

# Patient Transportation

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The best possible risk management solution to the challenge of patient transportation may be to avoid patient transportation whenever possible.

It remains, in our opinion, the single most complicated insurance & risk management challenge in Indiana healthcare.

The complications of conflicting & excluding policy language including:

- Professional liability
- General liability
- Auto liability/ owned, non-owned & hired vehicles
- Aviation/ helicopter liability
- Workers compensation
- Directors & Officers liability

A further and perhaps even more significant complication is the question of whether the **Indiana Medical Malpractice Act (IMMA)** will consider an incident occurring at the time of transportation to be within the scope of the Act, including, the **Indiana Patients Compensation Fund** of \$1,000,000 & the professional liability capitation limit, currently of \$1,250,000.

Additionally patient transportation across Illinois, Michigan, Ohio or Kentucky state lines is a potential complication with consideration for the territorial limitations of the **IMMA**.

If you are hiring a third party patient transportation service it is recommended that you have a proper contract with recommended liability limits, contractual indemnification, hold harmless and additional insured agreements subject to the advice of your corporate attorney.

**An example of a common risk exposure is your employee using their owned auto to provide a patient with transportation.**

Other forms of patient transportation range from the wheelchair to aviation/ helicopter...all require good judgment and appropriate risk management.

Please advise MBI immediately if you are now providing or considering providing vehicular patient transportation.

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