

Indiana & Illinois/ Professional Liability

This is a complicated topic because of the difference in Indiana statutory law vs Illinois common law, occurrence vs claims made insurance, the requirements of the Indiana Patients Compensation Act, variations in the statutes of limitation, the insurance companies doing business in the respective states and the “cultural differences” between Illinois and Indiana.

Other considerations include the state of residence of the physician, the number of hours practiced in each state, variation in services provided, credentialing requirements of hospitals and limits of liability.

With some exceptions Illinois protection is provided on a claims made form and Indiana on either an occurrence or claims made form.

A current trend indicates that some insurance companies are now prepared to provide insurance in both states with premium consideration for number of hours in each state and may provide occurrence protection in Illinois.

If you live in Illinois and practice in Indiana, I recommend you consider \$1,000,000 Contingent Excess Professional Liability.

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