

Medical employee (health care institution) occupational liability insurance



Insurance product information document

Company: AAS BTA Baltic Insurance
Company, represented by a branch in Lithuania

Product: Medical employees (health care institutions) occupational liability insurance

Detailed pre-contractual and contract-related information about the product is provided in the Regulations of the Occupational Civil Liability Insurance for Medical employees (health care institutions) No. 13MDCA.01 and in the insurance certificate (policy), the Law on Insurance of the Republic of Lithuania, the Civil Code of the Republic of Lithuania, and other legislation regulating insurance contracts.

What is the type of this insurance?

Medical employee (healthcare institution) occupational liability insurance. Insurance coverage applies to the following risks related to the Insured's/Insurant's civil liability against third parties (patients) for damage to patients health (life), as a result of the Insured's/Insurant's direct guilty actions (except intentional) performed while practising medicine, i.e. therapeutic manipulations (therapeutic manual procedures), therapeutic and diagnostic procedures, surgical interventions performed by the Insured/Insurant; by prescriptions (written) of the Insured/Insurant to the patient (for examination or treatment procedures), for the use of medication; according to the instructions of the Insured/Insurant, recorded in the medical documentation, to the doctor on duty, auxiliary or serving medical staff; manufacturing, dispensing, dosing, and adherence to the signature, provided that the event is insured. The parties may agree on the waiver of additional risks or part of the risks by specifying this in the policy.



What is covered by insurance?

- ✓ An insured event is the submission of a claim for compensation to the Insurer or BTA for damage caused to a third party (patient) due to improper occupational services provided by the Insured and/or provided by medical employees (health-care institutions), if the claim meets all of the following conditions: submitted as a written claim or an action; filed during the validity period of the insurance contract or during the extended claim filing period set by the parties; submitted due to damage that occurred during the validity period of the insurance contract or within the period set by the parties, as a result of the occupational services of medical employees (health care institutions) improperly provided and/or being provided by the Insured; submitted due to the occupational services of medical employees (health care institutions) provided and/or being provided by the Insured during the validity period of the insurance contract; submitted due to the occupational services of medical employees (health care institutions) being provided and/or provided in the territory of the Republic of Lithuania, if the expansion of the territory is not discussed in the insurance contract; the Insured is liable for the damage in accordance with the applicable legislation.



What is not covered by insurance?

It is not considered an insured event and insurance coverage does not apply when a health care institution (company) or a pharmacy has violated the licensing requirements of pharmaceutical activity for institutions (companies) or the requirements of its own regulations; established scope of accreditation of the institution (company) or pharmacy, or medical staff of health care institutions (companies), or medical staff of the pharmacy or persons holding a license for independent medical practice, violated the occupational job instructions of health care specialists, the requirements of the methodology for the production, dispensing, and signature of medication; and intentional actions of the Insured, as well as actions involving criminal liability.

Unless otherwise discussed and/or stipulated in the insurance contract, not insured events include cases when:

- ✗ claims regarding the activities of the Insured (services, advice, treatment, etc.) are not regulated by the normative acts of the Republic of Lithuania or the code of professional ethics and related damages related to that;
- ✗ claims for non-monetary damage, patient prestige, honor, and dignity;
- ✗ claims for actions that are not directly related to medical services;
- ✗ claims for loss of income during treatment: temporary incapacity; claims for care; items lost during treatment;
- ✗ genetic interventions, infertility treatment, sterilization (except when it was vitally necessary), artificial insemination, termination of pregnancy (except when it was vitally necessary, etc.);
- ✗ plastic/aesthetic surgeries, except for cases where the latter surgeries were necessary for the removal of congenital defects or defects caused by an accident;



Are there any restrictions on insurance coverage?

- ! We apply the deductible specified in the policy to the insurance benefit. The benefit will not be paid if the event is non-insurable.
- ! The amount of the insurance is the maximum insurance benefit that BTA will pay out. It can be set for the entire period, as well as for one event.
- ! Yes, insurance coverage does not apply to terrorist acts, war, invasion, hostile acts of a foreign state, military or similar operations, exposure to nuclear energy or radioactive substances and contamination with them, circumstances which according to the legislation of the Republic of Lithuania are considered force majeure, intentional actions of the Insured, Insurant, or Beneficiary.

- ✗ injury to health (including mental injury) caused by or in any way related to human T-lymphotropic virus I, human T-lymphotropic virus II, human immunodeficiency virus, or hepatitis virus;
 - ✗ the act, the cause of which was a collective decision (*ex consilio*), without identifying the person responsible for the damage.
- No insurance benefits are paid for losses that have been or must be compensated by the State Social Insurance or health insurance funds. Regressive claims of the State Social Insurance and health insurance funds are not compensated.
- Other non insured events are listed in the Regulations of the Occupational Civil Liability Insurance for Medical employees (health care institutions) No. 025.1.



Where do I get insurance coverage?

- ✓ Unless otherwise agreed, insurance coverage is valid in the Republic of Lithuania.



What are my obligations?

- You must pay insurance premiums on time and notify BTA of an increase in risk, especially if it is related to a change in the object of insurance or the way it is used.
- After the occurrence of the event, you must notify BTA within 3 days, immediately inform the competent services, enable BTA to inspect the scene of the event, comply with the instructions of BTA and submit the requested documents.



When and how do I pay?

You pay the premium for the insurance contract by the date specified in it in one of the following ways:

- by payment transfer to the BTA bank account;
- at all checkouts of Maxima stores, all Perlas terminals, and divisions of "Virtual services operator", by presenting a payment invoice.
- paying by card at any BTA representative office equipped with an DCR card reader, or in cash.



When does insurance cover take effect and expire?

The insurance contract comes into force from the specified date (but no earlier than the payment of the premium) until the last day, both of these dates being specified in the insurance certificate (policy).



How can I terminate the agreement?

You can terminate the insurance contract by informing your insurance representative in writing or by e-mail at bta@bta.lt no later than 15 days before the desired date of termination of the contract.