

## Medical Malpractice Proposal Form for the members of the Medical Association of Malta

### IMPORTANT NOTE

It is important to note that this Proposal Form is for indemnification on a CLAIMS MADE BASIS. This Policy will only respond to "Claims" made against the Proposer and notified to Insurers during the period of insurance. This proposal must be fully completed, signed and dated by the person (The Proposer) seeking the quotation for Medical Malpractice Insurance. Please answer every question fully and state "NIL" or "NONE" as applicable. Unless the Proposal is fully completed a final quotation cannot be given. The completion and signature of the Proposal does not bind the Proposer or Insurers to complete a Contract of Insurance.

### GENERAL DATA

Client Number:	Policy Number:
Name of Proposer	
MAM Registration Number	
Email address	
Marital Status	
Gender	
Nationality	
Business address	
Contact Number	
Company Registration Number	
ID Card Number/Passport Number	

### NATURE AND VOLUME OF YOUR PRESENT AND FORESEEABLE FUTURE ACTIVITIES

In what branch or branches of medicine are you qualified and licensed to practice	
a) Anesthesiology	YES <input type="checkbox"/>   NO <input type="checkbox"/>
b) Cardiology	YES <input type="checkbox"/>   NO <input type="checkbox"/>
c) Dermatology	YES <input type="checkbox"/>   NO <input type="checkbox"/>
i) Dermatologist Surgeon	YES <input type="checkbox"/>   NO <input type="checkbox"/>
ii) Dermatologist (All Others)	YES <input type="checkbox"/>   NO <input type="checkbox"/>
d) Dentistry	YES <input type="checkbox"/>   NO <input type="checkbox"/>
i) Orthodontist Dental Surgeon	YES <input type="checkbox"/>   NO <input type="checkbox"/>
ii) Oral Surgeon	YES <input type="checkbox"/>   NO <input type="checkbox"/>
iii) Dental Technologist & Dental Hygienist	YES <input type="checkbox"/>   NO <input type="checkbox"/>
e) ENT Specialists	YES <input type="checkbox"/>   NO <input type="checkbox"/>
f) General Practitioner	YES <input type="checkbox"/>   NO <input type="checkbox"/>
g) General Surgery	YES <input type="checkbox"/>   NO <input type="checkbox"/>

h)	Geriatricians	YES <input type="checkbox"/>   NO <input type="checkbox"/>
i)	Haematology	YES <input type="checkbox"/>   NO <input type="checkbox"/>
j)	Internal Medicine	YES <input type="checkbox"/>   NO <input type="checkbox"/>
k)	Neurology	YES <input type="checkbox"/>   NO <input type="checkbox"/>
l)	Nurses	YES <input type="checkbox"/>   NO <input type="checkbox"/>
m)	Obstetrics and Gynaecology	YES <input type="checkbox"/>   NO <input type="checkbox"/>
n)	Oncology	YES <input type="checkbox"/>   NO <input type="checkbox"/>
o)	Ophthalmology	YES <input type="checkbox"/>   NO <input type="checkbox"/>
p)	Orthopaedics	YES <input type="checkbox"/>   NO <input type="checkbox"/>
q)	Paediatric i) Paediatric Surgeon ii) Paediatric (All Others)	YES <input type="checkbox"/>   NO <input type="checkbox"/> YES <input type="checkbox"/>   NO <input type="checkbox"/>
r)	Pathology	YES <input type="checkbox"/>   NO <input type="checkbox"/>
s)	Plastic Surgery	YES <input type="checkbox"/>   NO <input type="checkbox"/>
t)	Podiatry i) Podiatric Surgeon ii) Podiatric Physician	YES <input type="checkbox"/>   NO <input type="checkbox"/> YES <input type="checkbox"/>   NO <input type="checkbox"/>
u)	Psychiatry	YES <input type="checkbox"/>   NO <input type="checkbox"/>
v)	Radiology i) Radiologist ii) Radiographer	YES <input type="checkbox"/>   NO <input type="checkbox"/> YES <input type="checkbox"/>   NO <input type="checkbox"/>
w)	Urology	YES <input type="checkbox"/>   NO <input type="checkbox"/>
x)	Any other, not shown  If so, please specify:	

