

# PIAA } INTERNATIONAL SECTION CONFERENCE

8-10 OCTOBER 2014 AMSTERDAM | THE NETHERLANDS



## “The Good, the Bad, and the Ugly”

*How Threats Can Become Opportunities in Medical Liability*

VvAA and MediRisk, together with PIAA, will host a truly inspiring international conference in Amsterdam, the Netherlands, on October 8-10, 2014. You will leave the conference with in-depth knowledge about innovations, and best practices, in medical professional liability (MPL), from the best minds in the field, from around the world.

**PROGRAM**

# PROGRAM

## Wednesday, October 8, 2014

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6:00 - 8:00 p.m. **Cocktail reception - Renaissance Hotel Amsterdam**

## Thursday, October 9, 2014

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7:30 - 8:30 a.m. **Breakfast**

8:30 - 9:15 a.m. **Opening Session**

### ***Human Factors in Healthcare and Patient Safety***

*Moderator: Herman van Hemsbergen, CEO, VvAA*

*Speaker: Martin Bromiley, Founder and Chair, Clinical Human Factors Group*

A solid understanding of the role that human factors play in adverse events can have a significant impact on patient safety. To achieve this goal, education on the broad diversity of human factors should be included in the core curricula of all healthcare professionals and managers, throughout their initial training and professional lives. It is also essential to develop a culture in which visible leadership creates and promotes strong, respectful, and accountable relationships among all of the stakeholders involved in providing healthcare. Martin Bromiley founded the Clinical Human Factors Group (CHFG) in 2007. CHFG is a broad coalition of healthcare professionals, managers, and users of services who have partnered with experts in human factors from healthcare and other high-risk industries to campaign for change in the United Kingdom's National Health Service. Mr. Bromiley will discuss human factors from his perspective and address their role in healthcare, patient safety, and medical liability.

9:15 - 10:45 a.m.

**Plenary Session 1**

### ***Serial Claims: When One Event Leads to Many Lawsuits***

*Moderator: Ebbo van Gelderen, Director Non Life Insurance, VvAA*

*Speaker: Professor Han Wansink, Former Faculty, Erasmus University*

*Speaker: Frederic Fuz, Services Division Director, Sham*

*Speaker: Dr. Sharmala Moodley, Deputy Head of Claims, MDU*

This discussion of the challenge of serial claims will include a comprehensive view of the legal issues at stake, and the possible ramifications of such claims. It will also include a detailed case study of a serial claim: its origins, how it was handled, and its aftermath. Finally, the session will explore the insurer's/indemnifier's role: the potential impact of serial claims and best practices for handling them.

10:45 - 11:15 a.m.

**Refreshment Break**

11:15 a.m. - 12:30 p.m.

**Plenary Session 2**

### ***Disruptive Behavior: Identifying, Measuring, and Addressing Unprofessional Conduct in Healthcare***

*Moderator: Steve Lancken, Mediator, Negocio Resolutions*

*Speaker: Dr. David Blaney, Head of Risk Member Education, MPS*

*Speaker: Anton Westerlaken, Maastad Hospital*

*Speaker: Andrew Miller, Councillor, MDA National Insurance Pty, Ltd*

This session will explore many of the issues summed up in the phrase, "disruptive doctors." The speakers will tell how to identify these doctors at the earliest possible point in time, and explain how to measure difficult behavior. Attendees will find out why difficult doctors behave as they do, and on that basis, learn the best approaches for remediating this behavior. The speakers will discuss the consequences of disruptive behavior for medical professional liability insurance and indemnification organizations—both direct and indirect impacts. In addition, the speakers will highlight the surprising differences in causes and effects of disruptive doctors for self-employed vs. employed physicians and also provide a doctor's perspective on this difficult issue.



# PROGRAM

12:30 - 1:30 p.m.

**Networking Lunch**

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1:30 - 3:00 p.m.

