

THE

MONITOR



**A MESSAGE FROM THE
PRESIDENT & CHIEF
EXECUTIVE OFFICER**

By: Robert M. Jones

MACM'S RESPONSE TO COVID-19 CRISIS

We have been acutely aware of the effect that COVID-19 has had on the practice and lives of our insured physicians and health-care providers. I would like to give you some idea of MACM's response to this crisis so that you will know your Company has been there for you.

Permit me to first mention the extraordinary job that the entire MACM staff has done in responding to this unexpected situation, changing to a remote working environment, and still meeting the needs of MACM's insureds. We closed our office on March 16; however, we were able to continue all operations remotely due to excellent planning by our I.T. Department and Management. MACM already operated out of a paperless document storage system with data systems that were remotely accessible. Fortunately, we are now back in our building practicing safe protocols.

One of the benefits of being owned by Mississippi physicians and locally managed is that MACM has been able to quickly re-

Continued on page eight

MISSISSIPPI SUPREME COURT ELECTIONS



*Gerry Ann Houston, MD
Director
Mississippi Physicians Political
Action Committee*

As a physician practicing in Mississippi, I hope you have appreciated the benefits resulting from the passage of the 2002 and 2004 Tort Reform legislation. These benefits, which include rate reductions and premium refunds for the past 15 years, are a direct result of this legislation as well as elections of a fair and balanced Mississippi Supreme Court.

Your patients have also benefited from Tort Reform and a fair court system. The number of physicians in Mississippi has increased since the passage of Tort Reform, and physicians do not have to practice defensive medicine.

Election day this year is November 3. At that time, the people of Mississippi will have the opportunity to protect Tort Reform through the election of two justices to the Mississippi Supreme Court. The Mississippi

Physicians Political Action Committee believes that your involvement in this election is critical to the stability of our civil justice system. As the constitutionality of Mississippi's cap on non-economic damages has yet to be decided, the medical community must remain active in supporting candidates who support the progress that has been made.

Associate Justice Josiah Coleman and Associate Justice Kenny Griffis are running for reelection to the Supreme Court. They need your vote on November 3, and they need your financial support now. Please consider contributing directly to these candidates who are endorsed by the medical and business communities. You can also help by telling your staff, friends, and patients why this election is important and encouraging them to support these candidates.

RECOMMENDED CANDIDATES FOR MISSISSIPPI SUPREME COURT



*Associate Justice
Josiah D. Coleman
Northern District*

Justice Coleman was elected to the Mississippi Supreme Court on November 6, 2012, and began his term on January 7, 2013.

He previously practiced law for 12 years, first in Tupelo, then in Oxford. His practice concentrated on defense litigation and appellate advocacy in the areas of insurance, product liability and professional malpractice. He is admitted to practice before all Mississippi state and federal courts and before the Fifth U.S. Circuit Court of Appeals.

Justice Coleman is the second member of his family to serve on the Mississippi Supreme Court. Both his grandfather and his father were appellate court judges. He is the grandson of the late J.P. Coleman, who served as Mississippi Governor and on the Fifth U.S. Circuit Court of Appeals.

Justice Coleman grew up in Choctaw County and graduated valedictorian from Ackerman High School. He graduated cum laude from the University of Mississippi with a Bachelor of Arts degree in history and philosophy. He earned his law degree from the University of Mississippi School of Law.



*Associate Justice
T. Kenneth Griffis
Central District*

Justice Griffis was appointed as an Associate Justice of the Mississippi Supreme Court on February 1, 2019. He previously served as Chief Judge of the Mississippi Court of Appeals. He was a member of the Court of Appeals for 16 years.

