Medical Malpractice, Contractual Risks & Health Insurance Legal Liability

7 – 11 June 2027
Cape town

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Ref: 958_43072 **Date:** 7 – 11 June 2027 **Location:** Cape town **Fees:** 4800 GBP

What This Programme Is

Medical Malpractice, Contractual Risks & Health Insurance Legal Liability is a one-week executive programme designed for senior legal professionals who advise on, defend or resolve claims arising from medical errors, negligence and compensation disputes involving healthcare providers and health insurers.

When a patient is harmed, the legal questions rarely stop with the practitioner. Hospitals, clinics and insurers each carry duties, and the contract between them decides who pays, how much and on what conditions. Lawyers who work in this area need to read a clinical event as a legal sequence, a policy as a risk allocation, and a rejected claim as a dispute with a defined path to resolution.

The programme is built around that chain of responsibility. Each day takes one link, from the duty owed at the bedside to the wording of the indemnity, and tests it against case studies described by type rather than by name. Comparison between UK and Libyan legal principles runs through the week, and the final day applies everything to the medical insurance arrangements of your own organisation. The programme is delivered by Mars Training Centre UK.

What You Will Learn

By the end of this programme, you will be able to:

- Analyse the elements of a medical negligence claim: duty of care, breach, causation and loss.
- Distinguish the legal responsibilities of individual practitioners, hospitals and clinics, including vicarious and direct liability.
- Evaluate the circumstances in which a health insurer may be held liable for a medical error or for negligent conduct connected to its own decisions.
- Interpret professional indemnity arrangements, policy coverage, exclusions and conditions precedent.
- Assess compensation claims, including the heads of loss and the evidence needed to support or defend them.
- Apply the regulatory obligations of health insurers to their duties towards policyholders, employers and beneficiaries.
- Review and redraft health insurance agreements, including policy wording, exclusions, indemnities and limitation of liability clauses.
- Design contract structures between insurers, healthcare providers and corporate clients that allocate risk clearly.
- Diagnose the grounds on which a claim has been disputed or rejected, and select the appropriate response.
- Compare complaints, negotiation, mediation, arbitration and litigation as routes to resolution, and choose between them.

- Compare UK and Libyan legal principles on medical liability and insurance, and identify where they converge and diverge.
- Build a legal risk management approach and a personal action plan for your own organisation.

How You Will Benefit

You will leave with a structured method for analysing medical liability and insurance disputes, a clearer command of policy and contract language, and a practical comparison of UK and Libyan approaches that you can use in your own advisory work. On the final day you will receive the Mars Certificate of Completion, which records your attendance and completion of the programme.

Your organisation gains a legal adviser who can assess exposure earlier, draft and negotiate medical insurance agreements with greater precision, and handle disputed claims through a defined process. The week ends with an action plan tied to your organisation's own arrangements, so the learning moves into live work.

Who This Programme Is For

- General Counsel and Heads of Legal
- Senior Legal Advisers and Legal Directors
- Claims Legal Managers and Heads of Claims
- Heads of Medical Insurance and Takaful Operations
- Compliance Directors and Regulatory Affairs Managers
- Hospital and Clinic Legal Counsel
- Contracts and Provider Network Managers
- Dispute Resolution and Litigation Managers
- Risk and Governance Directors in healthcare or insurance

This programme is intended for senior manager level and above.

How the Week Unfolds

Day 1 — Medical Malpractice and the Duties of Healthcare Providers

The first day establishes how the law defines the duties of practitioners, hospitals and clinics, and how a clinical error is converted into a legal claim.

- The duty and standard of care owed by practitioners, hospitals and clinics
- Consent, disclosure of risk and the patient's right to be informed
- Causation, remoteness and the difficulty of proving loss
- Direct and vicarious liability of hospitals and clinics, with record keeping and incident reporting
- UK and Libyan principles compared: how each system frames fault and responsibility

Case study: A surgical complication in a private hospital where the patient alleges inadequate warning of a known risk, and the clinic and the surgeon dispute who bore responsibility for consent.

