

MEDEFENSE[®] Plus

Protection from Regulatory
Billing Investigations



TOKIOMARINE
HCC

CLAIMS SCENARIO #1

Billing Errors Proceeding

Our Insured received a Civil Investigative Demand from the Department of Justice. The CID was issued pursuant to the Department of Justice's authority under the False Claims Act in connection with allegations that the Insured submitted or caused to be submitted false claims related to physician visits, annual wellness visits, or other patient services. The CID requested documents and materials from 1/1/2016 to the present to be produced. The claim is expected to erode the entire \$1M MEDEFENSE® limit on the Insured's policy.

CLAIMS SCENARIO #2

Qui Tam

A qui tam action was filed against an urgent care facility alleging that the facility inflated its billings for urgent care medical services (also known as "up-coding"). The facility was reimbursed for over \$1 million in defense costs under MEDEFENSE® Insurance.

Ineligible Classes:

- Ambulance Companies
- Managed Service Organizations
- Ancillary Staffing
- DME - Durable Medical Equipment Manufacturers

MEDEFENSE® Plus is an innovative reimbursement insurance product designed to help healthcare professionals address the unique regulatory exposures they face, such as billing errors proceedings brought by government entities or private payers, as well as HIPAA proceedings and other medical regulatory proceedings.

MEDEFENSE® Plus includes:

Billing Errors Coverage

Reimbursement of defense costs, fines and penalties, and shadow audit expenses incurred in billing errors proceedings, including qui tam actions. A Damages Sublimit is also available for additional premium.

Coverage for Other Medical Regulator Violations

Reimbursement of defense costs and fines and penalties incurred in HIPAA Proceedings, RAC Audits, EMTALA Proceedings and STARK Proceedings.

MEDEFENSE® Plus Product Highlights:

- Full prior acts coverage available
- Claims made policy
- Broad policy language and free choice of counsel

Limits up to \$1,000,000 each claim/\$5,000,000 aggregate

Option to add a Disciplinary Proceeding Sublimit of \$100,000

Minimum Premium: \$1,200

Minimum Deductible: \$2,500



Cyber & Professional Lines Team

Contact Us

Karen Boyadjian

Vice President, Underwriting - Product Leader
MEDEFENSE & e-MD

kboyadjian@tmhcc.com | 818.439.4541

Shaunt Mangioglu

Senior Underwriter
818.479.4329

smangioglu@tmhcc.com | 818.823.6385

Alexis Hage

Senior Underwriter

ahage@tmhcc.com | 818.479.4364

Visit us: tmhcc.com/pro



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This communication provides a general product summary and should not be construed as a guarantee of coverage. Any claim scenarios described in this communication are hypothetical and used solely for the purpose of illustrating how the insurance is intended to apply to certain situations. Whether, or to what extent, the insurance applies to a particular claim or loss depends on the circumstances of the claim or loss and the terms and conditions of the policy, as issued.