

No-fault Patient Compensation System: the Norwegian Model

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Patients who suffered iatrogenic injuries face several barriers to receive fair compensations. Alternative systems such as no-fault compensation system rather than the tort system have been proposed. Detailed considerations on designing a desirable compensation system are needed. The paper summarizes lessons learned from the Norwegian experiences about organizing and implementing the patient compensation system.

Findings: In Norway, a national body called Norsk Pasientskadeerstatning (NPE) has been established. It operates by using taxation revenues. Decision making on compensation for a claimant at the first stage is done by a “case handler” based on the criteria defined in the Patient Compensation Act. Medical records will be reviewed. Medical doctors were consulted. An appeal to the board of NPE is possible if the claimant is not satisfied with the first decision made. The NPE has no function relating to giving blames or disciplinary actions against health care providers (no-fault related decision). A patient ombudsman in each county provides consultation

services to patients and relatives for free. The decision will be made on average within one year. A form for claim submission is available on the NPE website and at receptions of every health care setting. Experiences have shown that patients are satisfied with the system. Moreover, after an appeal is decided by the NPE board and the patient is still not satisfied, he or she can eventually file a lawsuit to the court against the provider involved.

Discussions: There are different management practices under the same concept of no-fault patient compensation system. The Norwegian system seems to be an efficient one.

Reference: www.npe.no

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