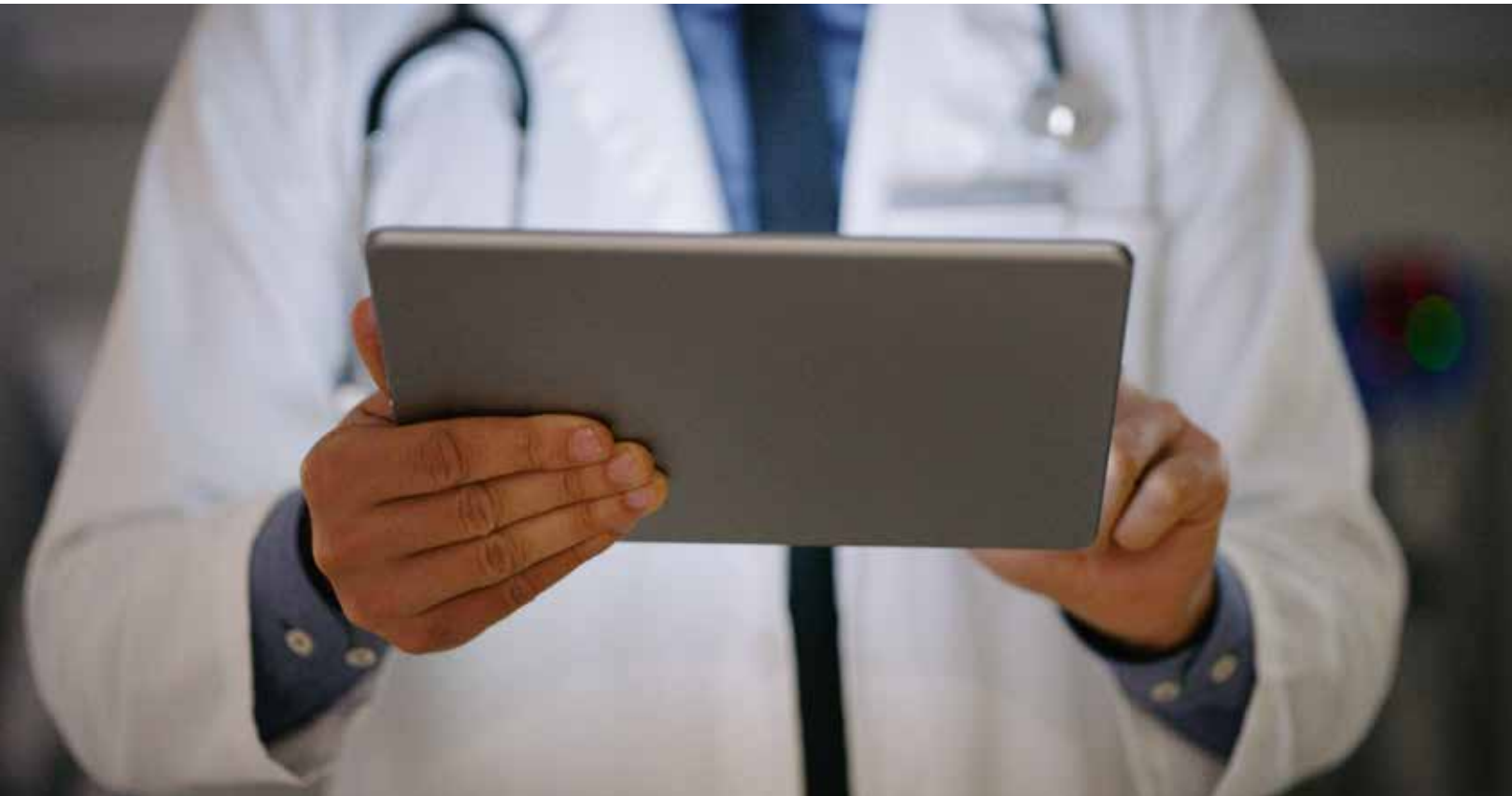
Justice Griffis is a native of Meridian, Mississippi. He earned accounting and law degrees from the University of Mississippi. He attended Meridian Community College and Mississippi State University - Meridian Branch. He was a Certified Public Accountant from 1984 through 2007.

