

# Irish Association of Cardiac Rehabilitation

Annual Scientific Meeting  
October 20<sup>th</sup> 2007

# Risk Management, Indemnity & Liability

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# Risk Management Indemnity & Liability

- Hazard

*The potential for anything to cause harm*

- Risk

*The likelihood of the harm actually occurring and it's associated severity*

# Risk Management Indemnity & Liability

- Hazard Identification

*What can cause harm?*

- Risk Assessment

*Who or what can be harmed and to what degree?*

- Evaluation

*Consider adequacy of controls*

# Risk Management Indemnity & Liability

- Controls

*Risk avoidance/elimination (unacceptable risks)*

*Risk Transfer*

*Risk Acceptance & Controls*

# Risk Management Indemnity & Liability Risk Avoidance/Transfer Options

- Sub-Contract to external provider

- Professional Liability Insurance

*Generally covers claims arising from advice/direction given solely in the context of a professional capacity.*

*Legal, Medical, Finance.*

- Public Liability Insurance

*Generally covers claims for accidental injury/damage arising in connection with the business other than for advise/direction etc.*

# Risk Management Indemnity & Liability

- Phase 4 Programs

*Well controlled Environment – Hospital Facilities*

*Less controlled Environments – External Facilities  
such as Gyms, Community Centres, Hotels*

# Risk Management Indemnity & Liability

## Dying to be Fit?

- Douglas Adams – Author of Hitchhikers Guide to the Galaxy – died aged 49 working out in a gym
- UK half marathon – a 26 year old “super fit” athlete, died 10 steps after finishing
- 4 young GAA players in September 07 died while exercising. (8 young people per week in the UK)

# Risk Management Indemnity & Liability Phase 4 Programs

- Less Controlled Environments
  - *Gyms/Fitness Clubs – Lowest Risk*  
*Qualified Supervision & State of the Art Equipment*
  - *Community Facilities etc – Medium Risk*  
*Limited or no Supervision & Limited Equipment*
  - *Hotels – Highest Risk*  
*Limited or no Supervision & State of the Art Equipment*

# Risk Management Indemnity & Liability Phase 4 Programs

## Gyms – What's in the price?

- Relatively Expensive
- Formal Contract/Medical Q/Disclaimer
- Supervised & Specifically Designed Environment
- Strong Legal Remedies

# Risk Management Indemnity & Liability Phase 4 Programs

## Community Facilities – What's in the price?

- Limited or no Expense
- Generally Informal Arrangements/Agreements
- Less Supervised Environment
- Medium Legal Remedies

# Risk Management Indemnity & Liability Phase 4 Programs

## Hotel Facilities – What's in the price?

- Generally free other than Treatments
- Informal "Arrangements"
- Limited or Unsupervised Environment
- Weak Legal Remedies
  - Legal merry-go-round
  - Who runs the facility?
  - Will their policy of insurance operate – Reasonable Care Condition/Activities outside normal business
  - Visitor/Patient should have known better

# Risk Management Indemnity & Liability Phase 4 Programs

- Considerations for you:
  - What suits the patient best
    - Age/Pre-Existing health/Pre-Existing Activity/What's available?
  - Facility Selection – First Aid provision (CPR & AED)
  - Close or one-to one supervision (Warm up and Cool Down included)
  - Set clear written protocols for exercise regime including standards/supervision

# Risk Management Indemnity & Liability Phase 4 Programs

- Considerations for the patient:
- **Consult your Doctor!**

# Risk Management Indemnity & Liability

*Thank You!*

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