

When and Why Should I Report a Claim or Subpoena?

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Your duty as an insured is to report a subpoena, claim or potential claim as soon as it comes to your attention. This is in your best interest to avoid professional liability risks and take advantage of the resources available to you such as attorneys who specialize in mental health malpractice risk and claim navigation.

For example, the following situation outlines a privacy risk we often come across: A minor client has sole parent custody. The other parent, who does not have custody, requests records. What if the custodial parent was a part of the sessions? Would sharing those records compromise the custodial parent's privacy?

This is why you have professional liability insurance. CPH Insurance is your professional resource to help you navigate through these higher risk situations. Some policy benefits to leverage under those circumstances are as follows:

- **Subpoena Notification:** This is an electronic form within your customer portal you need to fill out immediately upon being served a subpoena. It takes 2 to 3 business days to process resulting in the assignment of a claims adjuster to allocate legal defense resources, as needed, or simply help you navigate next steps with the intent to lessen the risk for that concern / claim to grow.
- **Initial Incident Report:** This is an electronic form within your customer portal you need to fill out if you receive any formal documented claim or suit being brought against you. This also takes 2 to 3 business days to process resulting in the assignment of a claims adjuster to allocate legal defense resources, as needed, or simply help you navigate next steps with the intent to lessen the risk for that concern / claim to grow.
- **Attorney Helpline:** This is a resource designed to be leveraged under the circumstances where you have not received a subpoena, deposition or any formal documented complaint expressing concern for your level of care but have indications that something of that matter could surface due to your higher risk client situation. This resource is specifically designed for malpractice consults and excludes medical billing or employment practice (issues with your agency) liabilities, as those liabilities are exclusions to this policy and our attorneys on staff are not specialized in that matter. To leverage this resource, you need to call CPH Insurance and present dates and times you're available for a one-on-one attorney phone consult. You're allocated up to 2 hours per policy year and these consults generally last about 15 minutes.

Ultimately, CPH Insurance wants to express the importance of leveraging the benefits you have with your professional liability insurance so we can best serve your career needs. If you have any inklings of professional liability claim risks OR if you get served a subpoena: report it to CPH Insurance ASAP. Your premiums will not increase upon renewal because of it and it will only serve in your favor by defending yourself and your career.