Justice Griffis currently serves as a member of the Mississippi Supreme Court's Committee on Continuing Judicial Education. He has also served on the Supreme Court's Advisory Committee on the Civil Rules, as Chair of the Bench Bar Committee of The Mississippi Bar, and the Committee on Electronic Filing and Case Management Systems. Justice Griffis serves as adjunct professor at the Mississippi College School of Law and the University of Mississippi School of Law.

**THESE ELECTIONS
DIRECTLY AFFECT YOU,
YOUR STAFF, AND YOUR
BUSINESS ENVIRONMENT.**

IT IS TIME FOR POLICY RENEWALS AT MACM!

Once again, the week of Labor Day kicked off the beginning of policy renewals for the MACM Underwriting Department. Between September and December, the Underwriting Staff renews nearly 3,000 policies for physicians and clinics. With this many policies, the more assistance and accurate information our insureds can provide through the online renewal process, the better for your coverage.



Following is a list of helpful hints to help make your renewal process a little easier:

Is the information correct?

One advantage of our online process is the ability to quickly update and verify the accuracy of the pre-filled information on your renewal application. Double-check information that could possibly have changed during the past year, e.g. satellite clinics, procedures, email address, etc. If anything has changed, please update.

Home Address

Please verify your home mailing address, including zip code. If you have moved, you may type in your new address in that section.

Additional Documentation

Provide any necessary supplemental documentation to satisfy a question that is asked. With the online renewal system, you can either type in your answer in the narrative section or upload a requested document directly to our renewal files.

Business Entity Standing

Check the Secretary of State website (www.sos.ms.gov) and be sure your corporate business name (if applicable) is up-to-date and in good standing. If you have designated a professional consultant to renew your business license with the Secretary of State, please pass along this request.

Names of Ancillary Personnel

In order to accurately send Certificates of Insurance, we need to have accurate information regarding the names and positions of your mid-level extenders, such as nurse practitioners, physician assistants, and CRNAs. Add, delete, and edit any changes that have occurred this year and are not accurately reflected on the pre-filled application. If you have a new Nurse Practitioner or Physician Assistant joining your practice whom you desire MACM to cover, please request an application from the Underwriting Department.

Submitting the Form

Once you have completed the form and typed in the last 4 of your SSN (or Clinic ID Number for corporate policies), you must click the "Submit" button for the form to transmit to MACM. After you click "submit", allow approximately 30 seconds for the form to transmit. After that time, you may refresh your browser. If the form has transmitted, you will see the status change to "Application Ready For Review" which means MACM has received. (After you click "submit", if you have left questions unanswered, the form will prompt you to complete those questions. Once you answer those questions, you will need to click "submit" again.)

We believe the online renewal process has helped streamline your time and effort in the renewal process. If you have any questions about navigating through the form or setting up a Member Log In, please do not hesitate to call the Underwriting Department at (601) 605-4882.

ROBERT S. CALDWELL, MD, AWARD

Since 1982, Medical Assurance Company of Mississippi has proudly recognized UMC residents who provide quality patient care and excellent record documentation through the Robert S. Caldwell, MD, Award. In May of each year, one senior-level resident or fellow receives the distinction, along with a \$1000.00 cash prize.



MACM IS PLEASED TO ANNOUNCE
THIS YEAR'S WINNER IS

NATALIE MALCOLM, MD

She is a 4th year finishing Med/Peds resident.



Kim Mathis
Marketing Director

MACM WELCOMES NEW MARKETING DIRECTOR

On August 11, 2020, Kim Mathis joined MACM as the Director of Marketing where she will focus on client relations, sales, publications and messaging.

A graduate of Mississippi College, Mathis has 25 years of experience in the healthcare industry including 17 years devoted primarily to marketing.

She lives in Madison with her husband, Kevin, and has three children: Makenzie, Dalton and Whitley.

PATIENT NOTIFICATION OF POSSIBLE EXPOSURE TO COVID-19

PROCESS RECOMMENDATIONS

If you were to walk into your clinic tomorrow morning and be informed that your nurse had tested positive for COVID-19, would you know what your responsibility would be for notifying patients of this potential exposure or the process to follow that would best serve you, your staff, and your patients?



