



Gníomhaireacht Bainistíochta an Chisteáin Náisiúnta  
National Treasury Management Agency

IMO Conference on Medical Negligence

# The Impact of Clinical Litigation on the State

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State Claims Agency

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## Who are we?



Acting as the State Claims Agency, the NTMA manages personal injury, property damage and clinical negligence claims brought against certain State authorities, including Government Ministers and health enterprises. It also has a risk management role, advising and assisting state authorities in minimising their claim exposures. In addition, it deals with third-party costs arising from certain Tribunals of inquiry.



Introduction of Statutory PPO legislation

Introduction of a Pre-Action Protocol

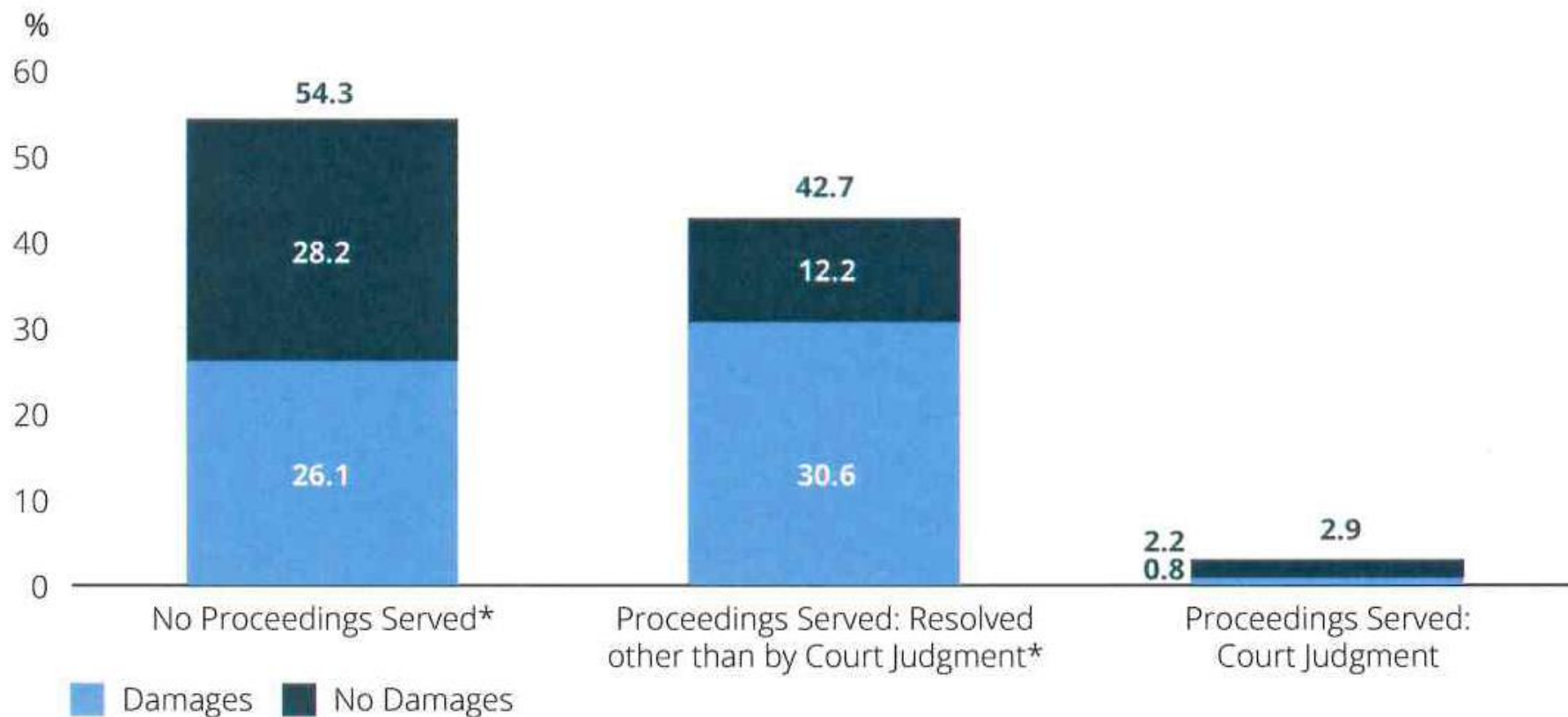
# Change

Expert Group to examine alternative mechanism to the Court process for resolving clinical negligence cases

Possibility of introducing “No Fault” liability in clinical negligence catastrophic injury cases

- Accelerated resolutions
- Is the State liable for its independent contractors?
- What does “absolute confidence” mean in every day practice?

## CLAIMS RESOLVED 2018



\*includes cases settled, cases discontinued or claim statute barred, and indemnity received.  
Figures may not total due to rounding.