**Plenary Session**

***Electronic Health Records and Other New Media in Healthcare***

*Moderator: Christine Tomkins, Chief Executive, MDU*

*Speaker: Chad P. Brouillard, Esq., Foster & Eldridge, LLP*

*Speaker: Dr. Patrick Ceresia, Managing Director, Corporate Services, CMPA*

*Speaker: Dr. Robert Hendry, Medical Director of Medical Protection, MPS*

*Speaker: Dr. Pierre Campbell, Head of Underwriting, MDU*

The adoption of electronic health records and other electronic media in healthcare is happening at a different pace, and under differing schemes of law and regulation, in the various countries. Each has essential lessons to learn from the others' experience to date. This session will explore the current and future ramifications of EHRs and other new media for medical professional liability insurance and indemnification enterprises, and explain what companies and their policyholders should bear in mind in doing risk assessment and risk management in regard to new types of exposures from EHRs, mobile healthcare technology, and other new media.

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3:00 - 3:30 p.m.

**Refreshment Break**

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3:30 - 4:45 p.m.

**Concurrent Session 1**

***Improving Diagnoses Through Cognitive Debiasing***

*Moderator: Doug Bell, Associate Executive Director, CMPA*

*Speaker: Velma L. Payne, PhD, Biomedical Informatics Specialist, Michael E. DeBakey*

*Veterans Affairs Medical Center and The University of Texas Health Science Center at Houston School of Biomedical Informatics*

Cognitive biases (distortions of thinking) and affective biases (an intrusion of the physician's emotions) may interfere significantly in the process of reaching a correct diagnosis. Cognitive biases often adversely influence the rapid intuitive mode of medical reasoning. This case-based session will explore strategies to cognitively "de-bias" clinicians, to help minimize the incidence of diagnostic error.

3:30 - 4:45 p.m.

**Concurrent Session 2**

***High-Severity Claims: Is the Sky Really the Limit?***

*Moderator: Michel de Ridder, KBS*

*Speaker: Divya Parikh, Director of Research and Risk Management, PIAA*

*Speaker: David Pranklin, Technical Claims Controller, MDU*

Across the globe, the severity of medical professional liability claims continues to rise. In many countries it is not uncommon for judgments or awards to be in seven figures or more. What is driving high-severity claims? Are these claims here to stay? And do these claims have a ceiling in terms of their cost to medical professional liability insurance companies and indemnification organizations?

In this session, the speakers will address all of these questions and more. They will examine some of the factors that lead to high-severity claims and offer data that identifies the current specialties and procedures that may be commonly targeted by plaintiff's attorneys due to their susceptibility to high-value awards. This session will include the presentation of data from the PIAA Data Sharing Project.

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7:00 - 11:00 p.m.

**Conference Dinner - Hermitage museum Amsterdam**



## Friday, October 10, 2014

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7:30 - 9:00 a.m. **Breakfast**

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9:00 - 10:30 a.m. **Plenary Session**

***Social Media: Friend or Foe in 21st Century Medicine?***

*Moderator: Dr. Hartley S. Stern, CEO, CMPA*

*Speaker: Jane O'Brien, MDU*

*Speaker: Dr. Lieven Wostyn*

The phenomenon of social media has taken the world by storm. Healthcare, like every other area of life, has been impacted. This session will provide a broad perspective on all of the factors and issues that medical professional liability insurance and indemnification organizations and individual physicians should bear in mind in using social media. These include potential legal, and new, causes of action for medical liability claims. The speakers will offer some personal insights on best practices in using social media to interact with patients—and what professionals should be wary of as well. They will also provide some informed predictions on the likely role of social media in the future of medicine.

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10:30 - 11:00 a.m. **Refreshment Break**

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11:00 a.m. - 12:15 p.m. **Concurrent Session 1**

***Alternative Dispute Resolution: Debating the Pros and Cons***

*Moderator: Herman van Hemsbergen, CEO, VvAA*

*Speaker: Steve Lancken, Mediator, Negocio Resolutions*

*Speaker: Domenic Crolla, Esq., Partner, Gowling Lafleur Henderson LLP*

In this session, the speakers will discuss the benefits, and disadvantages, of using alternative dispute resolution (ADR) for resolving medical liability claims. Factors considered include staff time involved and immediate and final costs. Each of the panel members has many years' experience in using ADR, within the context of the legal and regulatory scheme in his or her country. Attendees will learn which factors make ADR work well—and which, in contrast, make ADR more cumbersome to apply and less effective in holding down costs and making defendant physicians' lives less burdensome.

