



ANZMOSS

Results of Medicolegal Survey

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Upper GI and Bariatric Surgeon

Albury NSW

Table 1

Medical indemnity insurance survey

- 1. Which state in Australia do you predominantly work from?**
- 2. Estimated number of bariatric procedures performed in your career?**
 - 1 - 100
 - 101 - 250
 - 251 - 500
 - 501 - 1000
 - 1001 – 1500
 - Other (please specify)
- 3. What best describes the way you perform bariatric surgery?**
 - Solo practitioner
 - Specialty group of surgeons
 - Solo surgeon with multidisciplinary clinic
 - Specialty group of surgeons and multidisciplinary
 - Academic/public hospital
- 4. Do you work primarily in a regional area?**
- 5. Do self funded patients account for more than 50% of your bariatric workload?**
- 6. How much did you pay for financial year 2022/23 in indemnity insurance?**
- 7. How much did you pay for financial year 2023/24 in indemnity insurance?**
- 8. Do you currently have a bariatric related claim against you?**
- 9. How many bariatric related claims have you had against you in your career?**
- 10. How many of these claims have you settled out of court?**
- 11. How many claims have been dropped without finding you at fault?**
- 12. Have cases against you gone to trial?**
- 13. How many times has a court found for the plaintiff in a case where professional negligence has been alleged against you?**
- 14. How many times has a court found in your favour where professional negligence has been alleged against you?**
- 15. Has your current insurer forced you to change how you deliver bariatric care?**
- 16. Have you been a defendant in a claim where the expert on the standard of care was not a currently practising bariatric surgeon?**
- 17. Are you aware of the Premium Support Scheme to assist with the costs of indemnity insurance?**
- 18. If the PSS kicks in when your indemnity insurance is more than 7.5% of your gross private medical income would you qualify?**
- 19. Are you considering ceasing bariatric surgery due to the financial burden of indemnity insurance?**
- 20. Have you already ceased performing bariatric surgery due to the cost of indemnity insurance?**

Survey

115/222 response rate (52%)

The mean annual cost for indemnity insurance in 2022/23 was \$51748 ± \$34687 (range \$4000 - \$230000)

The mean annual cost for indemnity insurance in 2023/24 was \$69933 ± \$60181 (range \$5500 - \$500000)

Annual increase of 35%

Survey

24/115 (21%) current
bariatric related
claim

47/115 (41%) had at
least one bariatric
claim in your career
(range 1 – 20)

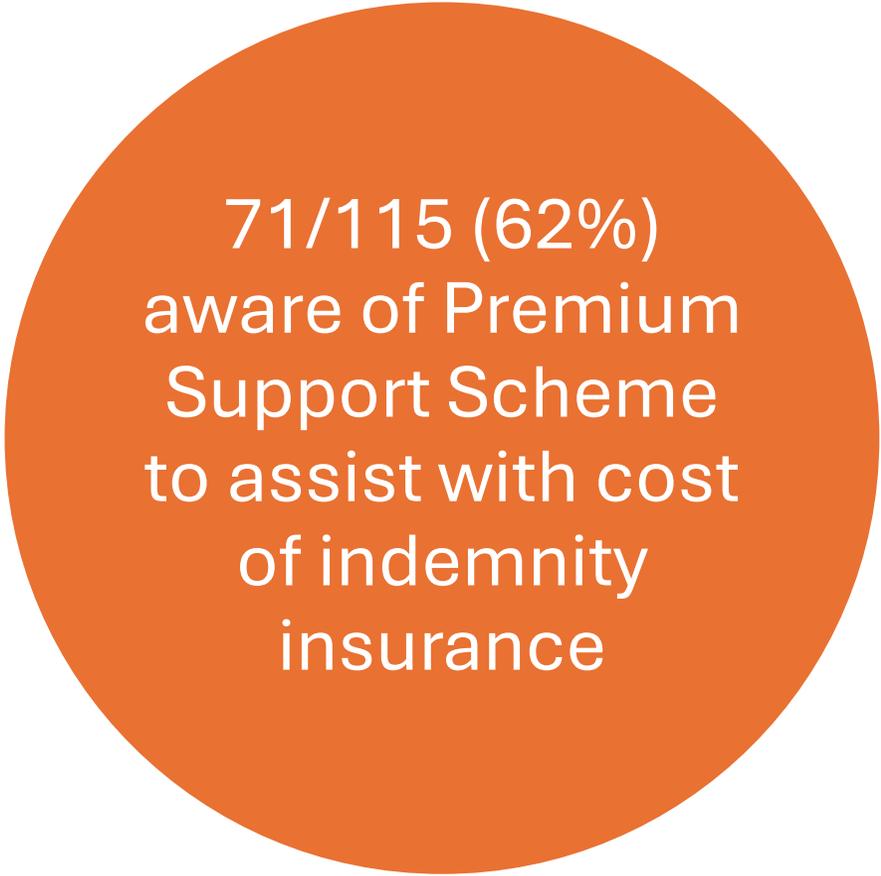
11/115 (10%) current
insurer forced you to
change how you
deliver bariatric care



