

HEALTHCARE Risk Management Bulletin

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Private Settlements- What You Need to Know

A private settlement is a resolution between you and the patient without involving Insurers/ Indemnity Provider.

What do you do when you have been approached with a complaint and demand for compensation?


In an attempt to resolve the matter timely on their own, some doctors find it more convenient to enter into private settlements with patients.

However, entering into or attempting to enter into a private settlement **is in breach** of the terms of your MEDEFEND Policy as per below clause.

Clause 5.4 (e)

It is the duty of the Insured:

not, without the consent of the Insurer, to **admit or assume any liability** for, **offer to settle or settle**, any Claim or Medical Data Protection Claim, **or incur any costs or expenses, including Defense Expenses** and Public Relations and Counselling Costs, in respect of a claim or Medical Data Protection Claim;



- **Admit / Assume Liability**
- **Settle / Offer to Settle**
- **Hire your own lawyer or PR specialist**

About Marsh

[Marsh](#) is the world's leading insurance broker and risk advisor. With around 40,000 colleagues operating in more than 130 countries, Marsh serves commercial and individual clients with data-driven risk solutions and advisory services. Marsh is a business of [Marsh McLennan](#) (NYSE: MMC), the world's leading professional services firm in the areas of risk, strategy and people. Marsh was established in Malaysia in 1982 as a joint venture between Marsh Inc. and Zulayang Sdn Bhd, with over 220 colleagues operating in Malaysia currently.

About Marsh Takaful

Marsh Takaful Brokers (Malaysia) Sdn Bhd is a Specialist Takaful Approved Broker in Malaysia with an international network of operations. Marsh Takaful Brokers is committed to creating and delivering risk and takaful solutions and services that contribute to the success of clients. Regulated by Bank Negara Malaysia, Marsh is the first international broker to establish a takaful operation, based on the spirit of brotherhood, solidarity, and mutual assistance.

What Should You Do?

Inform us, your brokers, Marsh. The complaint & demand for compensation will be assessed by your Insurers/Takaful Operator, with the advice of a Panel Solicitor, to determine if the matter is suitable for early resolution.

PROTECT YOURSELF: LEAVE IT TO THE EXPERTS

A message from
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