

RESIDENT HANDBOOK

SECTION VII: GME OFFICE RESPONSIBILITIES

MALPRACTICE INSURANCE AND LIABILITY CLAIMS

- I. Residents have liability coverage only while they are carrying out assigned duties as part of their residency-training program in an affiliated institution.
 - a. Residents under contract with the Kirk Kerkorian School of Medicine at UNLV are covered for malpractice liability (limits \$1,000,000/\$3,000,000), except when working within the VA Medical Center.
 - b. Residents working within the VA Medical Center are covered by formal practice liability through the Department of Veterans Affairs.
 - c. Coverage includes claims filed after completion of the program for acts or omissions that occurred during the training program.
 - d. Professional activities outside the program, including moonlighting, are **not covered**.
 - e. Intentional misconduct is generally not covered by insurance.
- II. Liability Claims
 - a. A resident shall inform the residency program director **immediately** of any and all information concerning any potential malpractice insurance claim.
 - b. The program director shall notify the associate dean for graduate medical education (GME). The associate dean for GME shall report the claim to the Kirk Kerkorian School of Medicine at UNLV counsel who will in turn contact the insurance carrier.
 - c. The resident shall discuss the potential claim with **no one** else, other than the Kirk Kerkorian School of Medicine at UNLV general counsel, the associate dean for graduate medical education, the program director, or any attorney appointed to represent the resident by the insurance carrier who will contact the resident involved directly. Where possible, all conversations should be held in the presence of counsel. If a disciplinary action is contemplated, others may need to be included in discussion with the resident.
 - d. It is imperative that there be no discussion with anyone else of the potential claim, regardless of who may be involved or who should pose questions.
 - e. All questions concerning malpractice insurance coverage should be addressed to the residency program director and/or the associate dean for GME.