



MDU

# Specialist **SELECT**

**Claims made membership**

for consultants and specialists

## The MDU is introducing claims made indemnity membership for consultants in private practice.

The benefits of membership are similar to those of our classic membership, though on a claims made basis.

You could see a substantial saving on your subscription, and still gain access to the MDU's market leading medico-legal experts and claim handlers.

For further information or for an application form:

 [themdu.com/specialistselect](https://themdu.com/specialistselect)

 [specialistselect@themdu.com](mailto:specialistselect@themdu.com)

 freephone 0800 980 8089

 [themdu.com/liaison](https://themdu.com/liaison)

### About the MDU

We are a not-for-profit organisation dedicated to our members' interests.

As the world's first and the UK's leading medical defence organisation, we offer you expert guidance, personal support and a robust defence if your clinical competence or care of patients is questioned.

Our team is led and staffed by doctors with real-life experience of the pressures and challenges faced in practice. We have an unmatched track record of helping members overcome the challenges which could threaten their livelihood.

You can practise with confidence because we are on your side, and by your side.

# How does it work?

**SpecialistSelect** membership is designed to provide indemnity for you on a claims made basis.

## The same core benefits as our classic occurrence membership

When medico-legal problems occur you can access one of our highly trained MDU advisers 24 hours a day, 365 days a year.

**SpecialistSelect** also gives you access to the MDU's experienced claims handling team, which delivers unsurpassed results for our members – over the last 10 years we successfully defended over 75% of claims, making no compensation payments.

Core benefits at a glance:

- 24-hour medico-legal helpline
- Legal support at GMC hearings
- Expert advice and representation at disciplinary hearings
- Indemnity for claims including defence costs
- Access to [themdu.com](http://themdu.com) with a library of medico-legal information through case studies, videos and podcasts
- Access to the MDU online journal
- Expert claims handling
- Risk management advice and guidance
- 24-hour press office
- Access to CPD seminars and training, online courses and webinars

## Attractive subscriptions

At a time when private practice incomes are under pressure, we can offer substantial savings on your subscription.

## Claims made indemnity

It is important to note that all membership benefits under **SpecialistSelect** are provided on a claims made basis.

This means that when you join the scheme you will be entitled to request assistance with claims relating to specific incidents of clinical care which:

- happen while you are in active **SpecialistSelect** membership, or during a prior period of work as agreed with us (known as the 'retroactive period'); and
- are notified while you are a **SpecialistSelect** member.

If you wish to continue to be able to report incidents or claims after your period of membership has ended you will need to apply for, and purchase (where required), extended reporting rights. This can be done up to 30 days after the end of your period of membership.

Extended reporting rights may be granted at no cost by the MDU where:

- you cease to work due to permanent disability
- you die
- you retire, after you have been in continuous **SpecialistSelect** membership for 10 years.

Where you leave the MDU or retire before 10 years' continuous **SpecialistSelect** membership you will need to apply for and be granted extended reporting rights or get retrospective indemnity from another provider. Extended reporting rights are annually renewable and paid for through an ongoing subscription payment. The subscription for extended reporting rights can vary based on a number of factors, however as a guide, it is unlikely that the total cost, paid over several years will be more than two and a half times the highest subscription you paid during your period of **SpecialistSelect** membership.

## Switching to SpecialistSelect membership from a claims made indemnifier is easy

Joining the MDU from a claims made indemnifier (such as one of the recent commercial organisations in the market) could not be easier.

To ensure there is no gap in your indemnity, you can ask the MDU to provide indemnity for new claims arising from incidents which happened while you had a claims made insurance policy with another organisation. This period is known as the retroactive period.

When joining claims made membership of the MDU, you will not be asked for a large up-front subscription to meet the cost of claims arising from this retroactive period. Instead you will join on a yearly subscription.

Before joining you must report to your previous insurer all incidents which you believe might reasonably lead to a claim.

