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# MMMJUA Newsletter

September

## Welcome!!

Welcome to the inaugural issue of the Missouri Medical Malpractice Joint Underwriting Association (MMMJUA) newsletter. We expect to publish a new issue each quarter, including general information regarding the JUA program as well as informational risk management articles that apply to our insureds' operations. We hope you find this information useful and beneficial.



## News and Updates:

### *First Year Surcharge changes for new policies:*

The Board of Directors of the Missouri Medical Malpractice Joint Underwriting Association (MMMJUA), in consultation with the Missouri Department of Insurance, has determined that the MMMJUA will require a cash payment equal to 25% of the required first year charge for four years. A promissory note will be accepted at policy inception in the amount of 75% of the first year charge. The amount of the note will be reduced each year when the payment for 25% of the additional first year charge plus interest is received.

### *For Existing Policy Holders:*



Existing promissory notes will be reduced by 25% of the Additional First Year Charge, plus earned interest, upon receipt of your cash payment of 25% of the Additional First Year Charge with interest prior to the first renewal of your policy. A confirmation of the reduction of the note balance will be forwarded to you by the MMMJUA. A cash payment equal to 25% of the Additional First Year Charge, plus earned interest, will be required each year for a total of four years until the entire note balance has been paid.

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## F.Y.I...

### *Tips for Applying to and Binding Coverage with the MMMJUA*

- Always check the MMMJUA.com website for the most recent version of the application form. If you do not have internet access, call the JUA at 800-806-7015 and request that the current form be faxed or mailed to you.
- Always fully complete all information requested on the application – use additional sheets if necessary to explain your responses.
- Attach all items requested on the “application checklist” at the end of the application. Especially copies of state issued licenses.
- Application information should be mailed to the JUA at P.O. Box 219680, Kansas City, MO 64121-9680, or overnight to 2405 Grand Blvd., Suite 1500, Kansas City, MO 64108.
- If you are binding, be sure to forward the original documents (not faxed or photocopied) with your check and other binding documents to the JUA lockbox. The Lockbox address is P.O. Box 842560, Kansas City, MO 64184-2560. Make sure all items required in the quote letter are included. The Lockbox address is for correspondence with PAYMENT only. If you are mailing correspondence without a payment included, please use the above regular mail P.O. Box.

- If you are financing your premium with a premium finance company, it is important that a copy of the signed finance agreement be provided along with your other binding documents.
- When providing a Promissory Note (required in order to bind unless full cash payment of the additional first year charge is made), be sure that the appropriate signatures are included. If the entity is a corporation, an officer signature is required. If the entity is a partnership, individual proprietorship, or LLC, signatures of the principals and their spouses are required. In the case of coverage for an individual physician or allied health care provider, spousal signatures are required. Properly signed original notes are required in order to bind coverage in the plan.

### *Risk Management Questions?*



If you have questions related to risk management or loss control, you may call the MMMJUA's toll free line at 800-806-7015. You will be referred to a risk management expert who will research your question and provide you with a response.

***NOTE: The JUA representative will not answer questions that involve legal issues; they will refer you to your attorney for legal advice.***

## In Focus:

### *Termination of the Patient/ Physician Relationship*

Terminating patient care is a major medical-legal action taken by any provider. It is very important for the physician to plan, step by step, the process by which a patient will be terminated from the practice:

1. The decision to terminate the care of a patient should not be taken lightly. The following steps should be followed for each instance:
  - i. A discussion with the patient should occur, in person or via telephone;
  - ii. A letter advising the patient of the termination should be mailed to the patient, first class postage;
  - iii. A certified/registered letter, which can be a copy of "ii" above, should be mailed to the patient (maintain the receipt in the office record).
2. Use general and professional reasons for the termination of the relationship with the patient (e.g. missed appointments, non-compliance, violent behavior in the office setting, etc.)
3. Keep a copy of the letter and attach it to the patient's medical record; do not release a copy of the letter when a copy of the patient's record is requested.
4. Offer routine medical care for 30 days after you first advise the patient of the termination.



5. Offer emergency medical care for 30 days after you first advise the patient of the termination.
6. Offer to send copies of records to a new provider or to the patient, whether or not the patient owes a balance.
7. Release records only after a signed and dated consent/record release form is received.
8. Document in the patient's record that the patient's care has been terminated.

Missouri has specific statutes concerning termination of patient care in managed care situations (i.e., HMOs, PPOs, etc.). In addition, the provider agreements entered into by physicians and HMOs set forth rights and responsibilities when terminating care. Providers should review the statutes and provider agreements prior to terminating care to be sure that they are not in violation of their provisions.

Termination of the patient/physician relationship with a patient who is currently in the midst of ongoing/long term care is discouraged and may lead to allegations of abandonment [e.g. chemotherapy regimens, pre-natal care, care for chronic disease, etc.]

## Member of the MMMJUA Board

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*AIG*

**Mr. Craig Kjellberg,**  
*State Farm Insurance*

**Mr. Don Ainsworth,**  
*Safety National Casualty Corporation*

**Ms. Patty Williamson,**  
*Uhlemeyer Services, Inc.*

## Question? Comments? Concerns?



The Missouri Medical Malpractice Joint Underwriting Association (MMMJUA) welcomes your comments, feedback, and thoughts. Please contact us with requests for future article topics or general information about the MMMJUA program. Or please visit our web page at [mmmjua.com](http://mmmjua.com) for additional information.

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ADDRESS CORRECTION REQUESTED

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