THE UNIVERSITY OF TEXAS

SYSTEM

PROFESSIONAL

MEDICAL LIABILITY

BENEFIT PLAN

HANDBOOK

FY 2026-2027

updated 7/31/2026

This handbook summarizes coverage, exclusions, and responsibilities under The University of Texas System Professional Medical Liability Benefit Plan (Plan) and is to assist you in reporting incidents or claims. Coverage is subject to the terms, conditions, and limitations of the approved Plan and the interpretations thereof by the Board of Regents of The University of Texas System and/or the Plan Administrator.

All questions pertaining to the operation of the Plan should be referred to the Vice Chancellor and General Counsel (Plan Administrator) or the Deputy Plan Administrator.

Daniel H. Sharphorn
Vice Chancellor & General Counsel
Plan Administrator
Office of General Counsel
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Assistant Vice Chancellor and Managing Counsel, Health Law
Deputy Plan Administrator
Office of General Counsel
The University of Texas System
210 West Seventh Street
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vicantu@utsystem.edu

Requests for claims history reports for physicians and dentists should be sent to:

Health-Law Credentialing
Office of General Counsel
The University of Texas System
hlc@utsystem.edu

Requests for claims history reports for other health care professional staff members and faculty who are licensed, certified, or registered to provide patient care should be directed to the institution.

PLAN LIAISONS

Questions pertaining to participation in the Plan may be directed to the following Plan liaisons who function as the directors of professional liability/risk management of the respective institutions. All incidents, notices of health care liability claims, lawsuits, and professional board complaints should immediately be reported to the Plan liaison or designated risk manager.

The University of Texas at Arlington
Dr. Mari Tietze
Interim Chief Nurse Officer
College of Nursing and Health Innovation
Box 19407
411 S. Nedderman Drive
Arlington, TX 76019
214-636-4751

The University of Texas at Austin
Joe A. Galvan
Senior Associate Vice President for Legal Affairs
Office of the Vice President for Legal Affairs
Peter T. Flawn Academic Center
2304 Whitis Avenue, Suite 4338
Austin, TX 78705
(512) 471-1255

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Vice President for Legal Affairs and General Counsel
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2304 Whitis Avenue, Suite 4338
Austin, TX 78705
(512) 471-1255

The University of Texas at Dallas
Timothy Shaw
University Attorney
Office of Legal Affairs
800 West Campbell Road, AD35
Richardson, TX 75080
(972) 883-5291

The University of Texas at El Paso
Priscilla M. Castillo
Chief Legal Officer
Legal Affairs, Room 403
500 West University Avenue
El Paso, TX 79968
(915) 747-5056

Vanessa I. Ramos
Director
Office of the Vice President for Business Affairs
The University of Texas at El Paso
W. University Ave.
El Paso, TX 79968

The University of Texas at El Paso (continued)
Joanne Richardson
Senior Associate Vice President for Business Affairs and Chief Financial Officer
Office of the Vice President for Business Affairs
The University of Texas at El Paso
Administration Building 318
El Paso Tx 79968
Office: 915-747-5109

The University of Texas at Permian Basin
Lail Grant
Director of Environmental Health and Safety
Environmental Health and Safety
4901 East University, MB 1103
Odessa, TX 79762
(432) 552-2491

The University of Texas at Rio Grande Valley
Laura A. Barbour
Chief Legal Officer
2102 Treasure Hills Boulevard
Harlingen, TX 78550
(956) 665-5843

Shekeira Ward
Senior Legal Officer &
Managing Attorney for Healthcare
Office of Legal Affairs
2102 Treasure Hills Boulevard
Harlingen, TX 78550
(956) 665-2024

The University of Texas at San Antonio
Hailey M. Mullican
Vice President for Legal Affairs and Chief Legal Officer
7703 Floyd Curl Drive
San Antonio, TX 78229-3900
(210) 567-0721

