

SCA Query Reference	Q122848
Query Title	PQ 44815/19– Medical Negligence
Requestor	Madeline Meade (Mr. Michael McGrath TD)
Date of request	25/10/2019
Reporting Period	01/01/2019 - 30/09/2019

Query:

‘To ask the Minister for Health the amount paid out by the State Claims Agency in respect of medical negligence claims for the first nine months of 2019; and the amount the agency has paid out in legal costs in respect of the pay-outs.’

Response from SCA:

The information contained in this report has been extracted from the National Incident Management System (NIMS). Medical negligence claims are identified on NIMS through the Incident / Hazard Category of Clinical Care, therefore, this report relates to Clinical Care claims being managed by the SCA.

Criteria used

- Incident/Hazard Category – Clinical Care.
- Transactions from 01/01/2019 to 30/09/2019
- This relates to all healthcare locations and private healthcare schemes
- The figures are correct as of 30/09/2019

Question 1

The total amount paid on all Clinical Care cases from 01/01/2019 to 30/09/2019. The Amount Paid consists of all Damages, Expert Costs, Plaintiff Legal Costs, and Agency Legal Costs.

Transaction Type	Amount Paid
Agency Legal Costs	€16,433,173
Plaintiff Legal Costs	€36,737,527
Damages Payments	€208,150,753
Expert Costs	€4,663,516
Total	€265,984,968

Table 1: Amount paid on Clinical Care claims in 2019

Definitions:**National Incident Management System (NIMS)**

Incidents (which include claims) are reported using the “National Incident Management System”. This is hosted by the State Claims Agency (SCA) for the HSE, other Healthcare enterprises and State Authorities. An incident can be a harmful Incident (Adverse Event), no harm incident, near miss, dangerous occurrence (reportable circumstance) or complaint.

Claim

A claim refers to notification of intention to seek compensation for personal injury and/or property damage where it is alleged the State was negligent. The application may be in the form of a letter of claim, an InjuriesBoard.ie application, or a written/oral request.

Transaction Reporting Date

This refers to the date that payments were issued.