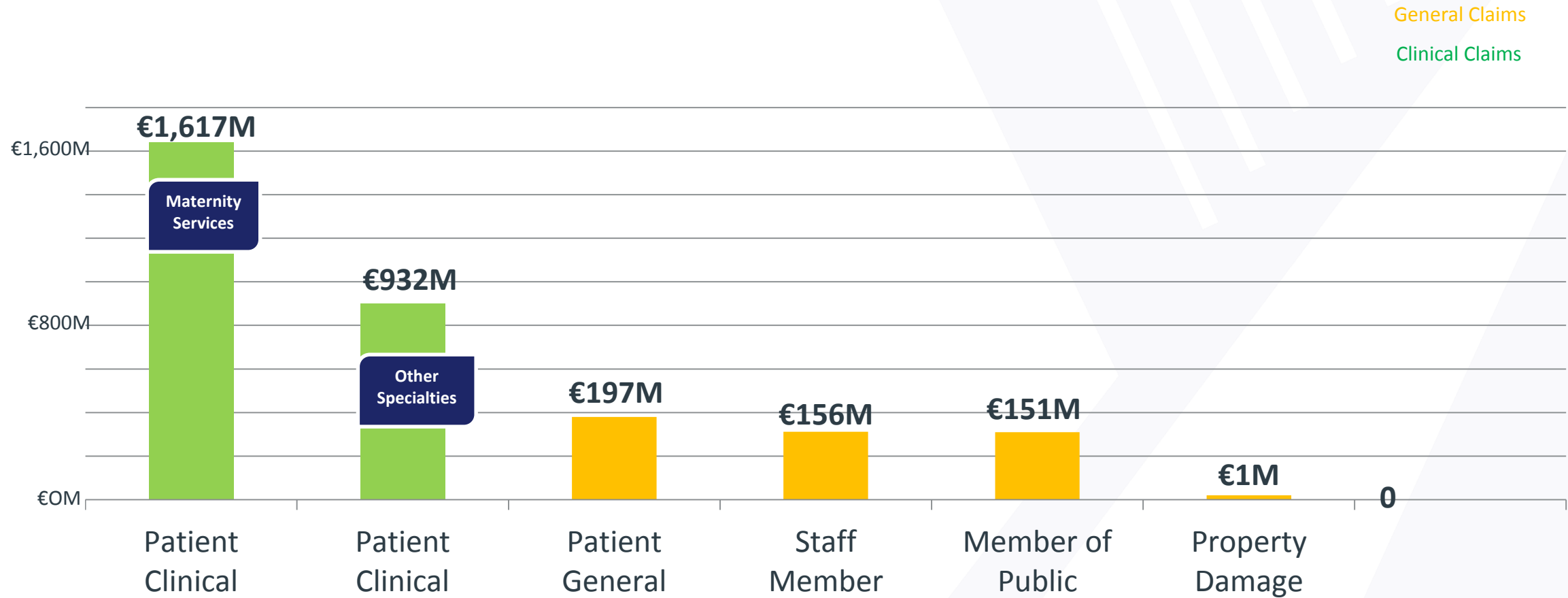
# Claims Portfolio

**Claims Activity** (as at end of September 2019)



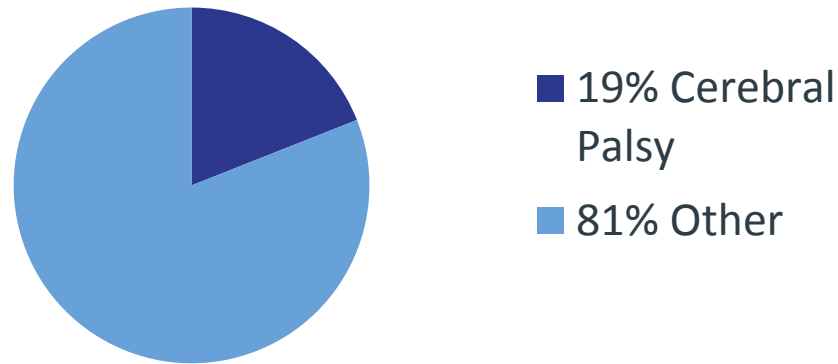
# Active Clinical Claims

Breakdown of Outstanding Estimated Liability (€M) for Active Claims as at end September 2019  
(Total 3.1bn)

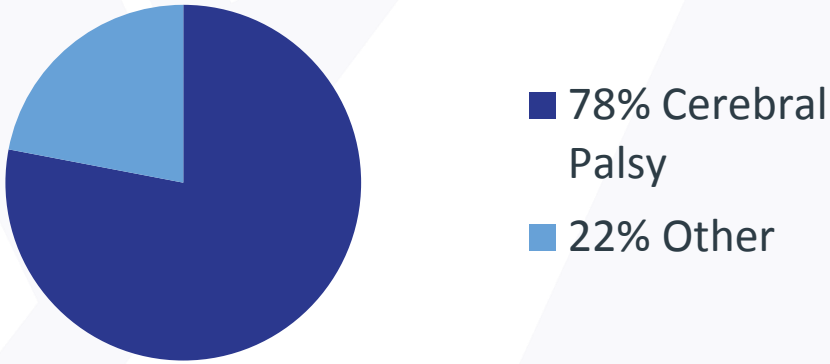


# Active Clinical Claims Relating to Cerebral Palsy\* (CP)

CP Claims as Percentage of Maternity Clinical Claims (Count)



CP Claims as Percentage of Maternity Clinical Claims (Outstanding Estimated Liability)



\*A small number of Cerebral Palsy claims exist in NIMS which are not Maternity Related. These are not included above



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# THANK YOU



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