

# Life Sciences Products/ Completed Operations and Errors and Omissions Liability



Since 1979, Medmarc has specialized in providing products liability for life sciences companies. In 2014, we began to offer stand-alone Errors & Omissions coverage for manufacturers and distributors of medical products. Now we provide an additional coverage offering that provides Products Liability and E&O coverage in a single form.

## The Basics

Shared Limits of Liability—Products/Completed Operations and Errors & Omissions Liability

Single deductible

Products liability is claims made

E&O is claims made and reported

Defense costs are inside the limit of liability

ProAssurance Specialty Insurance Company—E&S paper

Limits up to \$10 million available

## Target Accounts

The Combined Products/Completed Operations and Errors & Omissions Liability policy is designed for small to mid-sized companies looking to merge their coverage into a blended limit.

Companies that just started to commercialize (up to \$50 million in annual sales)

Medical device manufacturers, contract manufacturers (CMOs), component part manufacturers

API providers, dose packagers

Non-manufacturing contract services: Packaging, labeling and sterilization services

Distributors that provide installation, service and repair, and rental services to others

## Coverage Parts

There are four coverage parts:

### Coverage Part A: Products/Completed Operations Liability

Bodily injury and property damage are coverage triggers

### Coverage Part B: Medical Expenses /Clinical Testing

Sublimit that covers medical expenses for bodily injury for test/trial subjects arising out of your product in connection with a clinical trial in which the insured is a sponsor

### Coverage Part C: Medical Monitoring Expenses

Expenses related to a Medical Monitoring Fund established for an insured's product or work arising from a claim for bodily injury

### Coverage Part D: Errors & Omissions

Coverage trigger is a wrongful act that results in economic injury to a third party

## Distinguishing Policy Features

As you compare coverage between our policy and our competitors, consider these important policy features:

### Medmarc's Definition of "Wrongful Act" Means:

A negligent act, error or omission in your work in the manufacture, design, production, processing, installation, preparation, assembly, blending, mixing, distribution, packaging, labeling, crafting of instructions for use, or storage (while in the care or custody of and insured) of your product, or wrongful results of research

### Other Features:

Medmarc's definition of economic injury includes all reasonable expenses related to the loss of use of property including damage to, corruption of, inability to access, or inability to manipulate electronic data and software

Automatic basic extended reporting period of 6 years for claims arising out of occurrences and wrongful acts that occurred during the policy period

Coverage for bodily injury arising from a data breach

Coverage for property damage arising out of software and electronic data breach

Coverage for medical monitoring up to policy limits

### Product Recall Coverage:

Coverage up to policy limits for third party product recall expenses for all covered products and all FDA classes of recalls (not just Class I)

\$100,000 sublimit for damages for any loss, cost or expense for an insured's customer to regain their goodwill, market share, revenue, and profit if the damages arise from a product recall

First-party recall coverage available by endorsement



### Financial Strength & Stability

Medmarc, A ProAssurance Company, is rated A (Excellent) by A.M. Best.

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