

Europe=
Court

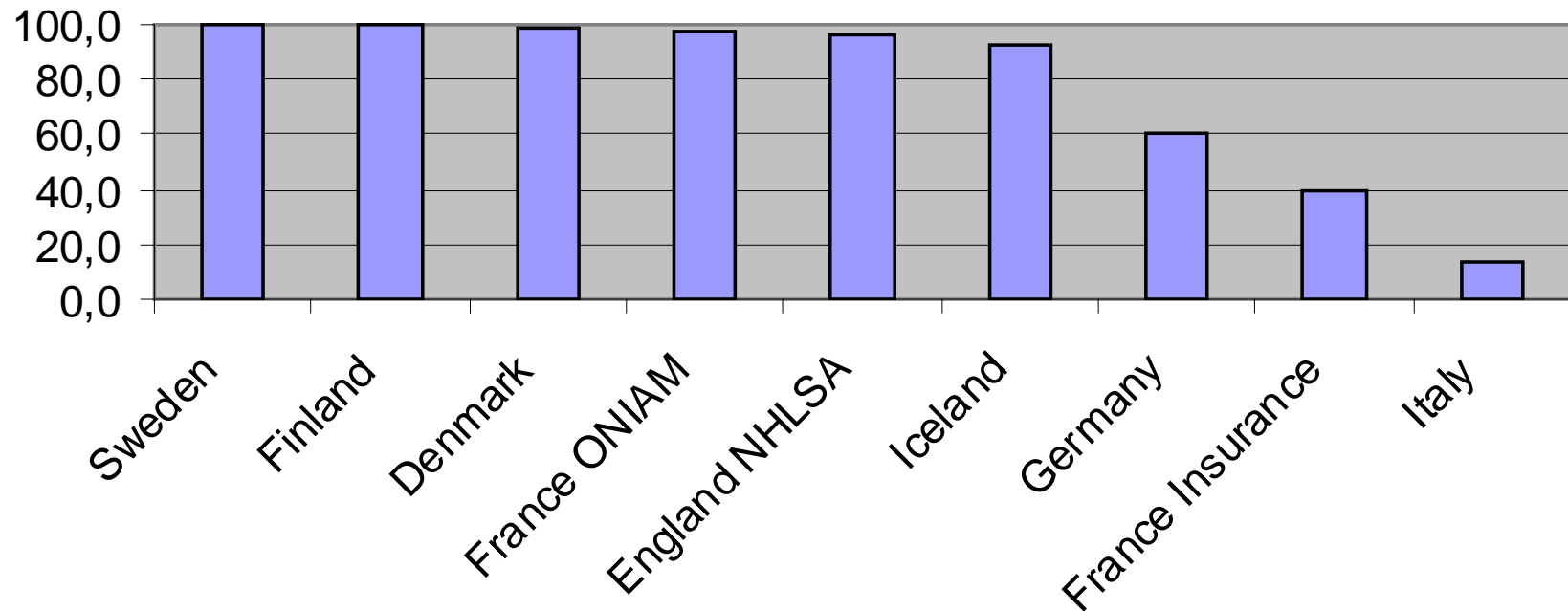


About Nordic Countries

- Hundreds of years of common history
- Role of society in providing health care
- Civil law
- Alternative Dispute Solution
- Law based Patient Rights + Patient ombudsman
- Easy to claim for compensation
 - Not necessary to have legal aid
 - Free of charge

Percentage of claims solved outside court

Percentage of claims solved through mediation techniques



History

- Voluntary/law-based system
- Sweden 1975/1997
- Finland 1984/1987
- Norway 1988/2003
- Denmark -/1992
- Iceland -/2000