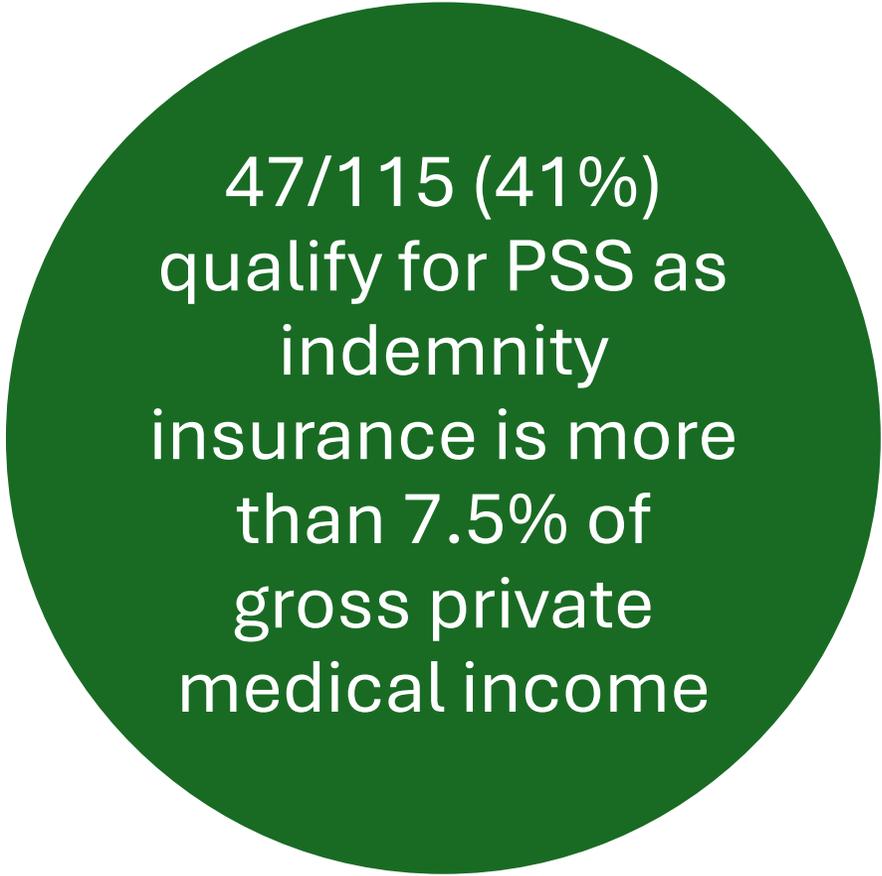
Survey

- 3/142 (2%) Claims that have gone to trial
- 0/142 Number of times a court has found for the plaintiff in a case where professional negligence has been alleged against the surgeon