Are you or any Partner or Assistant regularly involved in first-aid service?	YES <input type="checkbox"/>   NO <input type="checkbox"/>
Name(s) of Partners (For each partner all questions listed above have to be answered individually)	

Name(s) of qualified medical assistant(s)	
Number of technicians employed	
Number of nurses employed	

<p>Is the Proposer under contract with or in the employment of any individual, firm or cooperation?</p> <p>If so, please give details.</p>	<p>YES <input type="checkbox"/>   NO <input type="checkbox"/></p>
<p>Does the Proposer own, wholly or in part, operate or administer any hospital, nursing home or other institution where medical services are customarily rendered?</p> <p>Does he have any reserved beds there?</p> <p>If so, please give details including number of reserved beds</p>	<p>YES <input type="checkbox"/>   NO <input type="checkbox"/></p> <p>YES <input type="checkbox"/>   NO <input type="checkbox"/></p>
<p>Does the Proposer own or operate X-ray machines or laser?</p> <p>If so, please give number, type and whether they are used for diagnosis or treatment or both.</p>	<p>YES <input type="checkbox"/>   NO <input type="checkbox"/></p>
<p>Number of patients per year</p>	
<p>Please give full details of what patient records are kept and where and how they are store</p>	
<p>Please state the fees earned for the previous two years and projected fees for this year</p>	

#### PREVIOUS CLAIMS

<p>Is the Proposer or any of his partners, assistants, nurses or technicians aware of any circumstances or incidents which may result in a claim?</p> <p>If so, please give details.</p>	<p>YES <input type="checkbox"/>   NO <input type="checkbox"/></p>
<p>Have you as the proposer, or any of your partners, assistants, nurses or technicians ever been convicted or charged but not yet tried for any offence?</p> <p>If Yes, please give details</p>	<p>YES <input type="checkbox"/>   NO <input type="checkbox"/></p>

#### INDEMNITY REQUIRED

<p>Cover</p> <p>a) Indemnity required</p> <p>Please indicate the limit any one claim</p> <p>Option A - €100,000</p> <p>Option B - €200,000</p> <p>Option C - €250,000</p>	
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#### ENDORSEMENTS TO BASIC COVER

<p>Do you require Retroactive Cover?</p> <p>If so, indicate number of years</p> <p>(maximum number of years – 5 years)</p>	<p>YES <input type="checkbox"/>   NO <input type="checkbox"/></p>
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## **IMPORTANT**

**You should not sign this Proposal Form and its statements or declarations before you have read and understood them. If this document is being completed by someone else on your behalf please ensure that the details on it accurately reflect what you have said.**

## **APPLICABLE LAW**

Unless both you and we agree otherwise this contract shall be subject to Maltese Law and to the exclusive jurisdiction of the Maltese courts.

## **INSOLVENCY**

In the event that we become insolvent and unable to meet our obligations under this contract, limited compensation may be available to you under the Protection and Compensation Fund Regulations, 2003.

## **COMPLAINTS**

We are committed to providing good quality services. We recognise that a client may not be satisfied with the service provided. To deal with this we have a complaints procedure. For the sake of clarification, a complaint is broadly defined as being a written expression of dissatisfaction with services that we provide or actions we have taken that require a response.

## **HOW TO COMPLAIN**

### **STEP 1 – CONTACTING THE COMPANY**

The first step is to talk to a member of our personnel or of the intermediary if the Policy was arranged through one. This can be done informally either directly or by telephone.

Usually the best person to talk to will be the person who dealt with the matter you are concerned about as they will be in the best position to help you promptly and to put things right. If they are not available or you would prefer to approach someone else then address the matter to the manager or senior person responsible. We will seek to resolve the problem immediately. If we cannot do this then we will take a record of the concern and arrange the best way and time for getting back to you. This will normally be within two working days.