*By: Kathy Stone, BSN, RN
Vice President of Risk Management*

The Centers for Disease Control has provided guidance to assist you in determining the type of exposure that has occurred to your patients and the recommended actions to be taken as a result of the potential exposure. That information is entitled, "Public Health Guidance for Community-Related Exposure" and can be accessed at <https://www.cdc.gov/coronavirus/2019-ncov/php/public-health-recommendations.html>.

MACM also recommends that you contact the Mississippi State Department of Health (MSDH) in the event of a possible exposure in your clinic to seek their advice on whether patient notification is necessary and which individuals should be notified. During public health emergencies such as the COVID-19 pandemic, the MSDH personnel are available 24 hours a day, 7 days a week and may be reached at 1-866-458-4948.

The CDC also offers guidance for healthcare workers who have potentially been exposed to COVID-19. The "Interim U.S. Guidance for Risk Assessment and Work Restrictions for Healthcare Personnel with Potential Exposure to COVID-19" may be found at <https://www.cdc.gov/coronavirus/2019-ncov/hcp/guidance-risk-assessment-hcp.html>.

Should you be advised or choose to notify patients of a possible exposure that occurred in your clinic, the following are MACM's recommendations for that process:

- Disclosure may be accomplished by phone (preferred) or certified letter. A phone call would be more expedient and decrease potential exposures more quickly than a letter notification. If a patient is unreachable by phone, a certified letter may be sent.

- Keep the disclosure details to a minimum to protect confidentiality. It is not advisable to reveal that the positive case was a clinic employee.
- Develop a template letter or telephone script that says something similar to the following:
"On ____(date)____, while a patient at ____(clinic name)____, you were in close proximity to someone that has now tested positive for COVID-19. ____(Clinic)____ is following all Centers for Disease Control and Mississippi State Department of Health guidance in order to prevent the further spread of COVID-19. Unfortunately, even with these measures, exposure can occur."
- Include in the letter/script the recommendations you determine in your medical judgment should be provided to the patients for self-monitoring and when the patients should seek further medical care.
- Chart in each patient's medical record the notification using a statement such as, "Patient has been notified by letter/phone call of potential exposure to COVID-19 while in ____(clinic)____ on ____(date)____."
- If a letter is sent, include a copy of the letter in each patient's chart.

Please be advised that MACM always defers to the Mississippi State Department of Health's directives. It is especially important to be aware of and compliant with the latest MSDH and CDC recommendations related to this novel coronavirus as knowledge and best practices continue to evolve. Visit the websites for both entities frequently to ensure you stay up to date on COVID-19 issues.

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spond to the needs of our insureds this year, including the following:

Deferred monthly bank drafts – For those physicians and clinics paying their premium by monthly bank draft, we deferred bank drafts for the months of April through June with the monthly drafts adjusted and collected thereafter through December.

Early premium refund – We usually wait until December to review the company's financial situation and decide if a premium refund is appropriate; however, MACM Management and the Board of Directors decided that it was best to go ahead and give MACM Physicians a 20% premium refund in June. We hope that this helped your financial situation to some degree.

COVID-19 immunity law passed – Due in large part to the efforts of MACM and its lobbyists, the Mississippi Legislature passed the **Mississippi Back-to-Business Liability Assurance and Health Care Emergency Response Liability Protection Act**, which provides protection to healthcare providers and facilities that have stepped up to treat Mississippi citizens during the COVID-19 crisis. Crucial to getting the Act passed were political relationships that have been nurtured through the years. This Act is one of the best of its kind in the country.

Service on Governor's Covid-19 Task Group – MACM was honored to be asked to serve on the Governor's COVID-19 Task Group, which has been responsible for planning and coordinating the medical community's response to COVID-19. MACM's representatives were asked to provide insight into medical liability issues and immunity legislation.