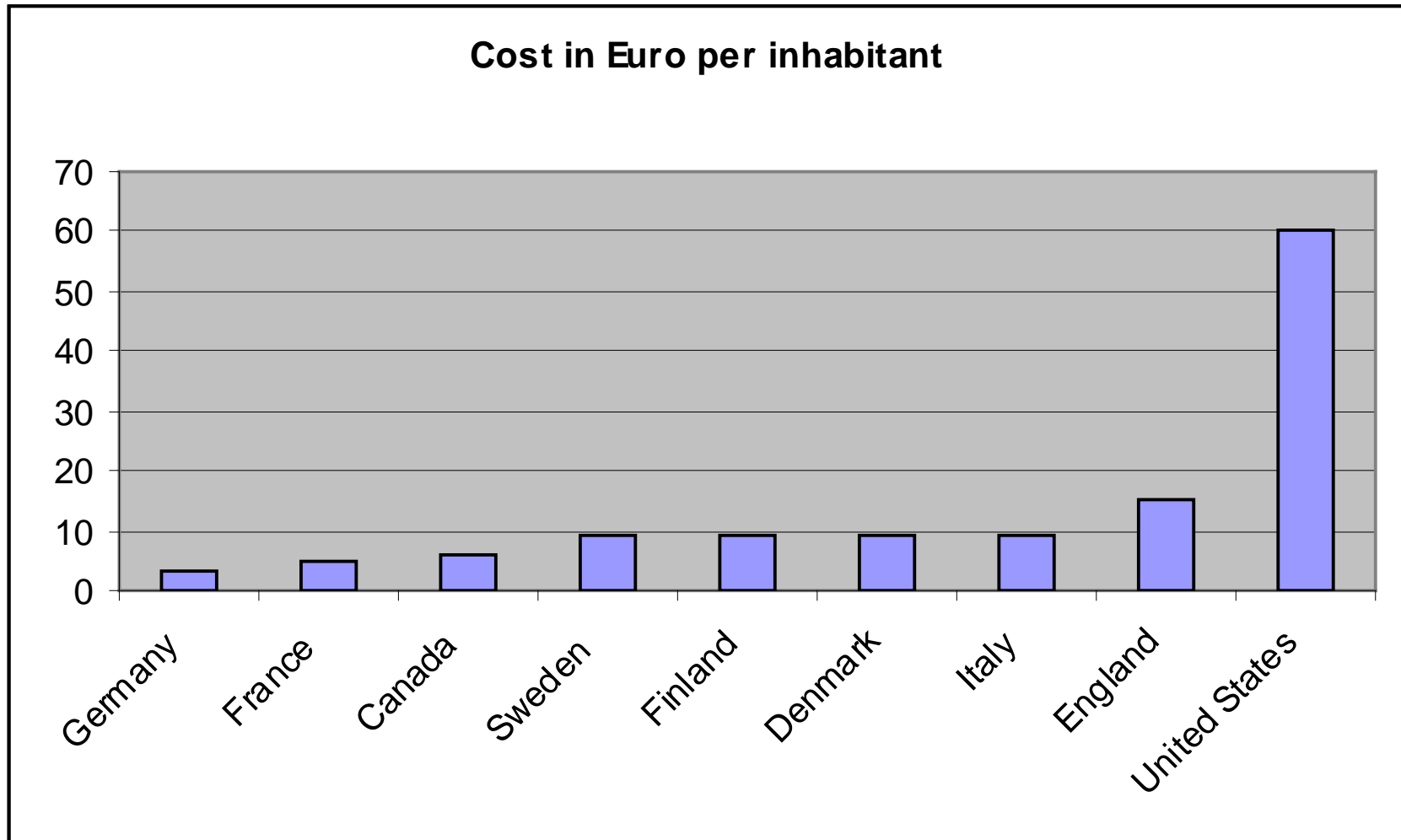
The Nordic Model

- Compulsory insurance
- Every health care professional or their employer has to take out the insurance
- If neglected > Joint responsibility for compensation and increased premium

Premiums

- Public sector in Finland 6-7 €/inhabitant/year
 - Based on actual compensation costs
- Private sector in Finland
 - Employer amount of pay roll and risk for business
 - Fixed sum for independent practitioner
 - Example of tariffs for 2010
 - Surgeons 2348 euro/year,
 - Dental surgeons 1858 euro/year
 - Physicians 165 euro/year
 - Dentists 634 euro/year