PLAN LIAISONS cont.…

The University of Texas at San Antonio (continued)
Kris Kwolek
Assistant General Counsel
Office of Legal Affairs
7703 Floyd Curl Drive, RM 130
San Antonio, Texas 78229
(210) 567-0723

The University of Texas at Tyler
David Northcutt
Chief Legal Officer
3900 University Boulevard
Tyler, TX 75799
(903) 565-6474

Stephen Ford
Chief Risk Officer & Acting Chief Audit Executive
3900 University Boulevard
Tyler, TX 75799
(903) 565-6541

Stephen F. Austin State University
Dr. Jeremy K. Higgins
Director, Environmental Health,
Safety & Risk Management
P.O. Box 6113, SFA Station
Nacogdoches, Texas 75962
(936) 468-4532

Erik Santes Zepeta
Compliance Specialist (Risk Management)
Office of Compliance
P.O. Box 6113, SFA Station
Nacogdoches, TX 75962
(936) 468-6511

The University of Texas Southwestern Medical Center
Anne Lai Howard
Asst. VP & Deputy General Counsel, Medical Risk Management
Office of Legal Affairs
5323 Harry Hines Boulevard
Dallas, TX 75390-9172
(214) 648-6901

The University of Texas Medical Branch at Galveston
Carolanda Woodgett
Sr. Vice President of Legal Affairs & Chief Legal Officer
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Galveston, TX 77555-0124
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The University of Texas Medical Branch at Galveston (continued)
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The University of Texas Health Science Center at Houston
Melissa Pifko
SVP & Chief Legal Officer
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7000 Fannin Street
Houston, TX 77225-0036
(713) 500-3268

Catherine R Thompson
Healthcare Risk Manager
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The University of Texas M. D. Anderson Cancer Center
Seth Miller
Managing Legal Officer, Litigation & Risk Management
Legal Services – Unit 1674
P.O. Box 301407
Houston, TX 77230-1407
(713) 745-9810

M. Sean Ponce
Legal Officer
Legal Services – Unit 1674
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INTRODUCTION

The University of Texas System Professional Medical Liability Benefit Plan (Plan) provides medical liability insurance for certain health care providers of The University of Texas System (System). This booklet contains general information regarding eligibility for coverage, covered claims, exclusions from coverage and limits of coverage.

ELIGIBILITY

The Plan provides liability indemnity for medical liability claims to its participants, subject to the terms and conditions of the Plan as approved by the U.T. System Board of Regents. “Plan Participant” includes:

1. Staff physicians and dentists who are medical doctors, oral surgeons, oral pathologists, dentists, doctors of osteopathy, or podiatrists appointed to the faculty of an institution of the System.

2. Residents and fellows enrolled in a residency program or fellowship at a U.T. medical or dental institution or school who are duly licensed, credentialed, and registered to practice their profession and participating in a patient-care program of the System.

3. Medical doctors, oral surgeons, oral pathologists, dentists, doctors of osteopathy, and podiatrists appointed to the faculty of a medical school or hospital of the System on a part-time or volunteer basis, and who either devote their total professional service to such appointments or provide services to patients by assignment from the department chairperson. For purposes of the Plan, such persons are “Plan Participants” only when providing services to patients in conjunction with supervision of medical or dental students or residents by assignment from the department chairperson and shall become Participants in the Plan only as provided in Article IV, Section 2.

4. Medical or dental students of a medical or dental school of the System and only when participating (with prior approval of such medical or dental school) in a patient-care program of a duly accredited medical or dental school under the direct supervision of a faculty member of the school conducting such program.

5. Medical doctors employed in student health services at an institution of the System.

6. Healthcare professional staff members and faculty who are licensed, certified, or registered to provide patient care; and

7. System institutions against which a liability claim is made that arises from the treatment or lack of treatment by any of the above Plan Participants.

