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ACO Liability Coverage

 Forming an ACO brings together individuals and organizations which have, most likely, not associated in the past. These emerging organizations are creating many challenges previously not encountered in healthcare entities. A key to these organizations' success will be how to identify, control and insure both traditional and new risks. All participants of these new organizations will face a myriad of exposures including those stemming from the following:

- Vicarious Liability
- Employment Exposures
- ACO Administrative Exposures
- Privacy Issues
- Regulatory Risks
- Network Development Issues

- Billing Structure
- Fiscal, Capital and Distribution Matters
- Information Technology (IT) Exposures
- Compliance with Local, State and Federal Laws, Rules and Regulations

When assessing exposures nestled in these new organizations it is clear to see that new types of innovative and integrated risk transfer and contracting will be required. Coupled with this need is the necessity for the development of innovative risk control mechanisms and programs. When looking at these unique sets of issues and exposures carriers are and will be developing products that coordinate and provide integrated protection for the organizations and their participants. These innovative products will offer solutions for these organizations by defining and addressing their risks, exposures and liabilities and will include, at a minimum, coverage for the following:

- Directors & Officers Liability
- Employment Practices Liability
- Managed Care Errors and Omissions
- Medical Professional Liability
- e Medical Professional Liability
- General Liability
- First and Third Party Privacy Protection
- Fiduciary Liability
- Billing Errors & Omissions Liability

Coverage components should also include broad definitions of insured, claims and managed care activity, duty to defend, favorable non-cancellation provisions, worldwide coverage, affirmatively stated that coverage to be primary, most favorable punitive damage protection and protection against antitrust and regulatory issues.

Products are presently available which are designed to protect ACOs with the integrated coverage necessary in our ever changing environment.

South Florida Hospital News and Healthcare Report's number one goal is top quality healthcare journalism written and edited for the region's most successful, powerful healthcare business

executives and professionals.



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