Cost per inhabitant for medical injuries



Relation to Health Care Supervision

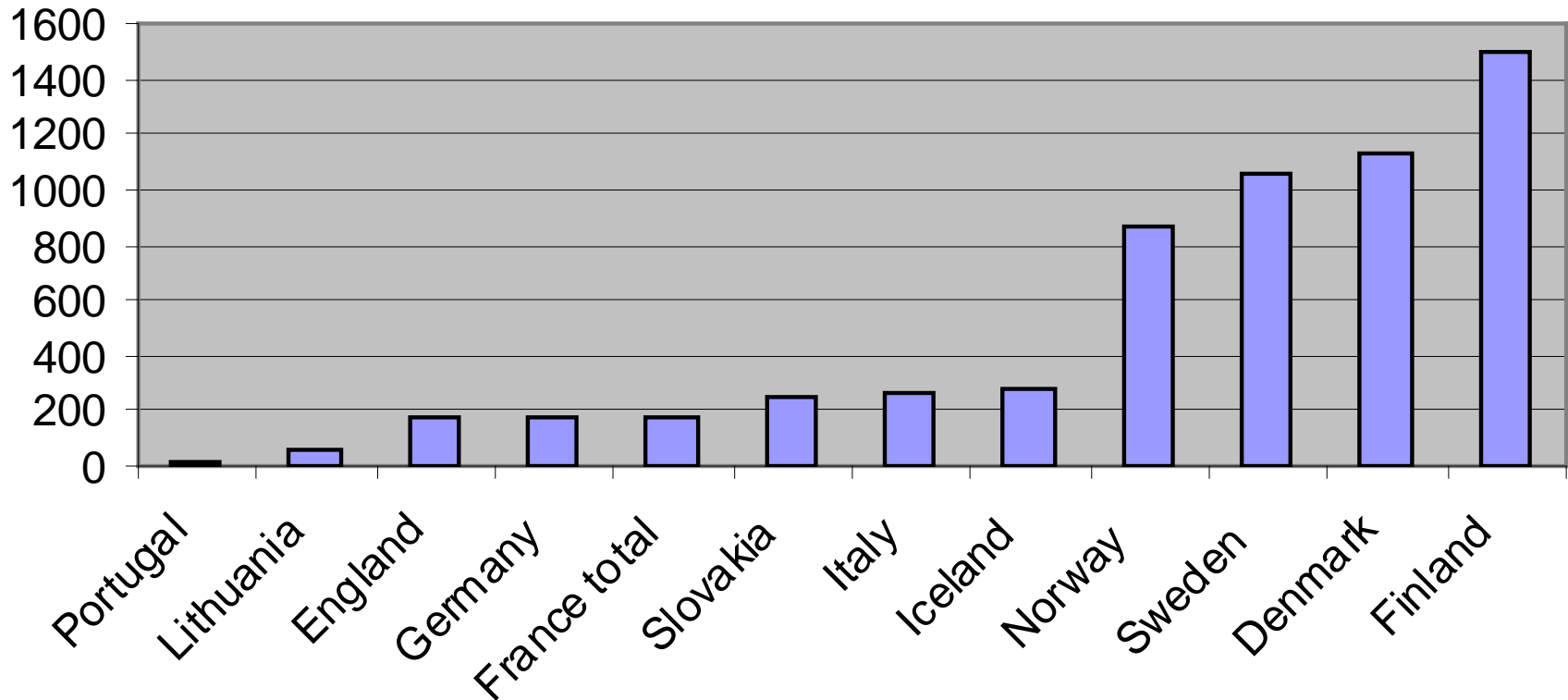
- Compensation system separate from supervisory and disciplinary systems
- No risk for disciplinary actions
- Information can be changed in single cases

Statistics

Country	Inhabitants (in millions)	Claims 2008	Claims/ 1000 inhabitants	Accepted claims
Denmark	5,5	5836	1,25	33%
Finland	5,3	7225	1,4	30 %
Iceland	0,32	130	0,36	37 %
Norway	4,8	3312	0,8	36 %
Sweden	9,2	10000	1,1	42 %

