

Medical Professional

In 1975, Indiana was the first state to pass medical malpractice reform in response to the malpractice crisis. This order helped ensure health care providers could continue to receive malpractice insurance. As a result, Indiana has consistently ranked as one of the top states in which to practice medicine, and has been a favorable environment for great talent, strong medical schools, and top-notch hospitals. **Starting July 1, 2017, statutory changes will go into effect that will impact qualified health care providers.**



Summary of Changes to Patient's Compensation Fund (PCF)

- The cap on total damages available to a patient for an act of malpractice increases in 2017 from \$1,250,000 to \$1,650,000 and in 2019 will increase to \$1,800,000.
- The cap on attorney fees will increase from 15% to 32% of total judgment. (IC 34-18-18-13)
- The amounts paid to medical review panel members increases from \$350 to \$500 and from \$2,000 to \$2,500 to the panel chair. (IC 34-18-10-25)
- Anesthesiology assistants are added as Qualified Health Care Providers. (IC 34-18-2-14)
- Payments of awards cannot be made later than 60 days after the issuance of a court-approved settlement or a final, non-appealable judgment. The PCF previously only paid plaintiffs twice per year. (IC 34-18-2- 12.5 and IC 34-18-6-4)
- Health care providers' financial responsibility will also change.

	CURRENT Per Occurrence/Aggregate	EFFECTIVE 7/1/2017 Per Occurrence/Aggregate	EFFECTIVE 7/1/2019 Per Occurrence/Aggregate
Health care provider	\$250,000/\$750,000	\$400,000/\$1,200,000	\$500,000/\$1,500,000
Hospital not more than 100 occupied beds	\$250,000/\$5,000,000	\$400,000/\$8,000,000	\$500,000/\$10,000,000
Hospital more than 100 licensed beds	\$250,000/\$7,500,000	\$400,000/\$12,000,000	\$500,000/\$15,000,000

Did You Know?

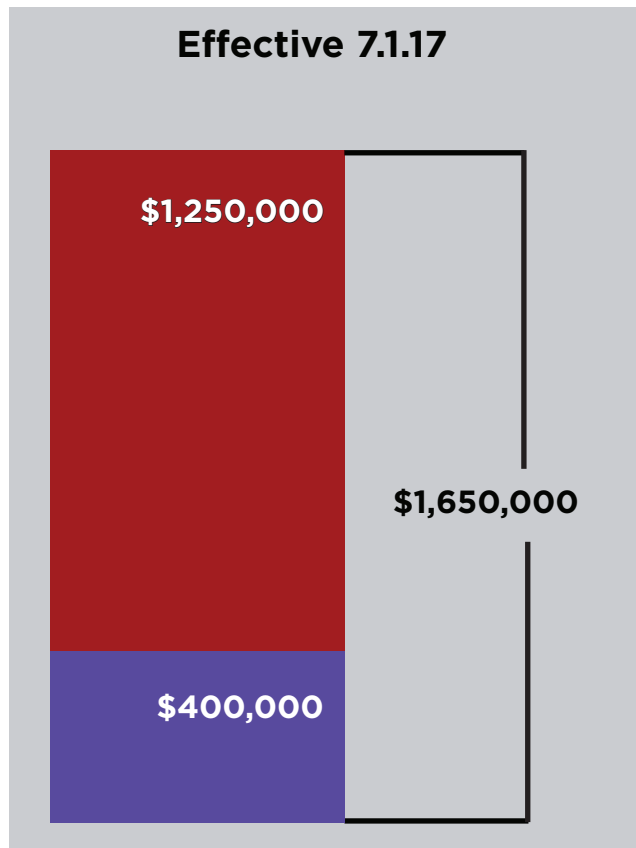
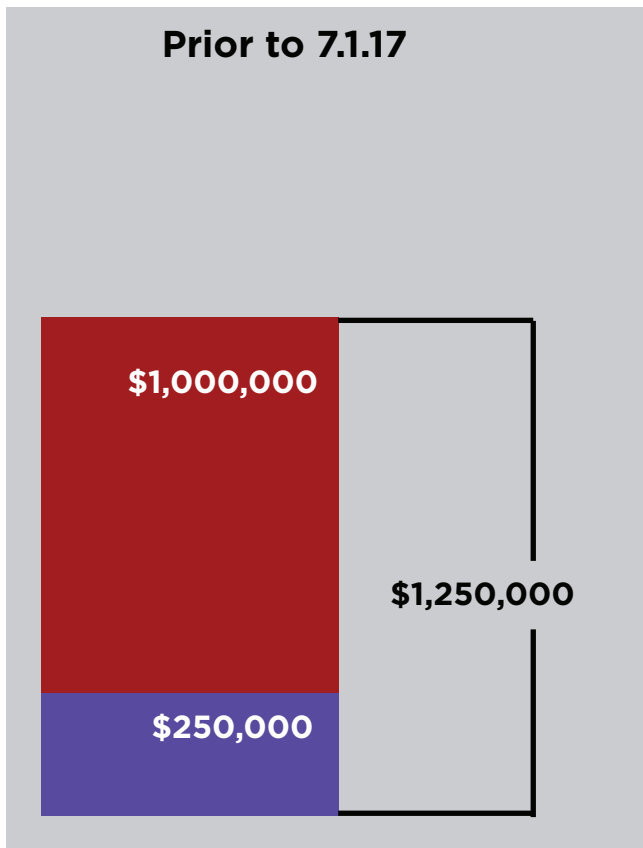
- If excess coverage is purchased by a health care provider participating in the PCF, the fund will not recognize erosion of the limits until the excess has also been eroded.*
- If an individual health care provider is a sole proprietor who wants to provide coverage to employees they must file with the County Recorder as a Sole Proprietorship and receive a Certificate of Assumed Business Name in order to qualify in the PCF.*

*[Indiana Patient's Compensation Fund FAQs](#)

Indiana Patient's Compensation Fund Changes

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Indiana Senate Bill 28: Per Occurrence Limit Changes



Primary per occurrence limits of liability provided by insurance company (which is equal to a health care provider's individual cap of damages)	+	Per occurrence limits of liability provided by PCF	=	Per occurrence limits of liability (which is equal to the total cap of damages)
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For more information or questions, please contact:

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