Financial COVID-19 Town Hall Meeting – MACM made arrangements with a CPA firm to offer guidance for financial and accounting decisions during the COVID-19 crisis. On April 16, a free webinar was conducted by Zoom for all MACM physicians and clinic managers who wished to participate and was thereafter made available on MACM's website.

Amended MACM By-Laws to allow retired physicians to volunteer – Previously, if retired physicians wanted to return to medical practice to assist during a medical crisis, they could not without having to pay back their Equity Account funds to MACM. In order to be consistent with previous By-Law exceptions and allow physicians to assist during the COVID-19 crisis, the MACM Board of Directors amended the MACM By-Laws to allow "re-entry to the practice of medicine, on a paid or unpaid basis, during a public health crisis in which a state of emergency has been declared by state and/or federal governing authorities and which continues only so long as the state of emergency remains in effect."

Telemedicine – With the rapid expansion in use of telemedicine by our insured physicians and healthcare providers, MACM Underwriting relaxed our coverage guidelines to accommodate physicians using telemedicine to treat their patients. To further assist physicians and clinic managers, MACM Management developed Statements explaining our telemedicine coverage and Risk Management advice that are on the MACM website (www.macm.net).

Virtual meetings, risk management and legal advice – In light of our inability to meet in person with physicians and clinic managers, our staff

began using Zoom and other virtual means to meet with and provide services to insureds. Our Risk Managers and General Counsel have helped physicians work through many of the new and unique issues faced by them during the COVID-19 crisis.

MACM investments withstood economic upheaval – While the 2020 market downturn temporarily affected the value of MACM's investments, the stability of the Company has never been in any danger whatsoever due to the diversity of its investments and the generous amount of its surplus. In fact, the total of cash and investments of MACM now exceed that at the end of 2019. The same is true for the total surplus of the company. The 2020 market test proved that the company's investment policies developed by our Chief Financial Officer and Investment Committee are sound.

2021 premiums to stay the same – The good news is that, at the recommendation of Management, the Board of Directors has decided there will be no premium increase for 2021!

Your insurance company has been tested this year by many unforeseeable events. MACM's staff and Board of Directors responded to the challenge, and the company has survived this crisis!

Because of our close relationship with you, we know how this has affected you personally and your medical practices. We appreciate everything you have done to provide healthcare to Mississippians during this very difficult time. It is our hope that MACM has in some way made it easier for you.

