



COVID-19 LIABILITY

Claims Assessment & Response For Senior-Living Providers

Because it's not "if," it's "when"

COVID-19 LEGAL INQUIRY & CLAIMS RESPONSE

The U.S. is experiencing an unprecedented outbreak of COVID-19 in senior-living communities. Some insurers have already seen over 200 individual COVID-19 claims filed. Knowledgeable assessment of the details of the claim and expertise to develop an effective response will prove invaluable in defending COVID-19 claims. Med Law Advisory Partners has worked with operators in the senior living space for over 18 years, helping mitigate risk and systematically respond to litigation challenges. We are now putting that experience to work for our clients to prepare for and respond to claims. Through audit of medical records and supporting documents, we identify strengths and vulnerabilities to assist in developing defense strategies.

EFFECTIVE PREPARATION & RESPONSE ARE IMPORTANT
More than 40% of Coronavirus deaths linked to nursing homes
Liability protections unproven, may exclude aging services
Plaintiff's circumventing immunity through gross negligence claims
Immediate Jeopardy (IJ) deficiencies numbers rising
Best defense is a good offense
Validate monitoring, rapid ID and management of new cases
Mitigate future risk through staff training in defensive record-keeping

THE med law PROCESS

AUDIT
 Comprehensive data gathering & reporting

EVALUATE RISK
 Evaluate level of exposure

PRIORITIZE
 Define tactical priorities & mitigation plan

COURSE CORRECT
 Implement strategy & educate

PREPARATION & CLAIMS RESPONSE COMPONENTS

Resident & family education on COVID-19 symptoms, infection prevention & control
 Ongoing resident/family communication
 MD & staff coordination of care

Clinical signs & symptoms monitoring (emotional, psychosocial, physical)
 Implementation of transmission-based precautions

Measures to triage, detect, & isolate potential cases
 Diagnostic testing
 COVID-19 testing
 Symptoms/outcomes tracking

ADDITIONAL RESOURCES AVAILABLE:
 Assessment of COVID-19 protection policies
 Staff education on important and relevant record-keeping from a claim's perspective

ABOUT US: *Alicia Davis, President and CEO of Med Law Advisory Partners (right), has worked with providers in the senior-living space for over 18 years, helping prepare for and manage medical-legal and healthcare fraud claims. Med Law has the resources and expertise to help our clients assure compliance with clinical practice guidelines and respond effectively to COVID-19 investigations and claims.*