## Switching to SpecialistSelect membership from occurrence-based indemnity is easy

There are both benefits and disadvantages of joining the MDU's **SpecialistSelect** membership from traditional occurrence-based indemnity provided by the MDU or another medical defence organisation.

The main benefit is that you are likely to pay a lower subscription in the first year and for a number of years thereafter. You will have access to all the MDU's services and expertise while you remain in **SpecialistSelect** membership.

The factor that needs to be weighed against this is that should you wish to leave the MDU, or retire from practice before you have been in **SpecialistSelect** membership for more than 10 years, you would need to apply for, and be granted extended reporting rights to continue to report new claims arising from your period of **SpecialistSelect** membership.

# FAQs

## **Q** *What is the difference between occurrence and claims made membership benefits?*

**A** With occurrence membership benefits you pay an annual subscription which allows you to request assistance at any point in the future for a claim arising from an incident which happened in that membership year.

With claims made benefits your membership entitles you to request assistance with matters arising from incidents that occurred during the period of claims made membership (including any agreed earlier 'retroactive period') provided that when you notified the incident to us, or you first requested our assistance with a matter arising from the incident, your membership remains active. You will need to renew your membership annually, or apply for and be granted the right to request benefits in relation to a period of claims made membership, such as reporting new matters arising from incidents that happened during that period (and any retroactive period) which have not already been reported. This is referred to as extended reporting rights.

## **Q** *When a SpecialistSelect membership year ends, what happens to incidents I have already notified to the MDU?*

**A** Once we have agreed to assist with an incident which occurred during a period of **SpecialistSelect** membership you can expect that assistance to continue whether or not your membership is renewed.

## **Q** *What happens if I retire from practice?*

**A** If you retire permanently from practice we can continue to assist you with GMC investigations, claims or other matters that arise from incidents which have already been notified to us. However, you will need to apply for and be granted extended reporting rights for the continuing right to seek the benefits of membership for new matters arising from incidents which occurred while you were in **SpecialistSelect** membership or any retroactive period but which are notified later.

As long as you have been a member of **SpecialistSelect** for 10 years or more at the time you retire (and have reached the retirement age for your NHS pension scheme) you can apply for extended reporting rights which may be granted without any further payment.

Similarly, if you are forced to retire through disability (and have taken ill health retirement under your NHS pension scheme) you can apply for extended reporting rights which may be granted without any further payment.

## **Q** *Does the level of service from the MDU differ between claims made and occurrence-based membership?*

**A** No, your membership entitles you to the same market leading quality service that all of our members can expect from us.

## **Q** *What is the situation with new notifications I make for incidents arising from a period when I was previously a member of the MDU on an occurrence basis?*

**A** If you were an MDU member on an occurrence basis before taking up **SpecialistSelect** membership, you may continue to ask for benefits on an 'occurrence basis' for an incident which happened during that period of membership.

## **Q** *Can I report claims arising from a period when I was insured with another claims made provider?*

**A** Where the MDU has agreed a retroactive period, you may request assistance for new claims made during your **SpecialistSelect** membership (or during a period of extended reporting rights where this applies) which arise from incidents when you were insured with another claims made provider, which have not been reported to that provider.

## **Q** *When can I purchase extended reporting rights?*

**A** You must apply to purchase extended reporting rights before you resign from membership, or within 30 days of leaving membership.

In the event of your death, your personal representatives will have 30 days to apply for extended reporting rights once probate or letters of administration have been granted.

**Q** *How much will extended reporting rights cost?*

**A** There will be no additional subscription in most cases for extended reporting rights for:

- members who retire permanently from practice due to disability,
- members who die
- members who have been a **SpecialistSelect** member for 10 years or more and have reached the retirement age for their NHS pension scheme.

An additional annual subscription for extended reporting rights will be payable by members who resign their **SpecialistSelect** membership in any other circumstances. The cost of extended reporting rights will depend on a number of factors including how long you have been in **SpecialistSelect** membership, your claims history, and the extent and nature of your work during these years. As a guide, it is unlikely that total cost, paid over several years, will be more than two and a half times the highest subscription you paid during your period of **SpecialistSelect** membership.

