

MedCo Registration Solutions

Leigh Evans - Head of Operations

April 2019

3 key topics

1. The MedCo system

- What is MedCo?
- How does MedCo work?
- How is MedCo managed?

2. The Education and Training Committee and Expert Audit and Peer Review Committee

- Medical Expert Accreditation
- Quality Assessment
- Challenges / Benefits

3. Future Reforms

What is MedCo?



- MedCo is the system used in the UK by claimant representatives to source the first fixed cost medical report in soft tissue injury claims under the Ministry of Justice Pre Action Protocol for Low Value Road Traffic Accident claims.
- Introduced in April 2015 as part of reforms to tackle the increase in claims for compensation and the significant impact it was having on the motor insurance premiums paid by individuals, families and businesses.
- <https://consult.justice.gov.uk/digital-communications/reducing-number-cost-whiplash/results/whiplash-response.pdf>
- MedCo's Mission

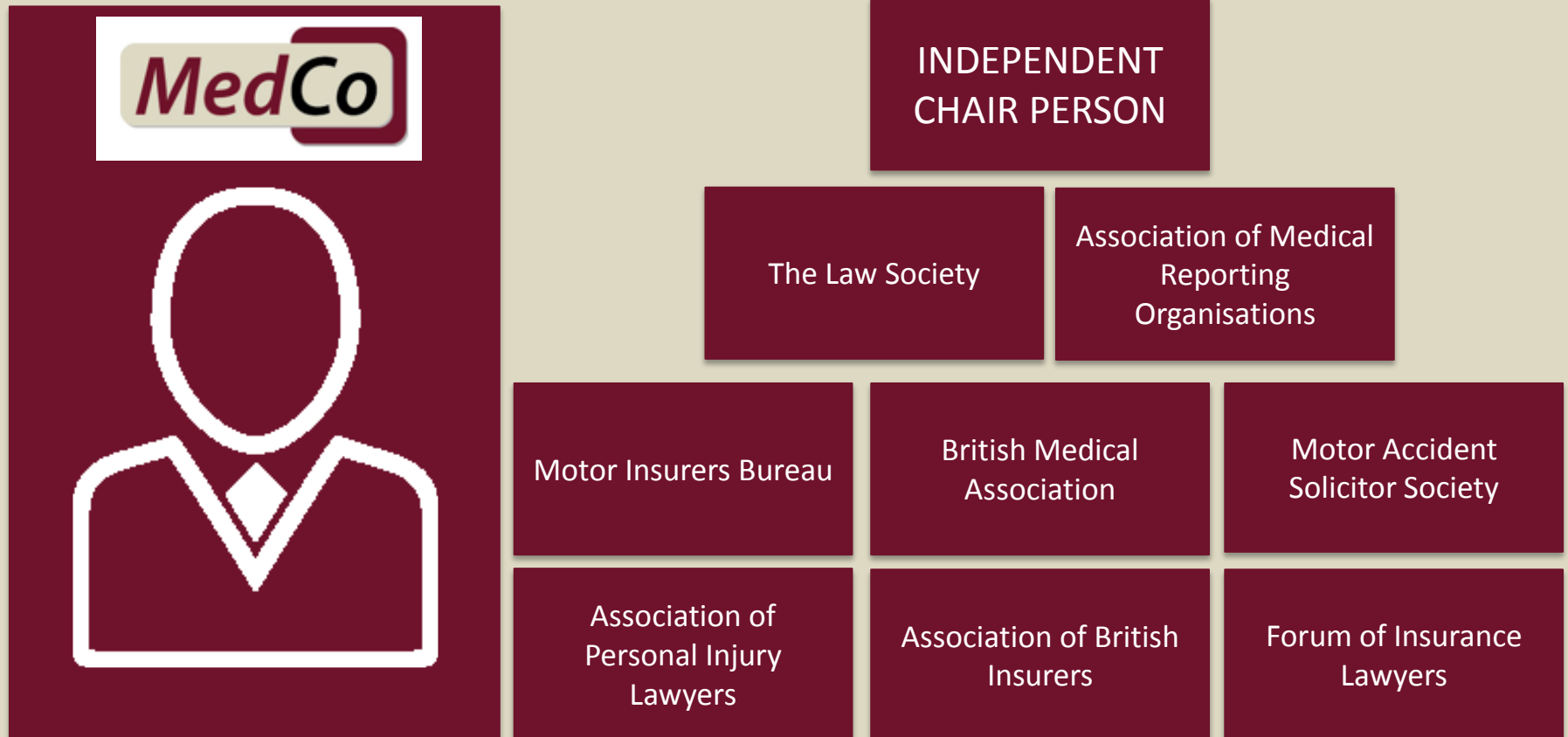
*'To govern and facilitate the sourcing of medical reports in soft tissue injury claims brought under the MoJ's Pre-Action Protocol for Low Value Personal Injury Claims in Road Traffic Accidents, **providing fit for purpose quality medical reports and accreditation of medical experts**'*

How does MedCo work?



