

2018.11.20

**11 Senator S.C. Ferguson of the Minister for Health and Social Services regarding the insurance premiums paid by the Minister's department in respect of obstetricians, surgeons and general practitioners: [OQ.192/2018]**

What are the current annual insurance premiums paid by the Minister's department in respect of obstetricians, surgeons and general practitioners and what are the indicated increases, if any, over the next couple of years?

**Deputy R.J. Renouf of St. Ouen (The Minister for Health and Social Services):**

Hospital consultants are personally responsible for securing their own insurance cover and the Health and Community Services Department reimburses them an agreed proportion. However, other medical professionals employed by the department are covered by a generic insurance contract funded by the States of Jersey, which is not broken down by speciality. Of course, general practitioners are not employed by the department and they are responsible for their own insurance arrangements.

**3.11.1 Senator S.C. Ferguson:**

I asked the Minister for figures and I asked for the current annual insurance premiums paid by the Minister's department. He may not be able to break it down into specialities but he could give us an idea, I think, of the amount of insurance that is paid.

**The Deputy Bailiff:**

In fact, your question asks for premiums paid in respect of obstetricians, surgeons and general practitioners and I think the Minister has just said he does not have that information. But, Minister, if you do have that information are you able to assist?

**The Deputy of St. Ouen:**

In respect of the premiums paid by consultants to their insurers, that is a contractual matter between them and their insurers. If a consultant requests reimbursement of a part of the premium, the department will become aware of the cost of the premium but the department is not a party to that contract between the consultant and the insurers. That is the difficulty and I feel that it would be inappropriate to disclose the individual figures for particular specialties for reasons of commercial sensitivity that might disclose particular arrangements specific to consultants. There is that issue of confidentiality that the department holds.

**3.11.2 Deputy G.P. Southern:**

In more general terms then, has the Minister or has his department been approached by many of the consultants and what is the total sum that may have been disbursed to those consultants to cover all or part of their insurance bills?

**The Deputy of St. Ouen:**

It is an interesting question, but where the department is not a party to contracts that are arranged between consultants and their insurers, what would the reason be for putting in the public domain any amounts that the department may happen to learn of paid under those contracts? It is a question of confidentiality towards our consultants, surely.

**3.11.3 Deputy G.P. Southern:**

Can the Minister clarify for me what he has just said there? He appears to have said we might learn of what the bill was but we do not contribute to it and, therefore, the answer is zero is what we disburse to cover these insurance claims, or there is a global sum and, if so, if there is expenditure by his department when and where is it going to appear on the books?

**The Deputy of St. Ouen:**

Generally, we do contribute to insurance premiums payable by consultants but the reason that consultants are responsible for securing their own insurance cover is that they have private practice and they are responsible for what goes on in their private practice and insuring those activities. Insofar as they work in the public service, there is an assessment made of how much of their time or work is carried out in the public service and a reimbursement made accordingly. So it is not a case that the department is responsible for the global sum of these insurance premiums. The department reimburses a proportion, which is calculated and negotiated with each consultant.

**Deputy G.P. Southern:**

I believe it is a matter of clarification but may I pursue this?

**The Deputy Bailiff:**

I do not think so, Deputy. That last one was a supplementary and there are other people wishing to ask questions. I have Deputy Higgins and then I have a final supplementary from the Senator.

**Deputy G.P. Southern:**

I remain unclear.

**3.11.4 Deputy M.R. Higgins:**

Following on from what the Minister has just said, are not insurance premiums an indication of the risk that insurance companies have with regard to particular consultants or the type of work they do and is it not in the public interest that if doctors or specialists are considered to be high risk to the insurance company, surely the people of the Island should know that?

[10:45]

**The Deputy of St. Ouen:**

I do not think we would be able to assess whether practitioners are considered high risk merely by the amount of insurance that is paid or that is reimbursed by my department. There are other means of assessing practitioners' performance. This highlights perhaps the commercial sensitivity around the area.

**3.11.5 Senator S.C. Ferguson:**

In this new age of transparency, which the fog appears to be over the Minister for Health and Social Services this morning, given the fact that excessive insurance premiums will significantly affect the number of medical professionals and provision of medical expertise in the Island, does the Minister not think that it is time to face up to this, to be transparent with regard to the public, and will he come back to the States with the details that I have been asking for?

**The Deputy of St. Ouen:**

The Senator suggests that insurance premiums are excessive, but how is that judged? I have no sense at the moment. **[Interruption]** The Senator used the word "excessive" ...

**The Deputy Bailiff:**

No, we cannot have an exchange between Members. It is through the Chair, if you please. If you would like to give the answer that you wish to give, Minister, it is the final supplementary and that will be the end of this question.

**The Deputy of St. Ouen:**

Yes. The question of the volatility of insurance premiums and whether or not they are liable to increase is not an issue confined to Jersey. There are ongoing risks within the medical profession wherever it is practised. Now, it may be that the Senator is alluding to the issues arising out of the proposed Damages Law, which will be coming before this Assembly shortly, and if that law is passed my understanding is that it will assist in ensuring a proportionate and consistent approach to the calculation of damages in any personal injury claim. That will then, no doubt, give assurance to insurers that Jersey has a sufficient legislative framework in order to limit damages to what is proportionate. I hope that may help.

**Deputy G.P. Southern:**

Can I test your discretion? I am still confused by the answers and I seek clarification. May I?

**The Deputy Bailiff:**

I am afraid not. That was the final supplementary. If we had more time and there were fewer questions I might be sympathetic to allow to have more questions asked, but I am afraid we just cannot within the time available to us and the number of questions.