Sincerely,

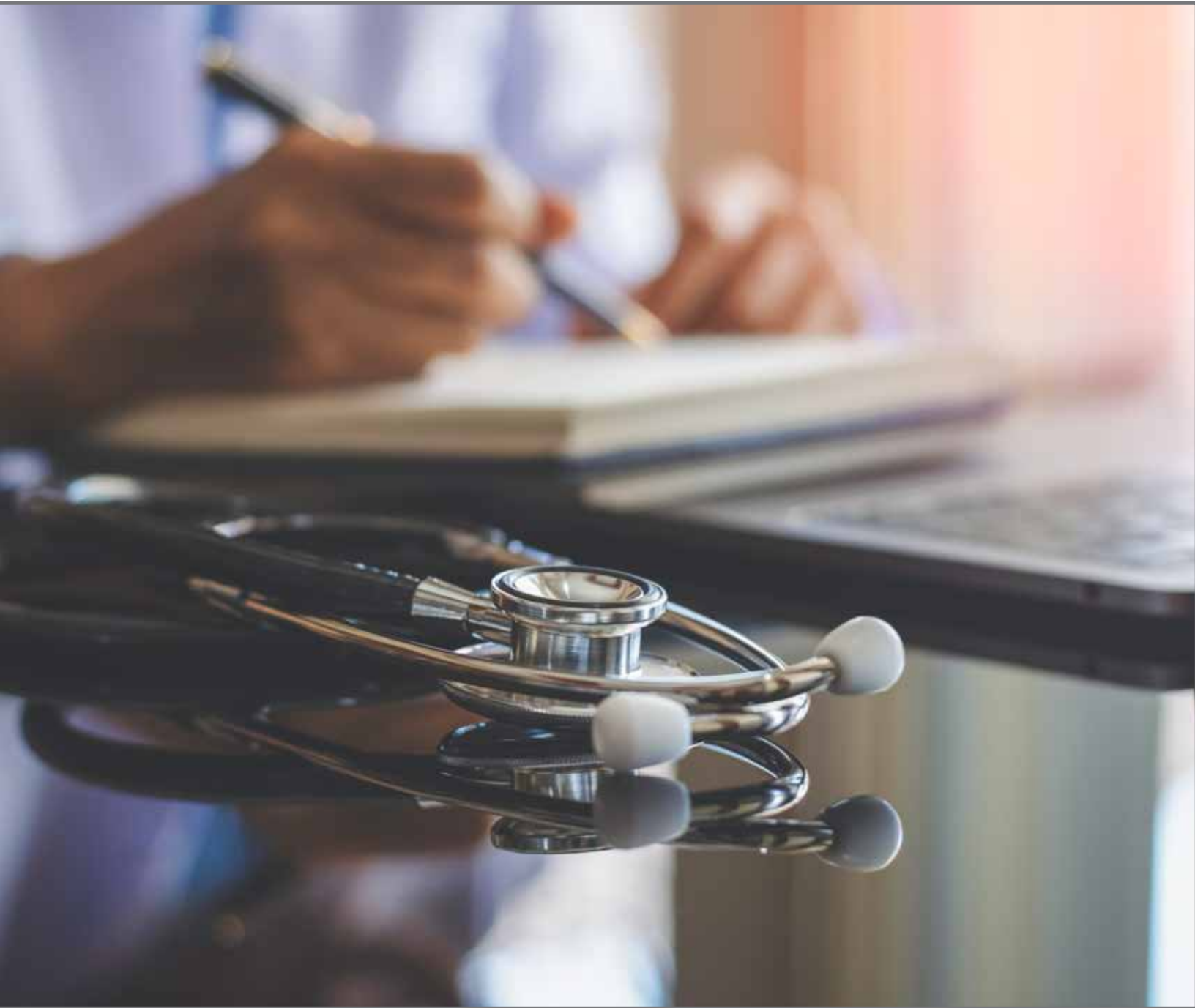


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MEDICAL INTERACTIVE

Medical Interactive is a national provider of risk management and patient safety education providing our physician insureds access to **free** online CME and MOC credits. As of August 2020, our insureds have completed 551 courses and been awarded a total of 688 CME hours. MACM obtains physician feedback through our online evaluation process to ensure quality content. Insured physician comments include; “this is a very timely article, great lecture,

enlightening presentation, very well presented, and I will incorporate this knowledge into my patient’s care.” Insureds can choose from a variety of topics such as controlled substances, diagnostic error and risk & claims. To access, visit www.macm.net and sign in to the Member Login section of the website using your email address and password on file. For further assistance, you may contact Yevgenia Wilkerson at yevgenia.wilkerson@macm.net or (601)-605-4882.

ALL RISE!

THE CIRCUIT COURT OF UMMC IS NOW IN SESSION!

For the past several years, members of the MACM staff and defense counsel from Watkins and Eager have brought the courtroom to the first-year medical students at UMMC.

Taken from the files of the MACM Claims Department, a “mock trial” is presented each year with the medical students serving as the jury. This demonstration gives the students a chance to experience a medical malpractice trial and learn risk management in a light-hearted atmosphere.

Special thanks to MACM insured David R. Norris, Jr., MD, Assistant Dean for Academic Affairs and Associate Professor for Family Medicine, for allowing MACM to present the mock trial and get MACM’s name in front of future insureds.



Through MACM Insurance Services, we can meet additional needs of our MACM clients by offering several business-oriented coverages:

- Employment Practices Liability
- Physician Regulatory Liability Insurance (*Billing Errors & Omissions*)
- Directors & Officers Liability
- Worker’s Compensation
- Physician Professional Liability
- Business Owners Policy (BOP)
- Cyber Liability Protection

From solo practitioners to hospitals, MACM Insurance Services has strategically positioned itself to help our clients manage risk.

