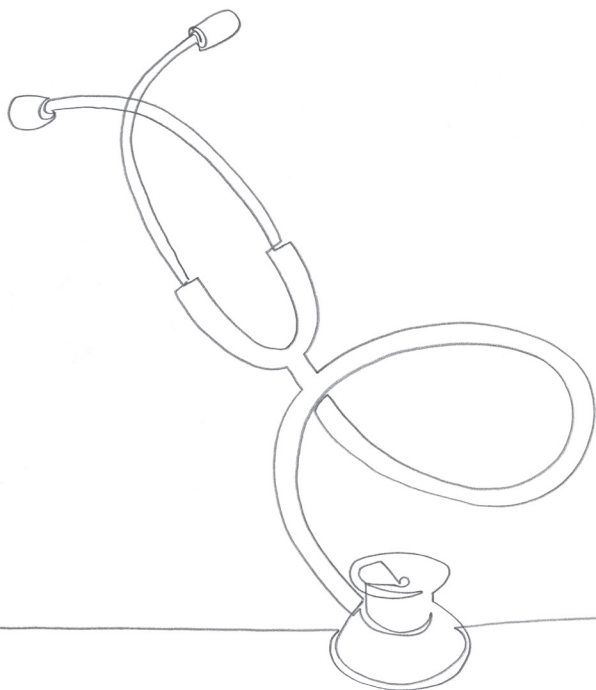


Beazley Insight

Non-Emergency Medical Transport

What Drives This Professional
Liability Risk?

by Dan Springman



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As the population of older Americans grows, so does the niche market for non-emergency medical transport in communities around the country. Businesses range from small, privately held enterprises conducting 15,000 “runs” a year, to large public companies coordinating millions of rides annually. The medical transportation business may be hired directly by passengers or by a third party, such as a nursing home or medical center, that offers transportation to its patients.

The clientele and their reason for using these rides vary. Non-emergency medical transport may be required by individuals who are wheelchair-bound, disabled or elderly. Transportation may be needed from private homes or residential nursing facilities to get to doctors’ appointments, medical treatments, or to run everyday errands, such as to the grocery store or pharmacy.

While customers may use a walker, cane or wheelchair, they are still considered ambulatory but do not have an urgent need for medical care that would necessitate an emergency call and an EMT-staffed ambulance. Still, customers typically need assistance beyond that which a conventional taxi or transport service would provide. Consequently, drivers of non-emergency medical transport vehicles have substantially more responsibility than regular taxi or limousine drivers. They typically help passengers to the vehicles, get them on board, secure them into the vehicle, and unload and escort them into and out of their destinations.

Bumps in the road

There are substantial professional liability exposures to manage in this industry which can be severe, especially given the often frail and vulnerable nature of the clients.

Loading and unloading passengers is a frequent source of claims: a wheelchair tips off the ramp. A slip getting out of the car turns catastrophic when an elderly patient hits their head or breaks a hip. If a wheelchair is not properly secured in the transport van, a passenger can suffer serious injury when a driver brakes abruptly to avoid an accident.

“Delay of service” is another frequent source of claims since there is often a thin line between what merits emergency transport and what does not. Non-emergency situations can

escalate quickly and unexpectedly with dire outcomes. While a driver is held up in traffic, a customer's seemingly benign condition suddenly spirals into a fatal heart attack. And the finger pointing quickly begins. While ambulance workers and EMTs working for municipalities might have sovereign immunity in the event of negligence claims, drivers in this non-emergency class typically do not have the same protections.

Along with professional liability, there is a risk of sexual abuse claims, as drivers interact with customers in close, private settings. Privacy liability comes into play: drivers are privy to customers' medical conditions. They may document the condition of a patient when picked up and/or brought into and out of facilities for specific treatments. In fact, a recommended risk management practice calls for drivers to carefully document factors along the way that could impact their exposure. For instance, if they arrived on time, but the customer was not ready - which is why the patient did not get to their appointment on time.

The right route to coverage

Beazley provides far-reaching miscellaneous medical professional and general liability insurance tailored for neighborhood non-emergency medical transport providers. Our target businesses in these segments are enterprises handling approximately 10,000 to 50,000 in-state transportation runs a year.

What makes an attractive risk? Sound hiring practices, including background checks on all employees. Drivers should also have experience providing professional driving services and preferably CPR training, at a minimum. Since labor is typically the lion's share of expenses for this type of business, better funded businesses are typically better staffed, making them a better risk.

What makes Beazley's coverage sound? Along with broad professional and general liability insurance, our policy expressly covers claims arising from bodily injury a customer suffers during loading or unloading from the vehicle. This allows policyholders to avoid any ambiguity in what can be among the most frequent and severe area of claims. Our coverage also extends to punitive damages, where the law permits. We make available coverage for sexual abuse liability as well as privacy and security liability.

As companies start up - or expand - to capture the opportunities of this promising sector, Beazley provides coverage that keeps up with the twists and turns of this exposure.

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