



# professional liability

## senior living services



Where you see senior living professional liability challenges and risks, Sedgwick sees opportunities to provide highly innovative services to reduce costs, maximize your resources, and help you achieve a financially sound risk management program.

### Choice, flexibility, and experience

Protecting the reputation and financial integrity of your organization is a growing concern for many risk managers in the senior living industry. While overall claims volume has decreased in recent years, economic pressures to cut risk management expenses coupled with increases in government regulations have created even greater challenges for organizations in the senior living industry to do more with less.

A successful senior living professional liability and risk management program depends in large part upon an effective claims management program, including successful claims resolution through evaluation of all pertinent information. In senior living litigation, that evaluation must include issues such as analysis of statutory and regulatory matters, residents' rights issues, and alleged abuse and neglect issues.

We believe that senior living clients need choices and flexibility when it comes to managing their claims programs. Sedgwick can provide the services you need from clinical investigations to medical record reviews to comprehensive claims management solutions. Sedgwick has over 40 years' experience assisting senior living organizations in identifying all liability issues specific to the industry. With offices and on-staff nurse investigators throughout the United States, we can match your footprint with timely, quality investigations. Our services can dramatically reduce frequency, indemnity, and expense payments in the senior living environment; and, ultimately, decrease our clients' total loss costs for their liability programs.

### Proactive claims management and comprehensive investigations

Our experienced professionals understand the issues facing senior living facilities. We recognize that most senior living claims do not involve simply an "incident." Rather, they involve an alleged pattern of negligent care or abuse.

Our team reviews:

- The complete medical record
- Any arbitration agreements
- Medication administration reports (MARs)
- Treatment administration reports (TARs)
- Activities of daily living (ADLs)
- Dietary records
- Hydration and nutrition status
- Care plan
- Skin assessment
- State surveys
- Staffing issues

Our suggested practice is to encourage on-site visits and in-person interviews. Former employees, poor surveys and community opinion can inflate the value of the senior living case, and we evaluate this early to give you a better picture of your true exposure. Once exposure has been determined, we will make appropriate recommendations regarding resolution versus litigation.



## Effective litigation management

Unfortunately, not all claims can be avoided by early investigation and intervention. Our many years of experience dedicated to the senior living industry have allowed us to form effective working relationships with the premier defense firms and senior living experts across the nation.

To effectively manage exposure, we require:

- Thorough and early evaluation of the issues
- Analysis of arbitration agreements
- Budgets
- Pre-mediation reports
- Pre-trial reports

Each firm is familiar with our litigation management philosophy and works in unison with us to get you the best result. Sedgwick claims professionals have also gained the respect of many of the well-known plaintiff attorneys, which allows us to negotiate more effectively. Our professional liability specialists are experienced with handling arbitration agreements and with the arbitration process, working to ensure a timely resolution.

## Unparalleled industry knowledge

Sedgwick has a passion for the senior living industry. The individuals who work with our senior living clients have many years of experience handling the unique and complex exposures present in these types of claims. Beyond claims administration, their knowledge includes operational, regulatory, and jurisdictional insights, which are crucial to efficiently and effectively managing senior living claims. Through our participation in AHCA, DRI Long Term Care, ALFA, and various other related industry groups and events, we stay current on trends and topics that impact your client's operations as well as claims. We also understand complex legal issues and corporate structures as they relate to MMSEA compliance.

Sedgwick offers the industry's most intensive ongoing training and education related to the senior living environment through Sedgwick University. We also have a dedicated senior living service practice group focused on best practices that will help our nurses identify potential problems early, pursue resolution and, in some cases, avoid or mitigate costly litigation.

## Successful partnership

Effective claims management requires a partnership with all involved. Sedgwick will partner with you, your facilities, and your carriers to create and maintain your senior living program. We offer many client-specific programs designed to take the stress out of managing your senior living claims. We would be pleased to discuss your program needs and how we may benefit your organization in managing its professional liability program.

**Contact Sedgwick today to learn more about our senior living services.**

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