To get a quote or discuss any of these additional coverage options, please contact the staff of MACM Insurance Services.

macm
INSURANCE SERVICES

Charity Huston
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Contact Information
Phone: (800) 325-4172

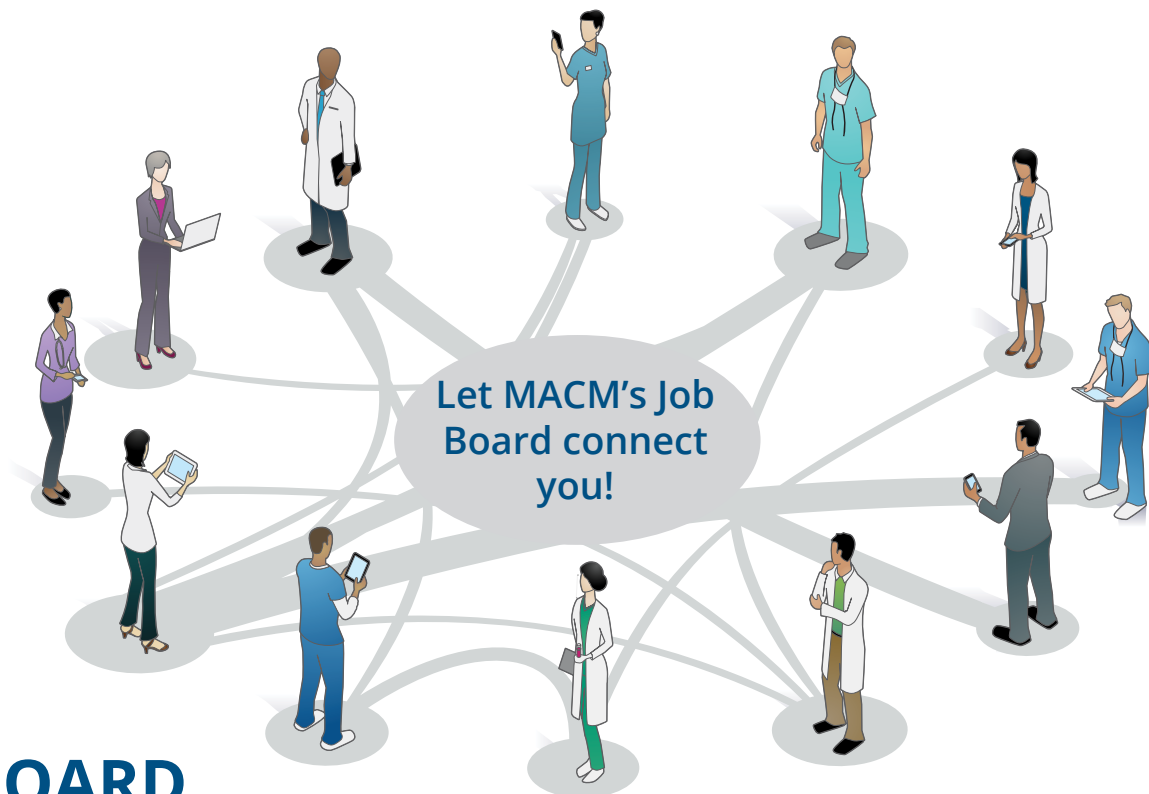
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The Monitor is a publication of Medical Assurance Company of Mississippi.



JOB BOARD

One of our goals at MACM is to keep physicians in Mississippi and insured by your Company. As part of that purpose, we now have available to you an online Physician Job Board. This is a tool for MACM insureds to post vacancies in order to connect with residents and fellows around the state. Only physician positions are eligible for posting, and only positions that are available at practices/facilities

of MACM insureds can be submitted. There is no cost to list your position, and we will promote the position to multiple residency programs. For questions about the Physician Job Board or to post a position, contact Kim Mathis in the MACM Marketing Department at kimm@macm.net or (601) 605-4882.