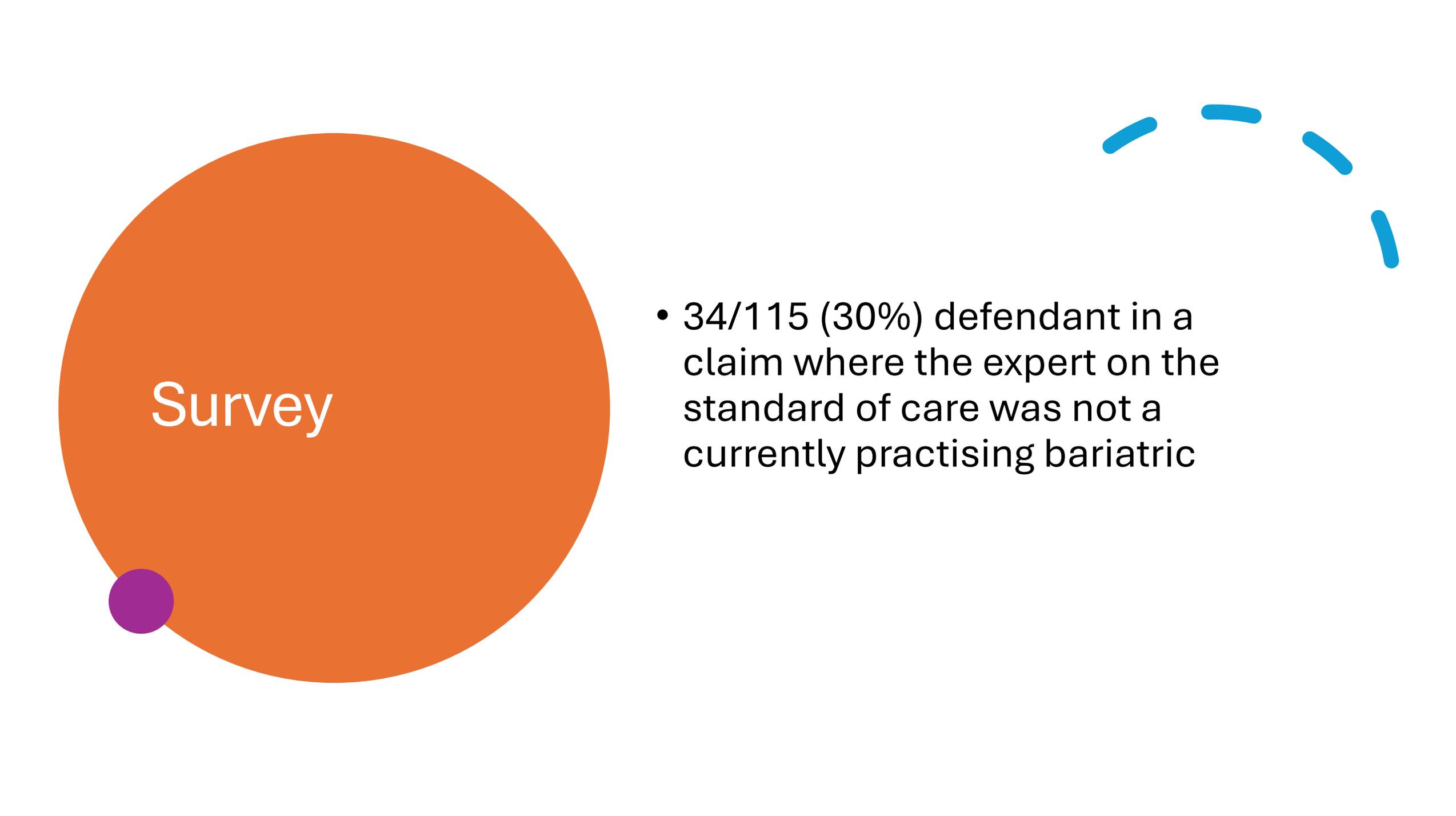
Survey



71/115 (62%)
aware of Premium
Support Scheme
to assist with cost
of indemnity
insurance



47/115 (41%)
qualify for PSS as
indemnity
insurance is more
than 7.5% of
gross private
medical income



Survey

- 34/115 (30%) defendant in a claim where the expert on the standard of care was not a currently practising bariatric

Based on number of claims

Claims	n	Mean PII 22/23	Mean PII 23/24	% change
0	68 (59%)	\$37917 ± \$18261	\$49012 ± \$21019	↑29%
1 - 3	35 (30%)	\$66405 ± \$41084	\$82808 ± \$83525	↑25%
4 - 20	12 (10%)	\$87375 ± \$45608	\$116167 ± \$79287	↑33%

Total volume of cases

		n	Mean PII 22/23	Mean PII 23/24	change
Total volume cases	1-100	20 (17%)	\$29869 ± \$16562	\$42783 ± \$21156	↑43%
	101-250	22 (19%)	\$44386 ± \$19609	\$54955 ± \$26336	↑24%
	251-500	24 (21%)	\$43231 ± \$26872	\$55195 ± \$31956	↑28%
	501-1000	13 (11%)	\$69009 ± \$44701	\$97795 ± \$79744	↑42%
	1001-1500	11 (10%)	\$50464 ± \$21639	\$64938 ± \$21558	↑29%
	>1500	27 (23%)	\$72236 ± \$45144	\$102604 ± \$92402	↑42%

Differences across states

State	n	Mean PII 22/23	Mean PII 23/24	change
New South Wales	27 (23%)	\$54844 ± \$24220	\$72165 ± \$40907	↑32%
Victoria	34 (30%)	\$49574 ± \$41744	\$77152 ± \$86851	↑56%
Queensland	29 (25%)	\$55488 ± \$33732	\$70940 ± \$52928	↑28%
Western Australia	11 (7%)	\$62085 ± \$48192	\$68295 ± \$45513	↑10%
South Australia	12 (10%)	\$31553 ± \$16521	\$39429 ± \$14325	↑25%