Workshop: Map the elements of a negligence claim against a set of clinical facts, and identify the evidence each party would need.

Day 2 — Insurer Liability, Indemnity and Compensation

The second day examines where liability sits when a medical insurer is involved, and how indemnity, coverage and compensation operate in practice.

- When a health insurer may be liable for a medical error or negligent conduct, including provider networks and pre-authorisation
- Professional indemnity arrangements for practitioners and institutions
- Policy coverage, exclusions, conditions and notification requirements
- Heads of compensation, valuation of loss and the mechanics of settlement
- UK and Libyan principles compared: liability of insurers and the position of third parties

Case study: A patient is harmed after an insurer refuses pre-authorisation for a recommended procedure, and the hospital, the insurer and the practitioner each deny responsibility for the delay.

Workshop: Review a professional indemnity schedule and identify which losses are covered, excluded or conditional.

Day 3 — The Legal and Regulatory Framework for Health Insurance

The third day sets out how health insurers are structured and regulated, and the duties they owe to those they insure.

- Structure and operation of health insurance companies and the role of intermediaries
- Regulatory obligations: authorisation, solvency and conduct requirements
- Duties towards policyholders, beneficiaries, employers and corporate scheme members
- Disclosure, fair presentation, data protection and confidentiality of medical information
- UK and Libyan principles compared: supervision of insurers and enforcement powers

Case study: An employer discovers that its group medical scheme excludes a category of treatment that employees understood to be covered, and asks whether the insurer breached its disclosure duties.

Workshop: Prepare a compliance map of an insurer's obligations to policyholders, employers and beneficiaries.

Day 4 — Medical Insurance Contracts, Claims and Dispute Resolution

The fourth day moves from principle to drafting and dispute, covering how agreements are built and what happens when a claim is contested.

- Drafting, reviewing and negotiating health insurance agreements
- Policy wording, exclusions, contractual indemnities and limitation of liability
- Contracts between insurers, healthcare providers and corporate clients
- Handling disputed and rejected claims, including complaints and internal review
- Compensation, litigation, mediation and arbitration compared, with legal risk management

Case study: A corporate client disputes a block of rejected claims, citing ambiguous exclusion wording, while the insurer relies on a provider's late submission of documents.

Workshop: Redraft a set of problematic clauses and prepare a response plan for a disputed claim.

Day 5 — Synthesis and Personal Action

The final day consolidates the week and turns it into a plan for your own organisation, including a practical application of the Libyan legal context.

- Review of the week's frameworks and the links between them
- Applying UK and Libyan legal principles to your organisation's medical insurance arrangements
- Identifying legal risk in current policies, contracts and claims processes
- Prioritising actions by exposure and by ease of implementation
- Building your personal action plan and receiving the Mars Certificate of Completion

Workshop: Present your personal action plan and receive faculty feedback.

Libyan legal content is comparative. It draws on legislation and materials identified with you before the programme and is not an opinion on Libyan law.

How the Course Is Delivered

- Facilitator-led interactive sessions, balancing teaching with discussion and applied exercises.
- A balanced mix of theory, regional case studies, and applied exercises.
- Validated diagnostic and self-assessment tools.
- Applied exercises and personalised coaching throughout the week.
- A personal action plan built progressively across the week.
- Continuous personal feedback from your lead faculty.

About Mars Faculty

Mars maintains a panel of senior practitioners — former executives, sector specialists, and experienced facilitators — who deliver our courses on a course-by-course basis. For each confirmed course, we assign a faculty member whose background, language, and subject expertise match the cohort.

If you would like to know who will be leading your course before you register, you can request the assigned trainer's CV at any time by contacting our team.

Your Mars Certificate

On the final day, every delegate who completes this programme receives the Mars Certificate of Completion. It records the programme title, the dates and the delegate's name.

The certificate is issued by Mars and is presented at the close of Day 5, once the personal action plan has been presented.