



CYBERGUARD PLUS

Connecting practices to **EMERGING TRENDS.**

In an ever-evolving healthcare environment, we stay on top of the latest risks, regulations, and advancements. From digital health innovations to new models of care and everything in between, we keep you covered. And it's more than a trend. It's our vision for delivering malpractice insurance without the mal.

Protect your practice with higher limits. Contact your local agent or call The Doctors Company Risk Retention Group directly at 800.748.0465, ext. 5516

PROTECT YOUR MEDICAL PRACTICE WITH HIGHER LIMITS FOR CYBER AND REGULATORY LIABILITY COVERAGE.

Don't leave your practice exposed to costly cyber actions and regulatory threats. CyberGuard® PLUS from The Doctors Company Risk Retention Group allows you to increase the limits already included in our medical liability policy for more protection.

CyberGuard PLUS protects you from the fastest-growing threats to your practice—and increases your limits by one million dollars.

CYBER LIABILITY RISKS COVERED

- ▶ Information security and privacy liability.
- ▶ Privacy breach response services.
- ▶ Regulatory defense and penalties.
- ▶ Website media content liability.
- ▶ Cyber extortion (e.g., ransomware).
- ▶ First party data protection.
- ▶ First party network business interruption.
- ▶ Notification services.

REGULATORY RISKS COVERED

- ▶ Defense of medical board action/disciplinary action.
- ▶ HIPAA/EMTALA action.
- ▶ Allegations of Medicare/Medicaid fraud and abuse.
- ▶ Regulatory fines and penalties.
- ▶ Shadow audit expenses.
- ▶ Qui tam (whistle-blower).
- ▶ Government or commercial billing errors proceeding.
- ▶ Stark proceeding.

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The Doctors Company's medical liability insurance includes coverage for cyber and regulatory risk. All policy provisions are subject to regulatory and underwriting approval and may vary by state. Limits are per incident with an annual limit per policy period. You should consult your representative regarding specifics for group aggregates, retention, notification services, and coverage clarifications.



+125%

increase in criminal attacks on healthcare information systems between 2010 to 2015.*



88%

of ransomware attacks target healthcare organizations.†



112M

medical records were stolen in 2015.‡

DATA BREACH RISKS: CASE EXAMPLES

Surgeon posts patient IDs, penalties could total \$4.5 million.

A plastic surgeon posted before and after photos of several patients on her website. The website's code was written incorrectly, accidentally exposing the patients' personal information. Legal settlements per patient have exceeded \$150,000. With 15 claims filed and 15 more expected, costs could total more than \$4.5 million.

Price tag for stolen laptop and phone: \$150,000.

An employee of a county health center had his laptop and mobile phone stolen from his car. The devices were not password protected, and both contained personal health information of the center's patients. The total costs for this HIPAA violation could exceed \$150,000.

REGULATORY RISKS: CASE EXAMPLE

Physician exonerated, still pays \$82,000 in expenses.

After the Department of Health Care Services (DHCS) and a medical board investigator evaluated care at a physician's office, the DHCS notified the physician that Medi-Cal was withholding payments and suspending the physician's Medi-Cal National Provider Identifier number. The physician retained defense counsel, and a separate evaluation of the case determined that all services had been medically appropriate. Two years later, after all materials were presented and interviews were conducted, the DHCS withdrew their suspension, and the physician was reinstated. However, the physician incurred legal costs of more than \$82,000.

CYBERSECURITY RESOURCE CENTER

For tools to help reduce your risk of ransomware and other cyberattacks, visit our [Cybersecurity Resource Center at thedoctors.com/cybersecurity](http://thedoctors.com/cybersecurity).

WE'RE TAKING THE MAL OUT OF MALPRACTICE INSURANCE

As the nation's largest physician-owned medical malpractice insurer, we know what keeps you up at night—from the complexities of a changing healthcare environment to the ever-present threat of litigation. We are devoted to supporting the medical profession and partnering with those who provide care. That's malpractice insurance without the mal.

*Source: Ponemon Institute, 2015

†Source: Techopedia, March 8, 2017, "The Growing Cybersecurity War on the Health Care Industry."

‡Source: Forbes, December 31, 2015, "Data Breaches In Healthcare Totaled Over 112 Million Records In 2015."