Practice type

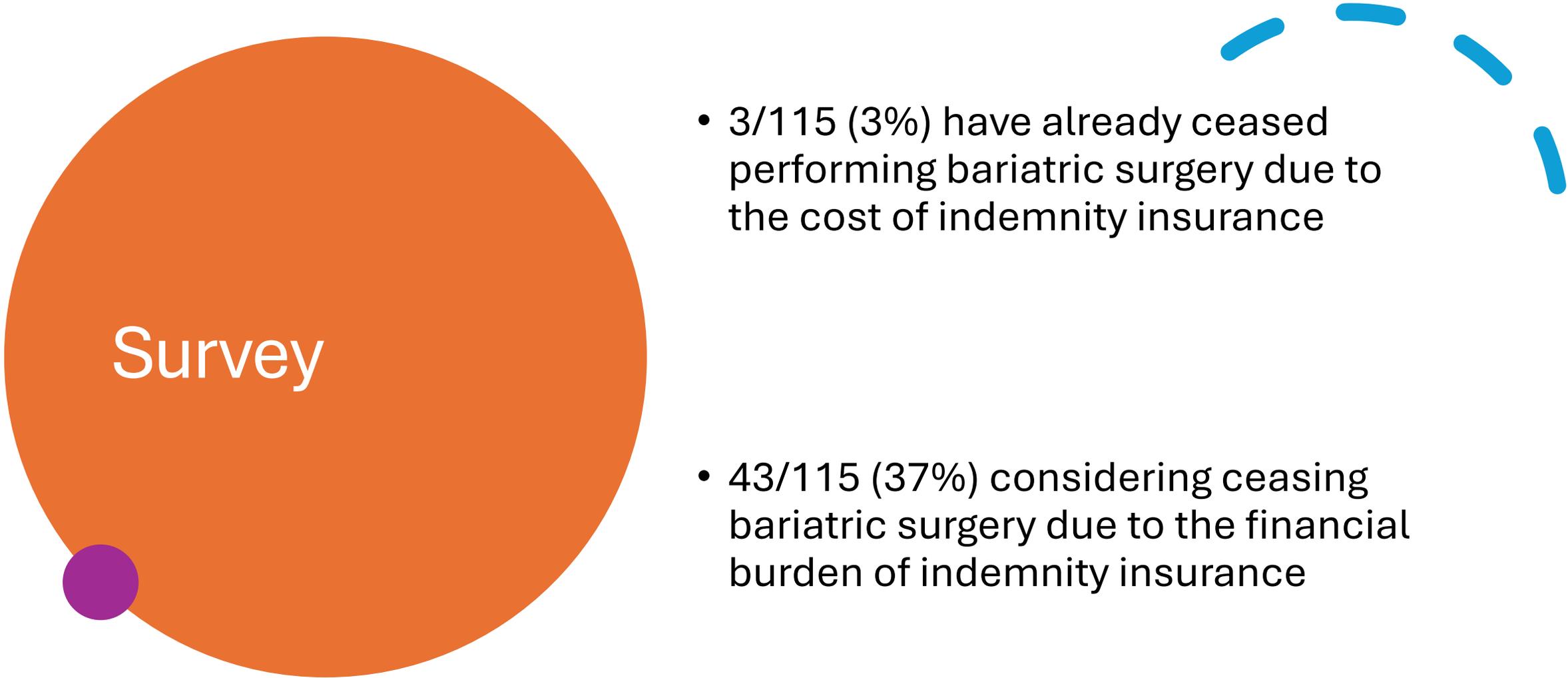
		n	Mean PII 22/23	Mean PII 23/24	change
Practice type	Solo practitioner	34 (30%)	\$54851 ± \$40430	\$77719 ± \$85101	↑42%
	Specialty group surgeons	6 (5%)	\$33586 ± \$11700	\$41206 ± \$14492	↑23%
	Solo surgeon with MDT	36 (31%)	\$57914 ± \$30467	\$78217 ± \$54307	↑35%
	Specialty group surgeons and MDT	40 (35%)	\$45980 ± \$35045	\$59706 ± \$40369	↑30%
	Academic/public hospital	16 (14%)	\$33427 ± \$25130	\$39074 ± \$27921	↑17%

Rural

		n	Mean PII 22/23	Mean PII 23/24	change
Rural	no	74 (64%)	\$48270 ± \$32586	\$63290 ± \$44724	↑29%
	yes	41 (36%)	\$56854 ± \$38569	\$81922 ± \$80266	↑44%

Self funded

>50% self funded		n	Mean PII 22/23	Mean PII 23/24	change
	no	71 (62%)	\$48270 ± \$30546	\$57698 ± \$30569	↑20%
	yes	44 (36%)	\$57360 ± \$40580	\$89676 ± \$86224	↑56%



Survey

- 3/115 (3%) have already ceased performing bariatric surgery due to the cost of indemnity insurance
- 43/115 (37%) considering ceasing bariatric surgery due to the financial burden of indemnity insurance