

# INSURANCE LAW AND PRACTICE FOR UGANDA LAW SOCIETY MEMBERS



## MEDICAL INSURANCE

# Background

- ▶ An insurance policy is a contract that defines the obligations of both the insured and the insurer.
- ▶ Taking the time to understand your clients policy is well worth the effort.
- ▶ Besides providing coverage (by the insurer), insurance policies also assign certain responsibilities (to the insured).
- ▶ Failure to meet these obligations may impair the coverage your client relies on for protection

# Your Involvement As a Lawyer

This may include;

- ▶ Advising your client as to the best policy to take out;
- ▶ Negotiating the best terms to suit your clients needs/preferences;
- ▶ Interpretation of specific clauses/terms on behalf of your client
- ▶ Be involved in the adjudication of an insurance dispute/matter on behalf of your client

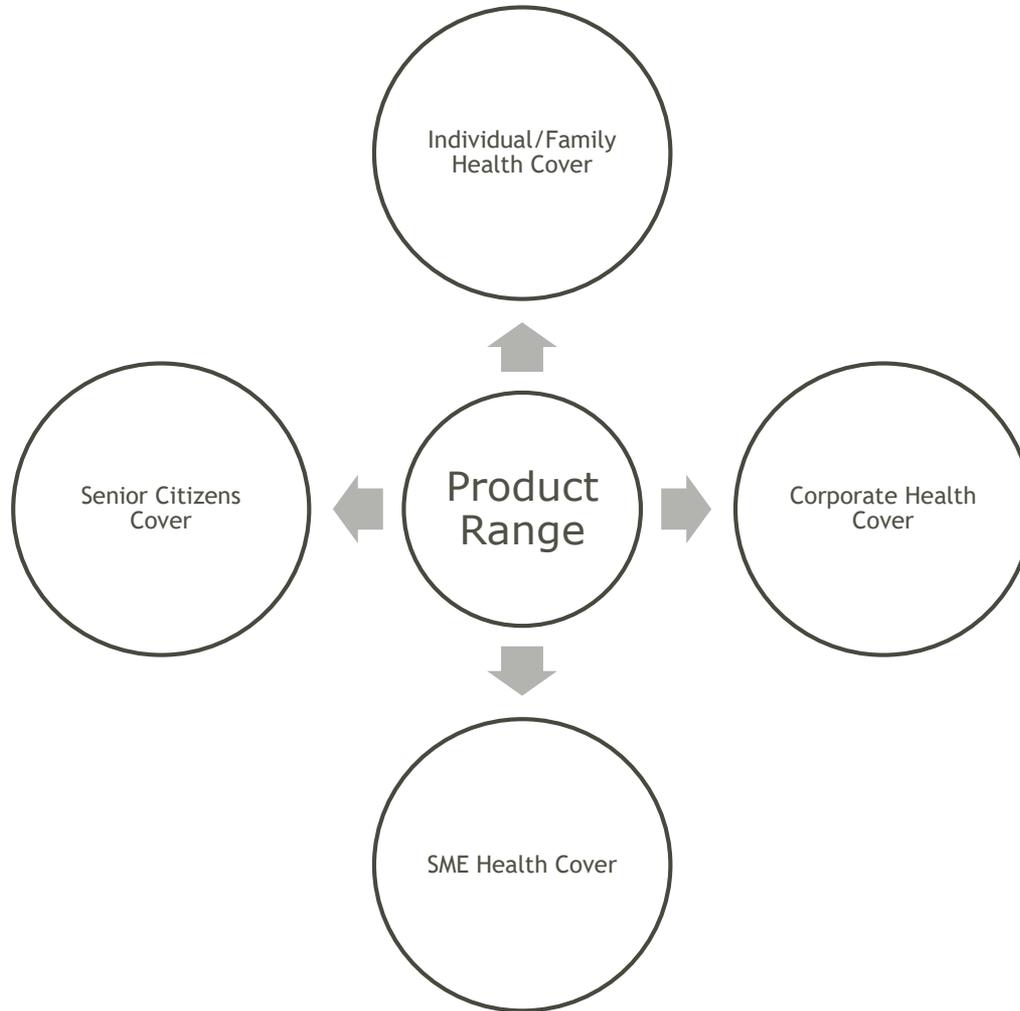
# MEDICAL INSURANCE

- ▶ Medical or Health Insurance provides for medical and surgical expenses incurred by the insured members as result of their sustaining accidental bodily injury and/or illness and/or a disease within the period of insurance;
- ▶ The Health Insurance Policy can either reimburse the insured for medical expenses incurred or pay the care provider directly;

# Benefits of Having Health Coverage

- ▶ It gives you peace of mind
- ▶ Access to the best healthcare facilities
- ▶ Promotes a savings culture and improves welfare
- ▶ Insured's can take advantage of health and wellness tools and resources
- ▶ For group policies, creates a situation of “Employer of choice”
- ▶ Improves Staff Productivity and minimizes absenteeism

# Products on Offer



# What is covered?



Inpatient Cover (*Usually the core benefit*)



Outpatient Cover



Dental Cover



Optical Cover



Funeral Expenses

# What is covered?



Maternity Cover



Congenital Cover



MERGENC  
VACUATIO

Emergency  
Evacuation



Treatment for  
Psychiatric  
Conditions



Pre-existing and  
Chronic Conditions

# Relevant/Key Aspects of Medical Insurance Contracts

This next slides will help you understand the basics of health insurance, how to read the policy and understand the type of coverage

# Relevant/Key Aspects of Medical Insurance Contracts

- ▶ **Understand what kind of policy is it!**
  - ▶ Employer or Individual Policy?
  
- ▶ **Common terms that can be confusing**
  - ▶ Refer to the definition section for terms like deductible, co-pay, covered person, premiums, policy period, endorsement, exclusions, waiting period etc. and ensure you are comfortable with them or appreciate what they mean and how they could impact the policy