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11:00 a.m. - 12:15 p.m. **Concurrent Session 2**

***Failure to Diagnose: The Impact on Patients, Physicians, and MPL Entities***

*Moderator: Andrew Boldeman, CEO, Avant Mutual Group*

*Speaker: Helen Vernon, Director of Claims, National Health Service Litigation Authority*

*Speaker: Dr. Hayes V. Whiteside, Medical Director and Senior Vice President,*

*Risk Management, ProAssurance Corporation*

*Speaker: Charlotta Grunewald, Karolinska University Hospital*

This session will cover the multiple causes of failure to diagnose, and its many impacts for each of the parties involved in healthcare: doctors, patients, and medical professional liability insurance and indemnification organizations. This session will include data from the PIAA's Data Sharing Project to help highlight a claims-based foundation for exploring the prevalence of failure to diagnose, and its consequences for physicians, and for medical professional liability insurance and indemnification organizations. Then, a case study will be presented to identify the key factors observed in obstetrical cases that involved failure to diagnose.

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12:15 - 1:30 p.m. **Networking Lunch**

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# PROGRAM

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1:30 - 2:45 p.m.

## Concurrent Session 1

### ***International Claims Trends: Is the Wind Always from the West?***

*Moderator: Gregg Hanson, CEO and President, Coverys*

*Speaker: Kate Gillman, Special Counsel, Medico Legal Advisory and Health Law, Avant Mutual Group*

*Speaker: Dr. Richard E. Anderson, Chairman and CEO, The Doctors Company*

*Speaker: Peter Jeurissen, Ecclesia Gruppe*

This session raises a fascinating question: Where do claims trends originate? Is it always in the West? Or do some new trends in fact begin elsewhere? Three panelists, each from a different PIAA member company, will discuss claims trends as observed in their respective jurisdictions.

1:30 - 2:45 p.m.

## Concurrent Session 2

### ***Public Pressure and Its Influence on Medical Professional Liability***

*Moderator: Ed Amsler, Vice President, MLMIC*

*Speaker: Frank O'Neil, Senior Vice President and Chief Communications Officer, ProAssurance Corporation*

*Speaker: Chris Bronkhorst, LHCS*

High-profile medical liability cases often require some level of crisis management. In this session, the speakers will examine the repercussions of high-profile medical liability cases, from multiple perspectives. They will examine a medical liability case that drew considerable media attention and offer guidance for handling such cases. Attendees will learn how to assess the crisis management situation to determine the threat level to their brand's reputation, engage negative commenters on social media, employ measurement tactics to assess the impact of their crisis management efforts, develop a post-crisis communications strategy to repair any damage, and much more.

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2:45 - 3:15 p.m.

## Refreshment Break

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3:15 - 4:45 p.m.

## Plenary Session

### ***The Future of Healthcare: What Will the Patient Want in 2020?***

*Moderator: Richard Faas, manager Mobile, VvAA*

*Speaker: René Amalberti, MACSF*

*Speaker: Rob de Graaf, senior consultant Product Innovation, Philips*

What will patients be most concerned about in 20 years? This session tackles that and several other big questions: How will the use of medical apps change the delivery of healthcare? Will robotic surgery play a bigger part in healthcare? What does the future hold for the process of medical diagnosis? What is the impact of all of these factors on medical professional liability insurance and indemnification organizations? The panelists will discuss these and other topics about the future of medicine.

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4:45 p.m.

## Closing remarks

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5:00 p.m.

## Adjourn





### Amsterdam awaits you

The 2014 PIAA International Section Conference will include leaders from MPL insurance companies, legal professionals, and service providers such as brokers and investment firms, from all over the world.

We are truly excited about this upcoming conference. Plan now, and don't miss this exciting event! It is the best chance of the year for you to share your professional knowledge and experience with your international colleagues. We look forward to welcoming you in Amsterdam in 2014!

### Register now

For more information and registration, please visit [www.piaa2014.com](http://www.piaa2014.com)

### Contact

If you have any comments or questions, please contact VvAA, the host of the PIAA International Section Conference 2014, directly:

VvAA Groep B.V.  
P.O. Box 8153  
3503 RD Utrecht  
The Netherlands

E: [piaa2014@vva.nl](mailto:piaa2014@vva.nl)  
T: +31 30 247 4045