### **STEP 2 – TAKING THE COMPLAINT FURTHER**

If you are still unhappy, the next step is to put the complaint in writing, addressing it to Complaints Officer, Mapfre Middlesea plc, Middle Sea House, Floriana FRN 1442 or via e-mail on [compofficer@middlesea.com](mailto:compofficer@middlesea.com). Your communication should set out the details, explain what you think went wrong and what you feel would put things right. If you are not happy about writing it, you can always ask one of our staff members to take note of the complaint which you will be then asked to sign. You will be provided with a copy for your own reference. This record will be passed promptly to the Complaints Officer to deal with.

Once the Complaints Officer receives a written complaint, it shall be fully investigated. The complaint will be acknowledged in writing within five working days of receiving it and the letter will state when you can expect a full response. This should normally be within fifteen working days unless the matter is very complicated such as where other organisations need to be contacted. Where this is the case we will still let you know what action is being taken and will inform you when we expect to provide a full response.

## **TAKING YOUR COMPLAINT ELSEWHERE**

If you are still not satisfied with the Complaints Officer's response, you can always seek advice elsewhere. You may contact:

Office of the Arbiter for Financial Services  
First Floor  
St Calcedonius Square  
Floriana FRN1530  
Malta  
Telephone: 8007 2366 or 21249245  
E-mail: [complaint.info@financialarbiter.org.mt](mailto:complaint.info@financialarbiter.org.mt)  
Website: [www.financialarbiter.org.mt](http://www.financialarbiter.org.mt)

The Office of the Arbiter will expect that you have a final reply to your complaint from us before approaching them.

## DATA PROTECTION PERSONAL PROCESSING CLAUSE

The Proposer is hereby informed and expressly consents, by signing this document, to the processing of the data voluntarily provided in this document, as well as of any data which might be provided to Mapfre Middlesea Plc or "The Company" directly or through an Insurance Intermediary, and those obtained by recording telephone conversations or as a result of browsing through Internet webpages or by other means, for the enforcement of the agreement or regarding a quotation, application, or the contracting of any service or product, even after the end of the pre-contractual or contractual relation, including, if applicable, any communication or international data transfer which might be made for the purposes specified in the Additional

Data Protection Information which is available from any Mapfre Middlesea Plc Office or through <https://www.Mapfre.com.mt/privacy-policy/>

The Proposer consents in turn to the recording of any telephone conversations with the Company regarding the insurance agreement.

Mapfre Middlesea Plc may view the Proposer's data in files regarding the fulfilment and non-fulfilment of monetary obligations.

Should the data provided pertain to physical persons other than the Proposer, the latter guarantees that he/she has obtained and has their prior consent for the communication of their data and has informed them, prior to their inclusion in this document, of the purposes of the data processing, communications, and other terms established herein and in the Additional Data Protection Information.

The Proposer declares that he/she is older than eighteen (18) years of age. Likewise, should the data provided belong to minors, as the minor's parent(s) or guardian(s), he/she expressly authorises the processing of the said data, including; if applicable, data pertaining to health, for the management of the purposes specified in the Additional Data Protection Information which is available from any Mapfre Middlesea Plc Office or through <https://www.Mapfre.com.mt/privacy-policy/>

The Proposer guarantees the accuracy and truthfulness of the personal data, including sensitive personal data provided, undertaking to keep them duly updated and to notify Mapfre Middlesea Plc of any changes in them.