COVERED CLAIMS

A medical "Liability Claim" is a claim or a cause of action alleging treatment or lack of treatment that departs from accepted standards of medical or dental care which proximately results in the injury or death of a patient.

In order to qualify as a covered claim the medical liability claim must arise from the participant's employment, official duties, or training with the System. Treatment rendered in the performance of these official duties must occur within the United States, its territories or possessions, or Canada. For medical liability claims arising from treatment rendered in any other foreign country, however, specific additional international coverage must have been purchased and specific conditions of participation must be met. Note: For international coverage, lawsuits must be filed in the United States.

"Disciplinary and Licensing Actions" which are covered include any disciplinary, licensing, or similar administrative proceeding brought against a participant by a Texas licensing or healthcare professional regulatory agency for the participant's profession or a Texas quality review or regulatory body that arises from professional services, except where a potential conflict of interest exists between the participant and The University of Texas System or its institutions with regard to a potential or pending employment or administrative matter. In certain circumstances, out-of-state disciplinary proceedings may also be covered.

Coverage of participants for Disciplinary and Licensing Actions is limited to legal representation of the participant by an attorney in a proceeding brought against the participant by a Texas licensing or healthcare professional regulatory agency for the participant's profession or a Texas quality review or regulatory body that arises from a covered activity.

Coverage provided by the Plan is on an occurrence basis, meaning that a participant is covered for all claims and lawsuits that arise from treatment related to the participant's employment, official duties, or training with the System, regardless of when the claim or lawsuit is filed.

EXCLUSIONS FROM COVERAGE

A complete list of exclusions is contained in the Plan document maintained by the Plan Administrator. The following is a partial list of coverage exclusions for medical liability claims as well as disciplinary and licensing actions:

1. Injury arising out of any illegal, dishonest, fraudulent, criminal, or malicious act or omission.

2. Any claim or lawsuit based upon the violation of a state or federal law.

3. Injury arising out of any sexual conduct of the participant.

4. Injury caused while the participant is acting under the influence of alcohol or drugs.

5. Any claim or lawsuit arising from actual or alleged discrimination based upon race, religion, color, sex, national origin, age, veteran status or handicap against a patient or employee.

6. Property damage.

7. Punitive or exemplary damages.

8. Any claim or lawsuit arising out of professional services which occur after the termination of the faculty appointment, employment, residency, or medical student status with the System.

9. Any claim or lawsuit arising out of professional services billed for by the participant but not deposited in a System institution practice plan, trust-affiliated foundation or certified not-for-profit corporation as approved by the Board.

10. Any claim or lawsuit arising out of professional services performed for professional fees, salaries, or other compensation by a participant outside of their employment, appointment, or enrollment with the System.

LIMITS OF LIABILITY OF THE PLAN

These limits apply unless lower liability limits are set by law, in which case the lower limits apply:

Annual Policy Aggregate:	$30,000,000
Staff Physician:	$500,000 per claim / $1,500,000 annual aggregate
Residents and Fellows:	$500,000 per claim / $1,500,000 annual aggregate
Other Health Care Professional	$500,000 per claim / $1,500,000 annual aggregate
Medical/Dental Student:	$25,000 per claim / $75,000 annual aggregate

Per Incident Limitation: Liability is limited to $2,000,000 per claim, regardless of the number of the claimants or Plan participants involved in an incident.

For an additional premium, medical students may be eligible for additional coverage when enrolled in an approved "externship" outside of the State of Texas.

For an additional premium and upon meeting specific criteria, physicians may be covered while providing medical services internationally on behalf of UT System.

For an additional premium and upon meeting specific criteria, physicians and other health care professionals may be eligible for additional levels of coverage for approved out-of-state medical services.

Limitation on Disciplinary and Licensing Actions: Up to $25,000 in costs and expenses incurred in connection with the investigation and defense of a single disciplinary and licensing action brought against the participant, unless there is a discretionary determination of necessity to exceed this limitation up to $35,000; and up to $100,000 for all such proceedings during an annual enrollment period.

