

2 | MPL Association Conference

 mplassociation-events.org/conference/agenda-2

Wednesday, May 11

4:00–5:00 p.m. **Welcome Reception for Award Honorees, First-time Attendees and Guests**

4:30–6:30 p.m. **Platinum Sponsor Welcome Reception**
Registration and Exhibit Area Open

Thursday, May 12

7:00–8:30 a.m. **Silver Sponsor Breakfast in Exhibit Hall**

7:00–8:30 a.m. **MPL PAC Breakfast**
(By invitation only)

8:30–9:15 a.m. **Welcome and Opening Remarks | Awards Presentations**
Brian K. Atchinson, President & CEO, Medical Professional Liability Association
James Q. Swift, DDS, Chair, Medical Professional Liability Association
Michael J. Schoppmann, Esq., Chair, 2022 Medical Professional Liability Association Conference

9:15–10:15 a.m. **Keynote**
Making Healthcare Beautiful by Design—Using the Creative Process to Achieve Better Outcomes
Bon Ku, MD, MPP, The Marta and Robert Adelson Professor of Medicine and Design Director, Health Design Lab, Thomas Jefferson University

A thought leader on the front lines of emergency medicine, Dr. Ku has seen first-hand how ambiguity and uncertainty can make answers to today's healthcare challenges very difficult to discover. Dr. Ku will explore how to apply the principles of human-centered design to real-world health challenges, including important post-COVID-19 innovations. Hear about an intensive care unit in a shipping container, a rolling cart with intubation equipment, and a mask brace that gives a surgical mask a tighter seal. Learn how design elements can be applied to benefit delivery of care, patient safety, and ultimately risk management.

10:15–10:45 a.m. **Refreshment Break in Exhibit Area**

**10:45 a.m.–
Noon**

Concurrent Session I

COVID Impact: Permanent Versus Short-term Changes

Shauna Gulley, MD, Senior Vice President & Chief Clinical Officer, Centura

Alan Lembitz, MD, Chief Medical Officer, COPIC

Elaine Ziemba, MHA, JD, Vice President and Chief Risk Officer, Stanford Medicine, The Risk Authority

Concurrent Session I

What Is the New Standard of Care?

Moderator:

Steve Dapkus, Vice President Marketing, ProAssurance Group

Panel:

Sara E. Dyson, JD, CPCU, Assistant Vice President Underwriting Operations and Risk Management, Medmarc

Jaryl L. Rencher, JD, Partner, Rencher Anjewierden

Karen S. Rheuban, MD, Professor of Pediatrics, University of Virginia Health System

COVID Impact: Permanent Versus Short-term Changes

The COVID-19 pandemic impacted all of us in different ways, but none so pronounced as healthcare workers. Technology challenges, staffing shortages, behavioral health concerns, and supply chain disruptions are top of mind, all with the underlying concern of the next wave of claims. Presenters will look back over the past two years, and forward to the next two to identify what we've learned and what permanent impacts healthcare workers and insurers may experience going forward.

What Is the New Standard of Care?

The adoption of telehealth and other technologies was already transforming medicine—and then, COVID. In this session speakers will discuss the challenges faced by both the physicians and patients. What are the implications for practitioners and patients using medical technologies in nonclinical settings or using consumer technologies in the procurement of medicine? How are we supporting physicians through this transition and how has the new normal changed expectations regarding standards and outcomes?

Noon–2:00 **Gold Sponsor Luncheon**
p.m.

2:00–3:15
p.m.

Concurrent Session II

Big Data—What’s the Impact? Where Are We in MPL?

