



W. Stancil Starnes, JD

The Safety of Consistency in a Changing World

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Think for a minute about the profound changes you have seen in your years of practice. Whether you are just a few years out of your residency or nearing retirement, you have seen the delivery of health care evolve at an unprecedented pace.

No matter how medicine changes to address the demanding financial challenges and daunting technological advances, the one constant continues to be the compassionate, effective delivery of care that is the hallmark of a sound physician/patient relationship. There is great comfort in knowing that, at its heart, medicine is still about your one-on-one relationship with your patient.

We all know that in rare instances that relationship can break down for unexplained reasons or an unexpected outcome can cause that bond to fray. When that occurs and litigation ensues, the other constant you can count on is the advocacy of ProAssurance as you face a legal system that may seem stacked against you. We do what it takes: choosing the best attorneys and defense experts and expending extraordinary effort to level the playing field for our insureds.

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W. Stancil Starnes, JD, is chairman and chief executive officer of ProAssurance Corporation, the parent company of ProAssurance Casualty Company (formerly PIC Wisconsin) and the endorsed medical professional liability carrier of the Wisconsin Medical Society.

Last year not one ProAssurance-insured Wisconsin physician whose case went to court was found guilty of malpractice. The overwhelming majority of claims that did not reach the courtroom were closed without any indemnity

role in maintaining an affordable and fair medical liability climate in Wisconsin.

Sadly, Wisconsin's largely favorable medical liability climate, however challenging it may seem when viewed from within the state, is

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payment. I believe in large part that is because of the excellent practice of medicine prevalent in Wisconsin and the leadership of organized medicine through the Wisconsin Medical Society (Society). But it is also due to our willingness to provide the finest defense possible, which can lead to success even when it appears the odds are against our defendant physician—as they often are in some Wisconsin courtrooms.

Our advocacy is not limited to the trial court level. When the plaintiff bar successfully attacked Wisconsin's crucial \$750,000 cap on noneconomic damages in the Court of Appeals, ProAssurance supported the Society's challenge of that decision. The strong arguments made by the Society, with ProAssurance's support via an amicus brief, restored the cap on noneconomic damages. That has played a key

becoming the exception rather than the rule. As we survey the loss trends across the United States, we see a return of large verdicts that go beyond the scope of fairly compensating the plaintiff for their injuries. TransRe, a leading reinsurer, reports that in 2017 the number of verdicts nationally that were at or above \$25 million reached levels not seen since the last malpractice crisis a decade ago. Just as troubling was their report that the number of verdicts at or above \$10 million was the second highest since the year 2000, and increased 38% over 2016.

It's a truism in the legal profession that the plaintiff bar follows the money. If that holds true, this increase in severity is likely to lead to an increase in frequency of claims. No state or jurisdiction will be immune to this trend. This is why ProAssurance maintains the legal

expertise Wisconsin physicians know to be of the highest quality and backs that with a stated, sustained commitment to deploy our resources on your behalf.

However, it's not just our legal expertise and advocacy that sets us apart. ProAssurance maintains a superior balance sheet that allows us to expend such extraordinary effort on claims defense. This ensures we have the ability to keep our promise of insurance on those rare occasions when adverse judgments are rendered.

In fact, ProAssurance's outstanding financial performance and policyholder security were recognized again this year by the Ward Group, which named ProAssurance one of the 50 top performing insurance companies in the country out of nearly 3,000 companies considered—the 12th year in a row we have been named to the prestigious Ward's 50.

For Wisconsin physicians, these are all key factors you should consider when you benchmark ProAssurance against competitors. But there is much more you should think about as you evaluate long-term commitments. Remember, the most expensive piece of paper can be a cheap malpractice insurance policy if it leaves you holding the bag.

Consider also the commitment ProAssurance has made in support of the Wisconsin Medical Society, whose leadership in health and medicine has been so effective. Through the Member Benefit Plan, Society members can receive premium credits of up to 15% if all criteria are met. The Member Benefit Plan also provides coverage enhancements such as CyberAssurance® Plus to help address ever-present cyber risks—and an additional \$1 million of coverage per year should Wisconsin's compensation fund deny coverage for damages above your policy limits. There are additional benefits as well. We encourage you to contact Wisconsin Medical Society Insurance & Financial Services to learn more.

In addition to member benefits developed in collaboration with the Society, 16 physician leaders, including Society CEO Clyde "Bud" Chumbley, MD, MBA, participate on our Wisconsin Claims and Underwriting Committee. An additional 31 physicians serve on our Wisconsin Regional Advisory Boards. These leaders help shape our approach to the unique needs of Wisconsin physicians, and they can be

an additional voice for you in our organization.

All of this is wrapped up in our promise of Treated Fairly.® It's the centerpiece of our commitment to Wisconsin physicians, and indeed to all our insureds. That commitment is our promise to be a constant, consistent partner for you, no matter what the future of health care holds in Wisconsin and our country.

To learn more about the Member Benefit Plan, contact your Wisconsin Medical Society

Insurance and Financial Services Agent at 866.442.3810 or visit www.wisconsinmedical-society.org/insurance.

Editor's Note: *The Wisconsin Medical Society helped form PIC Wisconsin in 1985 to ensure the availability of medical professional liability insurance for Wisconsin physicians. Today the Society continues to endorse ProAssurance (formerly PIC Wisconsin) to provide professional liability insurance coverage for physicians.*



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Hosted by the Wisconsin Medical Society, in partnership with the Medical College of Wisconsin and the University of Wisconsin School of Medicine and Public Health.

wisconsinmedicalsociety.org

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WMJ

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