The granting of extended reporting rights rests at the discretion of the MDU Board of Management.

**Q** *What happens if I want to take a career break, an elective abroad or an extended period of leave (e.g. parental leave)?*

**A** In order for you to continue to be able to request assistance after you have started your break you will need to continue to pay a subscription, although this is likely to be at a reduced rate as you will not be treating patients.

**Q** *Why is the subscription lower than your standard subscriptions for occurrence membership – will it suddenly rise once we are in the scheme?*

**A** Claims made membership is naturally cheaper in the first few years as it takes time for claims to be notified. Subscriptions are likely to rise over subsequent years, however they are likely to stay below those of the equivalent occurrence subscription, because you will need to apply for and be granted extended reporting benefits if you leave.

## Examples of how claims made **SpecialistSelect** membership works:

<p>An incident occurs while you are in <b>SpecialistSelect</b> membership. While you are still in <b>SpecialistSelect</b> membership a claim is made against you related to the incident.</p>	<p>You can request assistance from the MDU.</p>
<p>An incident occurs while you are in <b>SpecialistSelect</b> membership and is reported to the MDU while you remain in <b>SpecialistSelect</b> membership.</p> <p>A claim is later made in relation to this incident but not until after you leave <b>SpecialistSelect</b> membership.</p>	<p>As you had notified the incident while in <b>SpecialistSelect</b> membership, you can continue to request assistance.</p>
<p>An incident occurs while you are in <b>SpecialistSelect</b> membership. A claim is notified against you, related to the incident, after you leave <b>SpecialistSelect</b> membership. You had not notified the incident while in <b>SpecialistSelect</b> membership, but you have applied for and been granted extended reporting rights.</p>	<p>You can request assistance from the MDU.</p>
<p>An incident occurs while you are in <b>SpecialistSelect</b> membership. A claim is notified against you, related to the incident, after you leave <b>SpecialistSelect</b> membership. You had not notified the incident while in <b>SpecialistSelect</b>, and you have not applied for and been granted extended reporting rights for you.</p>	<p>You are unable to request assistance from the MDU.</p>
<p>A new claim is notified against you while you have <b>SpecialistSelect</b> membership related to an incident which occurred while you were insured by a claims made insurer. Your <b>SpecialistSelect</b> membership has a retroactive date before the date of the incident.</p>	<p>You can request assistance from the MDU, unless you had notified the insurer of the incident during the period of your insurance.</p>
<p>A new claim is notified against you while you have <b>SpecialistSelect</b> membership, related to an incident which occurred while you were an occurrence member of the MDU, or other similar organisation.</p>	<p>You can request assistance from your previous occurrence indemnifier.</p>

### Reporting a claim

**SpecialistSelect** membership has been designed by the MDU as a comprehensive solution for your indemnity needs.

The ability to report new incidents, or new claims arising from incidents that have not already been reported, ceases if the **SpecialistSelect** membership ends, unless extended reporting rights have been applied for and granted. This is a change from occurrence-based indemnity, so please ensure that you are clear about the differences.

For further information about claims made and occurrence indemnity

Visit **themdu.com/specialistselect**

Call **freephone 0800 980 8089**

## How to contact us

### Membership

**t** 0800 716 376

**e** [specialistselect@themdu.com](mailto:specialistselect@themdu.com)

### Medico-legal team

**t** 0800 716 646

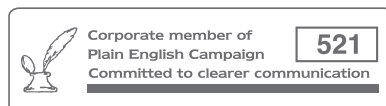
**e** [advisory@themdu.com](mailto:advisory@themdu.com)

### Your feedback

Give us your feedback about the MDU  
[themdu.com/feedback](http://themdu.com/feedback)

### Website

[themdu.com](http://themdu.com)



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