### Basic data protection information

<b>Controller:</b>	Mapfre Middlesea Plc
<b>Purposes:</b>	Management of the insurance agreement, creation of profiles for suitable enforcement of the insurance agreement, integral and centralised management of the relation with the Mapfre Group, and delivery of information and advertising on Mapfre Group products and services.
<b>Standing:</b>	Execution of the project.
<b>Recipients:</b>	Data may be communicated to third parties and/or data transfers may be made to third-party countries in the terms stipulated in the Additional Information.
<b>Rights:</b>	You can exercise your rights of access, rectification, removal, limitation, objection, and transferability, specified in the Additional Data Protection Information.
<b>Additional Information:</b>	You can view the Additional Data Protection Information which is available from any Mapfre Middlesea Plc Office or through <a href="https://www.Mapfre.com.mt/privacy-policy/">https://www.Mapfre.com.mt/privacy-policy/</a>

☐ Check this box if you object to the processing and communication of your personal data by Mapfre Middlesea Plc for the delivery of information and advertising of the Company products and services, of the various Mapfre Group companies, and of Third party companies with which any Mapfre Group company has entered partnership agreements. If you do so, we will be unable to inform you of any discounts, gifts, promotions, and other benefits associated with the Mapfre Group customer loyalty plans.

In any case, your consent to the treatment of your data for these purposes is revocable, and you may withdraw your consent or exercise any of the rights mentioned at any time as specified in the Additional Data Protection Information which is available from any Mapfre Middlesea Plc Office or through <https://www.Mapfre.com.mt/privacy-policy/>

## PROFESSIONAL SECRECY

I consent on my behalf and on behalf of any other person specified in this form (others), that the Company or any other member of the Group may exchange some or all of the information with my insurance intermediary, appointed experts, other insurance companies or the Malta Insurance Association for the purpose of administering my insurance proposal and policy, handling and settling of claims, detecting, preventing and suppressing fraud and the keeping of statistics. I also authorise (on my own behalf and on behalf of others) insurance companies and intermediaries to disclose information about or relevant to my insurance history for these purposes.

I understand (and have explained to Others) that when I tell the Company about an incident which may or may not give rise to a claim, the Company may pass information relating to it to the Malta Insurance Association and / or other insurance companies and intermediaries. In doing so we will ensure that this communication is carried out confidentially and within the terms of the Professional Secrecy Act, 1994

**Material Facts are those facts which are likely to influence us in the acceptance or assessment of this proposal and it is essential that you disclose all of them. If you are in doubt about whether a fact is material then for your own protection you should disclose it since failure to do so could invalidate your policy.**

## DECLARATION

I have read or have had read to me the contents of the completed proposal form and agree that all the statements I have made and information I have provided are correct and complete in every respect and will form the basis of the contract between me and Mapfre Middlesea p.l.c [us] . I undertake to notify Mapfre Middlesea p.l.c of any change in the information subsequent to the submitting of this proposal form. I am satisfied with the way the proposal form has been completed and if it has been completed by an employee and / or authorised intermediary on my behalf such person, shall, for that purpose, be regarded as my / our agent. I understand that in the event of a finding of incomplete and/or non-disclosure of material information, Mapfre Middlesea p.l.c reserves the right to repudiate the claim or declare the policy void. I understand and agree that by signing this Declaration I will be bound by the statements and disclosures of material facts herein contained. I acknowledge that a material fact is one which is likely to influence Mapfre Middlesea p.l.c in the best assessment and acceptance of the proposal form. If in doubt as to whether a fact is material then it should be disclosed. I confirm that I have received, read and understood the 'Insurance Product Information Document', 'Information for Prospective Policyholders' and the quotation relevant to the product for which I am applying. I hereby agree that I have read the policy and am bound by the terms, conditions, limitations and exclusions of the said policy.

**Before signing this document, please read the basic data protection information given in the PERSONAL DATA PROCESSING clause. By signing this document, you consent to the processing of your personal data, including sensitive personal data in the terms and conditions stipulated in said clause.**

Period of insurance required

Signature of  
applicant

Date

Intermediary

COM: MMS160823  
REF: PIMMF-V2.0-010923

Mapfre Middlesea p.l.c. (C-5553) is authorised by the Malta Financial Services Authority (MFSA) to carry on both Long Term and General Business under the Insurance Business Act. Mapfre Middlesea p.l.c. is regulated by the MFSA.