- All commissioners and providers of the first fixed cost medical report in soft tissue injury claims must register with MedCo.
- All must declare any financial links they have with each other
- Claimant representative carries out a search for an medical expert or Medical Reporting Organisation (MRO) and are returned an offer
- The offer, set by the Ministry of justice, excludes any medical expert or MRO with whom they have a declared financial link
- The selected medical expert or MRO then arranges a medical examination with the claimant and produces the medical report outside of the MedCo system
- On completion of a medical report, the Medical Expert or MROs **must upload anonymised case data**
- Medical experts must be independent – cannot have been involved in the provision of treatment

How is MedCo managed?



MedCo Organisation Chart



MedCo has 5 sub committees. Each is made up of the following;

- Chair (who is a director of the MedCo Board)
- Minimum of one representative from each of the 3 member groups (Insurer, Medical and Claimant Solicitor)

Education and Training Committee



The objective of the Education and Training Sub Committee is to ensure the accreditation framework is maintained and accredited suppliers are compliant with the framework and to either address any issues and/or make recommendations to the MedCo Board to decide the next course of action.

MedCo Accreditation Framework

Part 1 – Initial Online Accreditation

Part 2 – Continuous Professional Development

Part 1 – Initial Online Accreditation

- To complete the initial **MedCo online accreditation** each medical expert must register and complete 9 Modules; (Approx. 35 Hours)

Module 1 – Introduction to Whiplash Associated Disorder

Module 2 – Occupant Kinematics

Module 3 – Assessment and Investigations

Module 4 – Symptoms of WAD / Effects on ADL

Module 5 – Treatment

Module 6 – WAD recovery and prognostic factors

Module 7 – Chronic Pain

Module 8 – Law and Procedure

Module 9 – Good medical practice and Medical Experts

- Each module has text and videos and has a stand alone assessment which experts must pass.

Part 2 - Continuous Professional Development

- All medical experts need to complete continuous professional development (CPD) training on an annual basis to maintain accreditation. This is a new requirement introduced from **1 June 2019** to supplement the existing initial accreditation training.
- The CPD academic year will run from 1 June to 31 May each year.
- Failure to complete the required CPD hours in any academic year will result in suspension.
- Suspension will only be lifted on completion of the CPD shortfall from the previous year. Shortfall CPD hours will not count towards the current year CPD requirement.
- Failure to complete a CPD shortfall within 12 months of the end of the academic year of the shortfall will result in withdrawal from the MedCo system.

Expert Audit and Peer Review Committee



The purpose and role of the Expert Audit and Peer Review Sub-Committee (EAPR) is to be responsible for monitoring expert behaviour and ensuring the industry receives quality medical reports. Supported by a Medical Advisory Board.