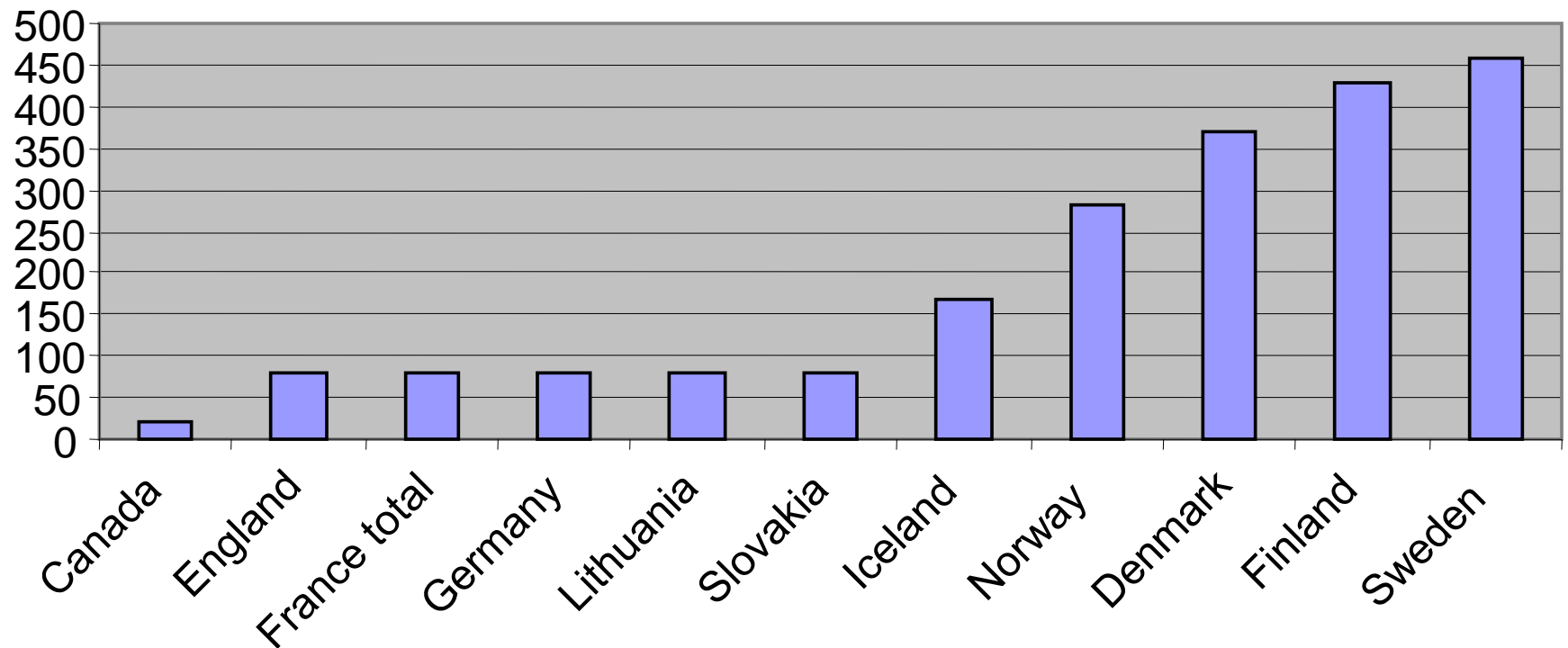
Much higher number of claims in “administrative” countries

