

SUCCESS STORY**Risk management case study**

Senior living organization improves incident response and limits exposure through early litigation intervention

The goal

A senior living facility offering affordable residential community for individuals 65 and older encountered a tragic incident. A 79-year-old resident departed from the secure memory care unit without authorization, leading to unfortunate consequences. The resident was discovered deceased the following morning, having sustained a fatal neck injury from a fall. This incident presented considerable difficulties for the senior living organization, including the potential for media scrutiny and legal ramifications.

The action plan

Upon receiving the report two days after the incident, the Marsh McLennan Agency (MMA) TPA services team took immediate action. A call was set up to gather detailed information from the staff, and legal counsel was engaged to conduct interviews and participate in discussions with the Illinois Department of Public Health (IDPH) and the police. Recognizing the potential for media coverage, a public relations firm was also hired to provide guidance on managing the facility's response.

To mitigate further legal costs and exposure, MMA worked closely with the family's counsel to reach a pre-suit settlement. This approach aimed to avoid the expenses associated with a lawsuit and minimize any negative impact on the senior living organization's reputation.

The result

Through proactive measures and collaboration with all parties involved, MMA successfully settled the matter confidentially before litigation. The settlement amount of \$475,000 was well below the jury verdict exposure, and legal expenses were limited to \$10,000. Importantly, the incident did not receive media attention, preserving the senior living organization's public image.

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Client profile



Senior living company

\$10K

legal expenses limit

\$475K

settlement, which was below
jury verdict exposure

No media attention and
preserved public image

Contact Leslie Kaderavek, Vice President of TPA Services, to learn what MMA TPA Services can do for your organization.

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