



Claim Case Studies for Health & Wellness Facilities

Abuse in your Organization

A female entered a residential care facility for treatment because she suffered from anxiety, post-traumatic stress disorder and was dependent on alcohol and narcotics. Not long after starting her treatment orientation, she alleged that another male resident sexually assaulted her over the span of a few days, before he left the facility. On top of the anxiety of the alleged assault, she felt unsafe and that her care and treatment were inadequate. This put her in a vulnerable and fearful state causing her added trauma.

Since she felt that sufficient precautions were not taken to ensure her safety while in the facility's care and as a result she filed a legal action against the facility, claiming abuse.

Organizations that fail to properly secure the safety of the population within their care are held accountable by the legal system, the population they serve, and the community whose support they rely on. They can be faced with expensive litigation, front page headlines, loss of reputation, loss of volunteers, and a decline in charitable donations. Failing to provide a safe environment and, in this case, prevent abuse, is costly in so many different ways.

Medical Malpractice Liability – Is it Part of Your Insurance Coverage?

Medical malpractice insurance is an essential requirement for all healthcare practitioners. But since many of us are not doctors we don't think much about it. However, as the incident below illustrates, medical malpractice liability can come in various forms.

A resident of a temporary care facility had been suffering from epilepsy for years. His doctor had been prescribing Lamictal to keep the seizures in control. While at the facility, the resident was given Lamisil instead of Lamictal. Unfortunately, Lamisil, a drug used to treat infections caused by fungus in fingernails and toes, was intended for the resident in the next room. As a result of being given the wrong medication, the epileptic resident had a seizure while walking down the stairs and suffered serious injuries.

Given that Lamictal and Lamisil look and sound so similar, staff had accidentally mixed up the medications and as a request, a legal action was commenced by the family against the facility. Unfortunately, the potential for medication mix-ups has increased dramatically over the past two decades as more and more drugs have flooded the market. Medication errors are an unfortunate incident. They are also expensive to litigate and settle.

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