Claims per 1 million inhabitants



Much higher number of **accepted** claims in “administrative” countries

Paid claims per 1 million inhabitants



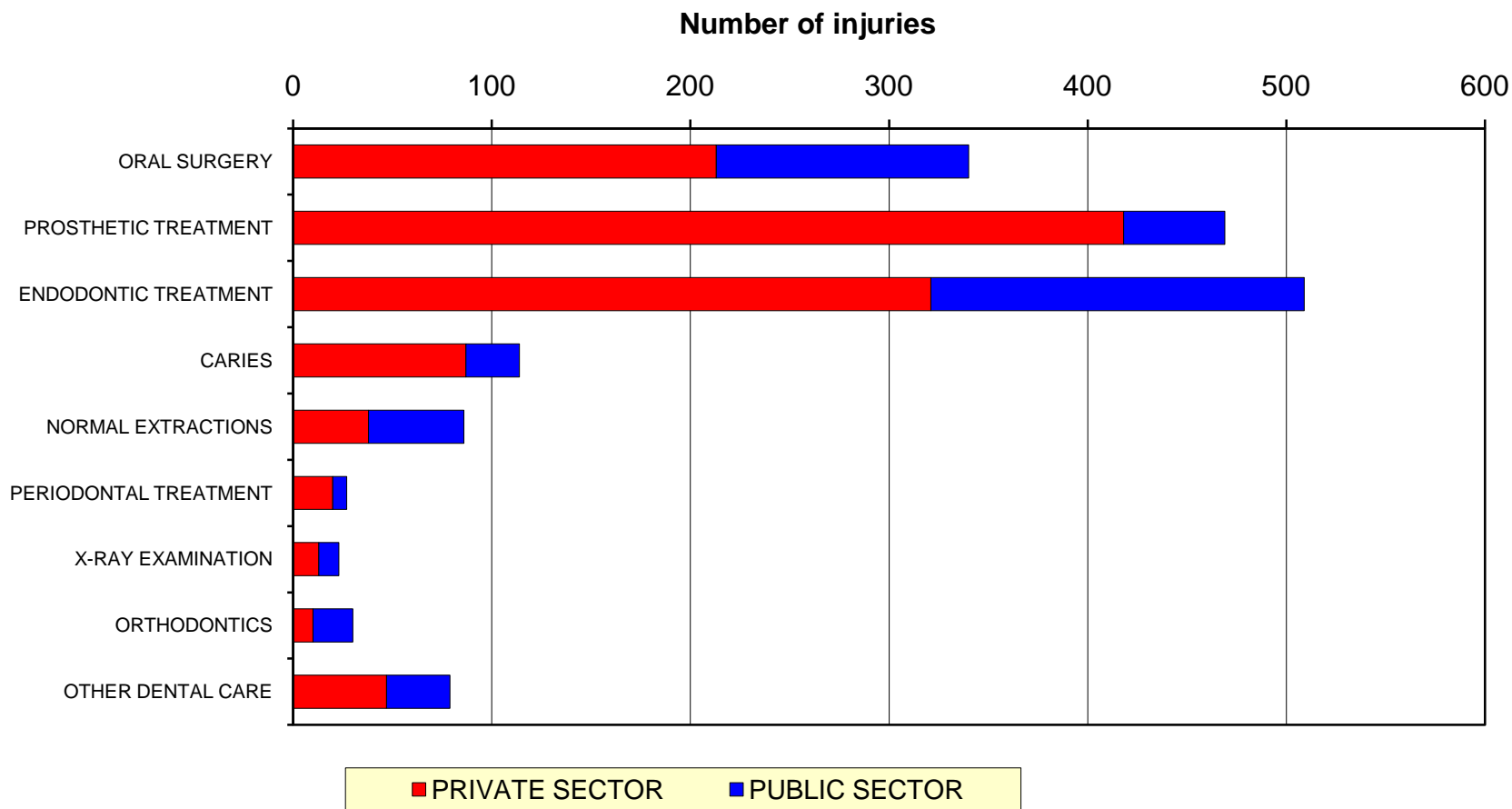
Grounds for Compensation

- Patient is exposed to many different kind of risks
- Several grounds for compensation
- No-blame instead of No-fault

Avoidable injury

- An experienced professional would have proceeded otherwise and...
- ...thus the injury could probably have been avoided
- Probable causal connection
- "Fault" if the level required of an experienced professional is not met
- Not only individual persons' actions but also the procedure as a whole

Compensated patient injuries related to dental care 2003-2008



Other grounds for Compensation

- Infections
 - The more serious illness and the greater risk for infection, the more serious infection must be to compensable
- Accident-related injury
- Equipment-related injury