RESPONSIBILITIES OF THE PARTICIPANT

Procedure for Reporting Incidents

Any incident that is not consistent with the routine operation of a hospital or clinic or the routine care of a particular patient should be reported to the U.T. health institution Plan liaison or designated risk manager, who will request a written report on behalf of the institution's Professional Liability Review Committee and the Office of General Counsel.

Written reports requested by the institutional Plan liaison on behalf of the Office of General Counsel and the institution's Professional Liability Review Committee are prepared in anticipation of litigation and are confidential under the privileges accorded to attorney-client communications and peer review committee investigations. Participants should inform their department chair that they are reporting an incident to the Plan liaison. However, **NO WRITTEN NARRATIVE REPORTS** should be given to the department chair because the institutional Professional Liability Review Committee comprised of clinical chairs or their deputies, will request and review all narrative reports in order to conduct a confidential medical peer review of the incident. Reports of incidents involving a resident insured by an affiliated teaching hospital's liability coverage will be referred to the hospital risk manager's office.

Procedure for Reporting a Notice of Claim or Lawsuit

For your own protection and to comply with the conditions of this Plan, all written notices of claims or legal actions must be reported promptly. Time is of the essence in the proper disposition of any claim or legal action and **FAILURE TO NOTIFY** the Office of General Counsel via the Plan liaison or designated risk manager may **JEOPARDIZE YOUR COVERAGE**.

1. Whenever a participant receives notice of a health care liability claim or is served with a citation and petition the following steps should be taken **IMMEDIATELY**:

    a. Inform the department chair or deputy of the receipt of a notice of a health care liability claim or lawsuit.

    b. Proceed immediately with all legal papers to the Plan liaison or designated risk manager at your institution (see List of Plan Liaisons above) who will forward all documents to the Office of General Counsel. The Office of General Counsel, assisted by the institution's Professional Liability Committee, Plan liaison and risk manager, will investigate the claim.

    c. Refer all further inquiries by the patient or the patient's attorney to the Office of General Counsel via the Plan liaison or risk manager.

2. If a participant who is no longer employed by the System or enrolled in the Plan receives a notice of health care liability claim or citation and petition regarding an alleged incident that occurred while the participant was covered under the Plan, the participant should take the following steps:

    a. Advise the Plan Liaison or designated risk manager by telephone of such notice, or citation and petition. The Plan Liaison or designated risk manager will immediately contact the Office of General Counsel.

b. As soon as possible, all legal documents should be forwarded to the Office of General Counsel via the Plan Liaison or designated risk manager.

Once a notice of claim is received or a lawsuit is filed, the participant, upon request of the institutional Professional Liability Committee and the Office of General Counsel, may be asked to complete a narrative report.

Upon receipt of a citation and petition served upon a participant, the Office of General Counsel will select a defense attorney to represent the participant in the lawsuit. All legal fees and expenses are paid by the Plan and are not deducted from the limits of liability coverage of a participant.

COOPERATION

Plan participants must cooperate with UT System in evaluation and defense of covered claims and may not take any action that would prejudice the defense of the claim or lawsuit. Taking any affirmative act or omission to prejudice the defense of the claim or lawsuit may **JEOPARDIZE YOUR COVERAGE.**

RISK MANAGEMENT EDUCATION

All individual Plan participants are required to complete five (5) hours of Risk Management Education (RME) each year. To meet this requirement, participants may take online courses provided by UT System or participate in other risk management events and activities.

SETTLEMENT DECISIONS

The Administrator of the Plan (Vice Chancellor and General Counsel) has the ultimate authority to settle a claim or lawsuit, subject to additional approvals required by the Board of Regents. It is, however, the practice of the Office of the General Counsel to include the participant in any discussions of settlement of a claim where payment will require a written report to be made to the National Practitioner Data Bank.