Moderator:

Heather Riah, Senior Vice President, Chief Operating Officer, CRICO

Panel:

Manoj Kumar, Insurance Analytics Practice Leader, Genpact

Christopher P. Landrigan, MD, MPH, Chief, Division of General Pediatrics,

*William Berenberg Professor of Pediatrics, Boston Children’s Hospital;
Harvard Medical School*

*Barry Wolfeld, Managing Director, / Adjunct Lecturer, Slalom Consulting, /
Northeastern University*

Concurrent Session II

OB Claims—Better Evidence Around Causation in Poor Outcomes:

Birth Injury Teams

Moderator:

*John C. Evanko, MD, MBA, Executive Vice President & Chief Medical
Officer, MCIC Vermont, LLC*

Panel:

*Theonia K. Boyd, MD, Division Chief, Anatomic Pathology, Texas
Children’s Hospital/Baylor College of Medicine*

Carlos A. Bacino, MD, Professor, Baylor College of Medicine

*Mary D’Alton, MD, Chair, Department of Obstetrics and Gynecology,
Columbia University Irving Medical Center*

Kate L. Dzik, JD, Partner, Hall Prangle & Schoonveld, LLC

Big Data—What’s the Impact? Where Are We in MPL?

The utilization of data to advance healthcare is gaining momentum throughout the industry with billions of dollars in funding driving innovative research and technology. The MPL industry is on the same trajectory, with many carriers developing new ways to use data that impact operations, claims, underwriting, risk, and financial projections. This panel session will explore how data can be used to develop clinical risk mitigation strategies through examination of claim trends. Secondly, we will examine the medical-legal challenges of data such as bias, security, privacy, audits, and discovery and the impact on claims strategies such as settlement, damages, and arbitration. Panelists will also discuss the insurance aspects of data, such as underwriting and actuarial decision making, by using predictive analytics and third-party data to improve performance and risk selection.

OB Claims—Better Evidence Around Causation in Poor Outcomes: Birth Injury Teams

Despite tremendous progress in safe obstetrical care, newborn hypoxic brain injury remains a devastating outcome for families and providers. In this case-based session, defense counsel will provide an overview of causation defense strategies that explore genetic, infectious, metabolic, and other causes of brain injury. The session will feature medical experts who will discuss theories of injury and the evidence required to provide a causation defense, including the role of placental pathology.

3:15–3:45 **Refreshment Break in Exhibit Area**
p.m.

3:45–5:00
p.m.

Concurrent Session III
Navigating the Complex Risk and Coverage Issues of a Sexual Molestation Claim

Moderator:

Michele J. Johns, Esq., CPHRM, Executive Director, Enterprise Risk and Insurance / Finance, Cleveland Clinic

Panel:

Sara Brundage, JD, Honigman Miller

Jeffrey Coyle, JD, Vice President, US Healthcare Claims, Sompo International

Angela R. Standish, JD, Senior Counsel, Clark Hill, PLC

Concurrent Session III
Security/Cyber: The Insurer and Insured Perspectives

Moderator:

Janel Loud-Mahany, AINS, AIS, Senior Vice President of Policy Services, COPIC

Panel:

Jacob Ingerslev, Senior Vice President, Cyber & Tech, Tokio Marine HCC

Gregory Stein, JD, FIP, Senior Counsel, Information Technology and Intellectual Property, Cleveland Clinic

Christopher J. Willis, President, Wholesale Brokerage Insurance, LLC

Navigating the Complex Risk and Coverage Issues of a Sexual Molestation Claim

Healthcare organizations engaged in insurance and reinsurance renewals are facing significant exclusions and limitations on coverage for sexual molestation liability (“SML”). Claims alleging SML are often high profile, high value, complex, carry significant brand and reputational risks, and involve multiple parties evaluating, managing, and controlling the loss. With the participation of excess carriers and reinsurers comes a variety of potential coverage issues and complex relationships between the insured, captive, excess- and reinsurer. This program explores the role and perspectives of a healthcare risk manager, coverage counsel, and reinsurer representative using hypothetical scenarios to discuss a variety of topics, such as the indemnity nature of policies, notice issues (both technical and practical), coverage decisions including reservation of rights and denials, other insurance issues, batch claims, exclusions, and consent to settle.

