

Professional liability

MASS TORT SOLUTIONS

Where you see life sciences, we see an opportunity to provide a highly innovative service to reduce costs, maximize resources and achieve optimal outcomes for clients.

Our custom solution, your peace of mind

Sedgwick's life science and pharmaceutical clients include three main types of manufacturers – mainline, research and development, and generics. We have also provided services to compounders, distributors and bio-tech organizations. Our clients value our team's expertise including our trained nurse investigators and designated program managers, as well as our advanced technological solutions and data analytic capabilities.

As the most experienced professional and product liability claims organization in the nation, we are able to deliver services designed to match our clients' needs.

Why Sedgwick?

Our legal nurse investigators have expertise in pharmaceutical, product and medical device claims and mass litigation cases. They have more than 20 years of experience and can provide comprehensive resources for individual claims, mass tort litigation, or class action matters. Our expert services include:

- A high touch, customized approach; we work with the defense counsel and client to design a report format that includes the specific information needed to investigate and defend claims
- Comprehensive research regarding product issues, causation and liability
- A records review focused on product identification, causation, pre-existing conditions, concomitant medications, age and general condition of the patient, and other factors that may be significant in evaluating the alleged injury as it relates to the use of the product in question
- A detailed chronology and summary of all pertinent medical records and relative information outlining all records reviewed

- Reference sites, footnotes and/or web links to relative information as further explanation of facts and/or clarifying issues
- Fees that are considerably lower than those charged by defense counsel, paralegals, nurses, or others providing the service within the defense firm
- Cost-effective options that provide an accurate, high quality work product
- Legal nurse investigators who have experience working with clients and defense counsel groups on product liability mass tort litigation cases; nurses are well known in the industry for their responsiveness, and valuable input on report content and format

“Sedgwick’s nurse investigator did a spectacular job reviewing the medical records. She was very thorough and focused us on the appropriate issues.”

Ronald Levine, Herrick, Feinstein LLP

How we do it

Once our legal nurse investigator is assigned to conduct a medical records review, they will meet with defense counsel and the client, and work together to design a report format including information counsel needs in connection with defense of individual claims.

The nurses thoroughly research and study information regarding the product, and issues related to the litigation. Each entry in the nurse's report references the relevant entry in the medical record.

The reviews focus on product identification, causation, pre-existing conditions, concomitant medications, age and general condition of the patient, and other factors that may be significant in evaluating the alleged injury as it relates to the use of the product.

Reports include a summary and detailed chronology outlining all records reviewed, and possibly footnotes and/or links to information the reviewer has researched that may be useful. Depending on the nature of the litigation, the product involved, patient population, education and/or employment records may also be reviewed.

Once the investigation is complete, we will render an evaluation as to whether the claimant or plaintiff has sustained a compensable injury, and consult with the client as to the advisability of offering a settlement to the claimant/plaintiff versus denying the claim.

“Our experience with the medical record reviews from your firm for our clients’ national medical device litigation has shown them to be superior to the competition. The reviews are completed timely as well as cost effectively – and the analysis is excellent.” (After this medical device client moved to a different carrier and different TPA, our nurses were engaged by the national defense counsel group to review the records for all the defendants in the litigation.)

Jeffrey Singer, Segal Cambridge Singer & Mahoney

Our value, your impact

Experience with our clients reveals that we can help reduce costs associated with mass tort claims and produce better outcomes as a result of our investigation techniques. We realize that the barrier to outsourcing to a third party is potentially great. The following will provide some solid rationale for outsourcing to Sedgwick:

- As a third party, the Sedgwick nurse will provide an unbiased opinion regarding liability and will not potentially be influenced by personal/professional relationships within your system
- The nurses have full access to our claims system, facilitating efficient communications with the claims team
- Our nurses also have full access to the liability portal, which includes Sedgwick University, and Up to Date and Lippincott (clinical databases purchased by Sedgwick to assist the nurses)
- All reports are reviewed for quality and timeliness by our nurse team leaders; reports are under the total performance management program to ensure adherence to service expectations

- All nurses have a network of other Sedgwick nurses working within the pharmaceutical liability group to provide expertise in all clinical areas of specialty
- Sedgwick can perform investigation services at a much more competitive rate than defense counsel

“The nurses’ reports are excellent, thorough, and accurate. We worked together to develop the format, and the nurses were key in helping to solve problems when they arose. They were also available to discuss cases that were in the process of review if needed for a meeting or deposition; one of the nurses suggested submitting a draft of the records review to date and including a summary as well. On another occasion, there were questions about dosage changes and conflicting records, and the nurse working on the case offered to note and “bold” any change in dose, and whether there was conflict in previous records. We were appreciative of the suggested adjustments in our format which better met our needs.”

Director of risk management at a large international pharmaceutical company

Medical record retrieval capabilities

Dealing with medical records associated with mass torts can be cumbersome and overwhelming. Careful consideration needs to be taken to ensure confidentiality of all relative information. Storing documents in a secure environment is critical as well as ensuring prompt access. Our capabilities include:

- 24/7/365 access for authorized personnel
- A secure electronic environment
- Controlled access, and usual business practices comply with privacy issues and HIPAA

To learn more about our mass tort solutions, contact:

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To learn more about our integrated and customized solutions, visit [SEDGWICK.COM](https://www.sedgwick.com)