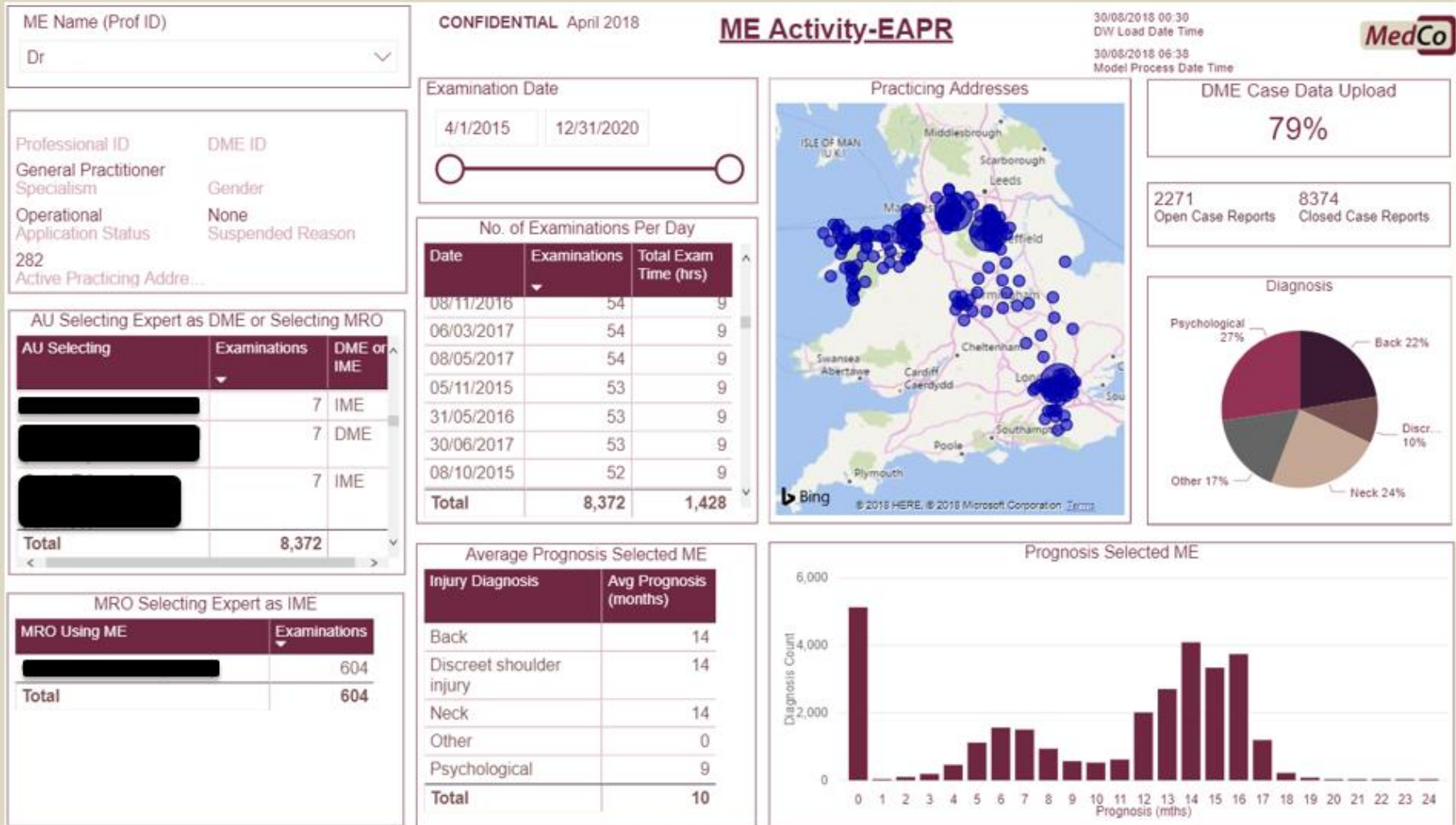
EAPR has a core function in MedCo

- Improve expert “accountability” and discourage inappropriate behaviours
- Ensuring reports themselves are “fit for purpose”

The Committee meet monthly to review:

- Referrals and complaints from MedCo Users including Insurers, Claimant Lawyers, and Defendant Lawyers
- Issues identified by relevant regulator (GMC, HCPC) and
- Case Data Reviews

Expert Audit and Peer Review Committee



Medical Advisory Board (MAB)



- The MAB is made up of 5 experts; 3 GPs, 1 Physiotherapist and 1 Orthopedic Consultant.
- The purpose and role of the Medical Advisory Board (MAB) is to moderate and observe the quality of medical reporting and the processes within; providing support to the EAPR Sub Committee at their request on issues related to medical reports.
- The Medical Advisory Board for MedCo will carry out peer review of medical reports and make recommendations to the EAPR for the Committee to decide the next course of action.
- The MAB review process will be based on medical opinion, taking into account a selection of reports, circumstances, the individual and the quality of the report.

Medical Experts

- Removed a number of experts for failing to produce fit for purpose reports
- Setting standards regarding the suitability of examination rooms
- Challenging numbers of “examinations” in a day / time spent with claimant
- Improving knowledge of the Civil Procedure Rules
- Improving the knowledge of MedCo rules and agreement – uploading case data
- Investigating quality of reports and the use of pre populate questionnaires / software to produce reports
- Designing and implementing a medical expert audit process based on new Rules

Future Reforms

Civil Liability Act 2018(Part 1 - Low value soft tissue injuries in RTA claims)

“..... claims for whiplash injuries, where the duration of the injury (or injuries) does not exceed two years. It provides a definition of a "whiplash injury", which may be amended by regulations, and subjects damages for pain, suffering and loss of amenity arising from such injuries to a tariff. It also requires medical evidence to be obtained before a whiplash injury claim may be settled”

Small Claims (Civil Procedure Rules)

- Limit to be increased from £1000 to £5000 - RTA claims only
- Only relevant disbursements recoverable e.g. medical report fees
- No costs for legal representatives

Impact

- Increase in the number of litigants in person

Draft Whiplash Injury Regulations 201X



Tariff *

<u>Duration of injury</u>	<u>Amount</u>
Not more than 3 months	£225
More than 3 months, but not more than 6 months	£450
More than 6 months, but not more than 9 months	£765
More than 9 months, but not more than 12 months	£1,190
More than 12 months, but not more than 15 months	£1,820
More than 15 months, but not more than 19 months	£2,660
More than 19 months, but not more than 24 months	£3,725

* these are draft regulations, yet to approved.

Summary

- MedCo is working
- Continuing to challenge and develop quality standards in medical reporting
- It is being included in the future reforms
- **Challenge – April 2020 - Litigants in person**
- www.medco.org.uk - new website June 2019.