Security/Cyber: The Insurer and Insured Perspectives

In this world of “it’s not a matter of IF there will be a cyber breach, it’s a matter of when,” insurers have been adding cyber coverage to their policies as an added benefit to insureds. This session will identify current trends in cyber-related concerns and what insurance leaders can apply now to attenuate risks such as: How to increase protection; ransomware concerns; patient safety contingency plans in situations where the institution is locked down; and increased information delivered over non-secure areas (where does medical liability link with product liability?). The experts will explore these issues and discuss strategies to minimize risk.

5:00–6:30 **Platinum Sponsor Reception**
p.m.

Friday, May 13

7:00–9:00 **Silver Sponsor Breakfast in Exhibit Area**
a.m.

8:00–9:00 **Annual Meeting of Members**
a.m. *Brian K. Atchinson, President & CEO, Medical Professional Liability Association*
 James Q. Swift, DDS, Chair, Medical Professional Liability Association

9:00–10:15
a.m.

General Session

Financial Update: A New Normal?

James D. Hurley, ACAS, MAAA, Consulting Actuary, Willis Towers Watson

Underwriting results for the medical professional line of business continue to be challenged. For those just becoming accustomed to modest calendar year underwriting losses of the recent 2016 through 2018 years, the 2019 and 2020 years reflect further increases in the underwriting loss suggesting that is not where it ends. This unpleasant movement in the underwriting results is accompanied by lower total investment income given steady, to date, pressure on income from fixed income assets which is only partially offset by gains on equity holdings, particularly given their year to year volatility.

In the midst of all this, the pandemic adds to the uncertainty, as it has in many areas, of medical professional liability exposure and financial markets. Many have commented on these circumstances and some refer to actions taken to improve results while others express concerns about reasons things may deteriorate. So, how will 2021 fit into the evolving story of financial results? Will it be more of the same or provide signals of change? In this session, the recent history will be reviewed and provide perspective for discussion of 2021 financial results, including some actual and potential responses to the current circumstances.

10:15–10:45
a.m.

Refreshment Break in Exhibit Area

+

General Session

AI Algorithms for Healthcare Delivery

Moderator:

Graham T. Billingham, MD, FACEP, FAAEM, Chief Medical Officer, MedPro Group

Panel:

Noor Ahmad, MD Director, Quality Patient & Safety- Radiology, Columbia University Irving Medical Center

Matthew P. Keris, JD, Shareholder & Chair, EMR and Audit Trail Practice Group, Marshall Dennehey

AI Algorithms for Healthcare Delivery

Artificial Intelligence (AI) is having a profound impact on healthcare, affecting all aspects of the delivery platform including medical decision-making, diagnosis, data monitoring and capture, electronic health records, medication dispensing, and technical procedural interface such as the “Blackbox OR.” All specialties will be impacted with the current focus on diagnostic errors in pathology, dermatology, and radiology as well as surgical performance in the operating room. While this advance in technology will bring many benefits from cost savings to data analysis to potential risk reduction, this panel session will focus on the clinical, legal, and ethical challenges presented with AI. Medical issues such as bias, patient selection, data security, expectations, and complications will be examined. Panelists will explore legal issues including the standard of care, informed consent, defense strategies, indemnification clauses, and proprietary algorithms. In addition, panelists will consider both the moral and the ethical issues that affect both patient outcomes and safety.

**Noon–1:30
p.m.**

Gold Sponsor Luncheon Reflections in the Ice

Derek Parra, Gold Medal Olympic Champion, Long-track speed skating

From the Mexican barrio in southern California, Derek Parra struggled to become the first Latino ever to bring home Winter Olympic gold. What does it take to go from a young Mexican American boy to one of the most decorated roller-skating athletes in history to ultimately become an Olympic Champion and World Record holder in the sport of long track speed skating? Through Derek’s inspiring presentation he will share his recipe for success, strategies, and incredible work ethic he mastered on his path to Olympic victory.