# Relevant/Key Aspects of Medical Insurance Contracts

- ▶ **What is covered by your health insurance plan?**
  - ▶ Like most insurance products, what is covered and coverage levels will vary depending on the choices you make.
  - ▶ While more expensive policies will carry higher coverage levels, they come at a price.
  - ▶ Also interrogate whether there are any sub limits applicable and whether they address the needs of the client
  
- ▶ **Mind the exclusions**
  - ▶ Every insurance policy has standard exclusions and insurers may impose additional exclusions and limitations. No health insurance plan is available that will cover every single medical expense.
  - ▶ Review all exclusions and make sure you can live with the services, procedures or medicines that may be excluded by your policy

# Relevant/Key Aspects of Medical Insurance Contracts

- ▶ **Where can services be obtained from?**
  - ▶ Thoroughly review the insurers accredited service provider list to ensure that there are reputable service providers from where your client is comfortable accessing services.
  - ▶ Interrogate whether services will be cashless or whether your client will be expected to pay and seek reimbursement
  - ▶ What would happen if your client has a preferred service provider that is not listed on the insurers panel? Can your client pay and seek reimbursement for their medical expenses and to what level will the reimbursement be permissible?

# Relevant/Key Aspects of Medical Insurance Contracts

- ▶ **What are the dispute resolution mechanisms envisaged in the policy?**
  - ▶ Some insurance policies stipulate Arbitration while others go for Mediation. What would you prefer for your client?
  - ▶ Does the policy have provision for how a complaint shall be raised and dealt with firmly without having to straight away engage in Arbitration?
  - ▶ Are you aware of IRA's Complaint Bureau?

# Conclusion

- ▶ A health insurance contract just like any other contract contains terms and condition's that the parties involved are expected to abide by;
- ▶ It is important for a lawyer to familiarize themselves with the structure of a health insurance policy and the meaning of terms ordinarily embedded therein
- ▶ This will enable the lawyer represent the interests of their client appropriately and ensure that the terms included therein are not only acceptable to the client but more importantly extend the protections guaranteed therein