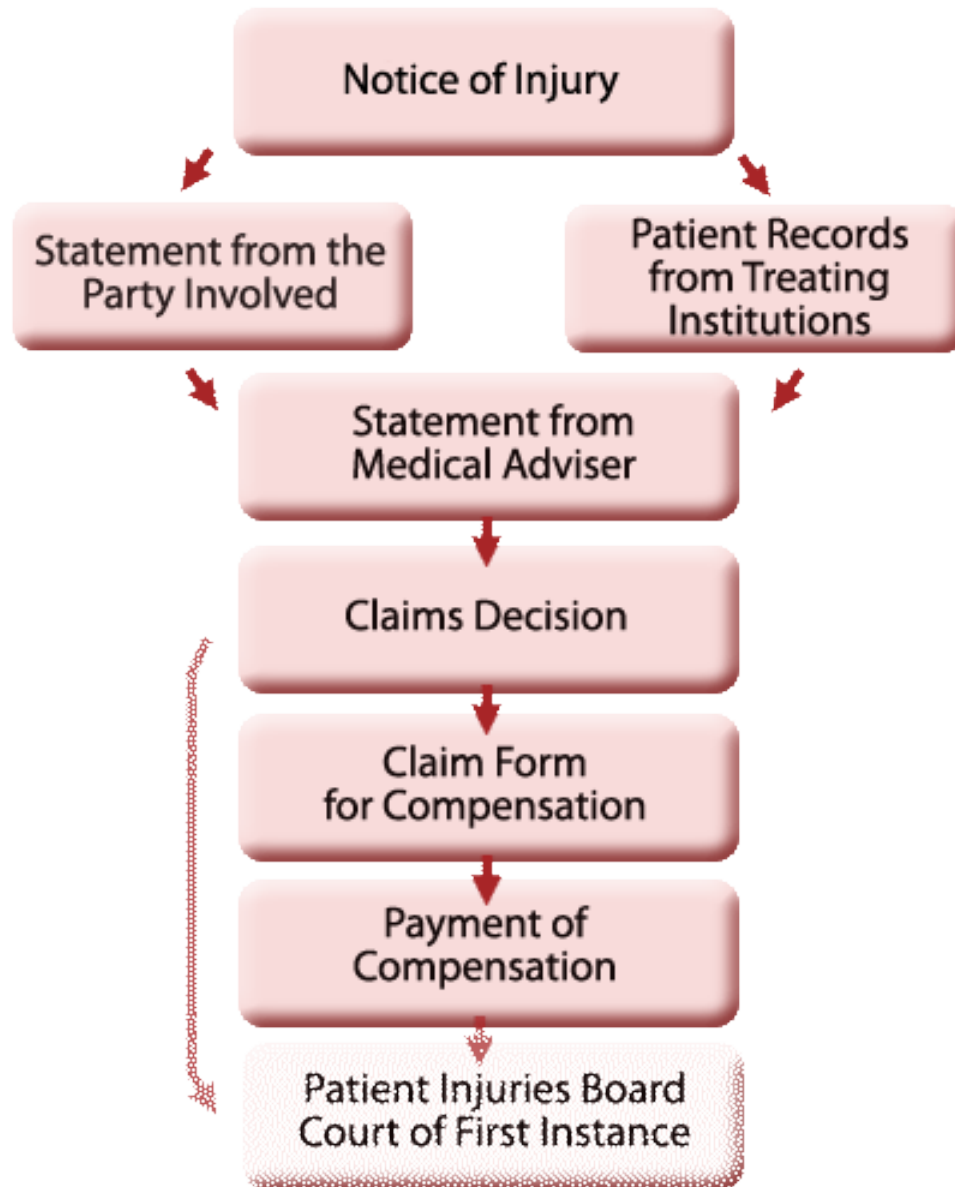
Compensations

- Based on Tort Liability Acts
 - Full compensation
- No need to take case to court for higher compensations
 - Protects also health care professionals

Compensations

- Additional injury
- Additional costs and losses
 - Medical treatment expenses
 - Loss of income
- Moral damages
 - Pain and suffering
 - Permanent functional incapacity
 - Permanent cosmetic impairment

Claims Handling Process



Patient Insurance and Patient Safety

- Feed-back for health care
 - Decisions in individual cases
 - Statistical information
 - Visits to hospitals
 - Lectures in Medical Conventions
- Medical studies
 - Causes of injuries
 - Possibilities for prevention
 - Conference presentations and articles

We think it is better to ...

- Give compensation to patients instead of legal procedures
- Enforce the patients right to compensation instead of protecting the doctors from claims
- Using data from claims to avoid the same kind of injuries to happen again

THANK YOU!