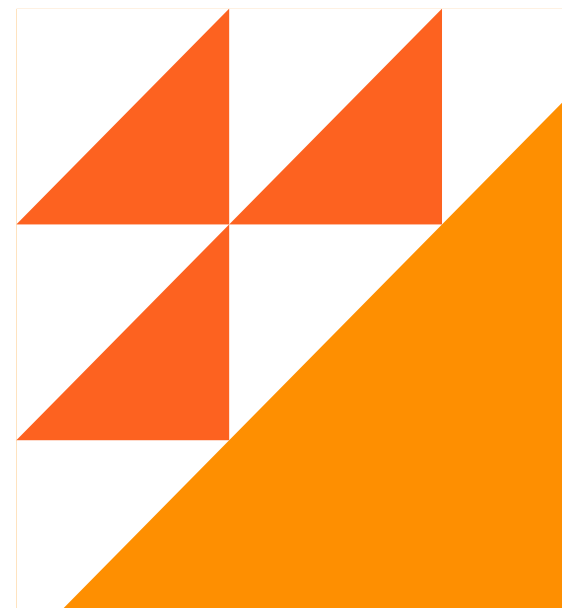
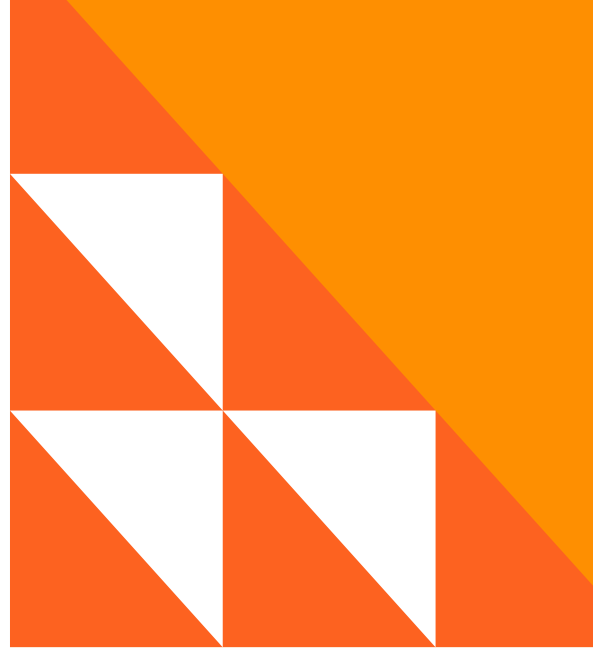


ICB SHARING TO IA FUTURE TASK FORCE

13 March 2024 (Wednesday)

by The Insurance Claims Complaints Panel



CONTENTS

1. About the Insurance Complaints Bureau (ICB)
2. About the Insurance Claims Complaints Panel
3. Functions and Jurisdiction
4. Statistics
5. Case Sharing



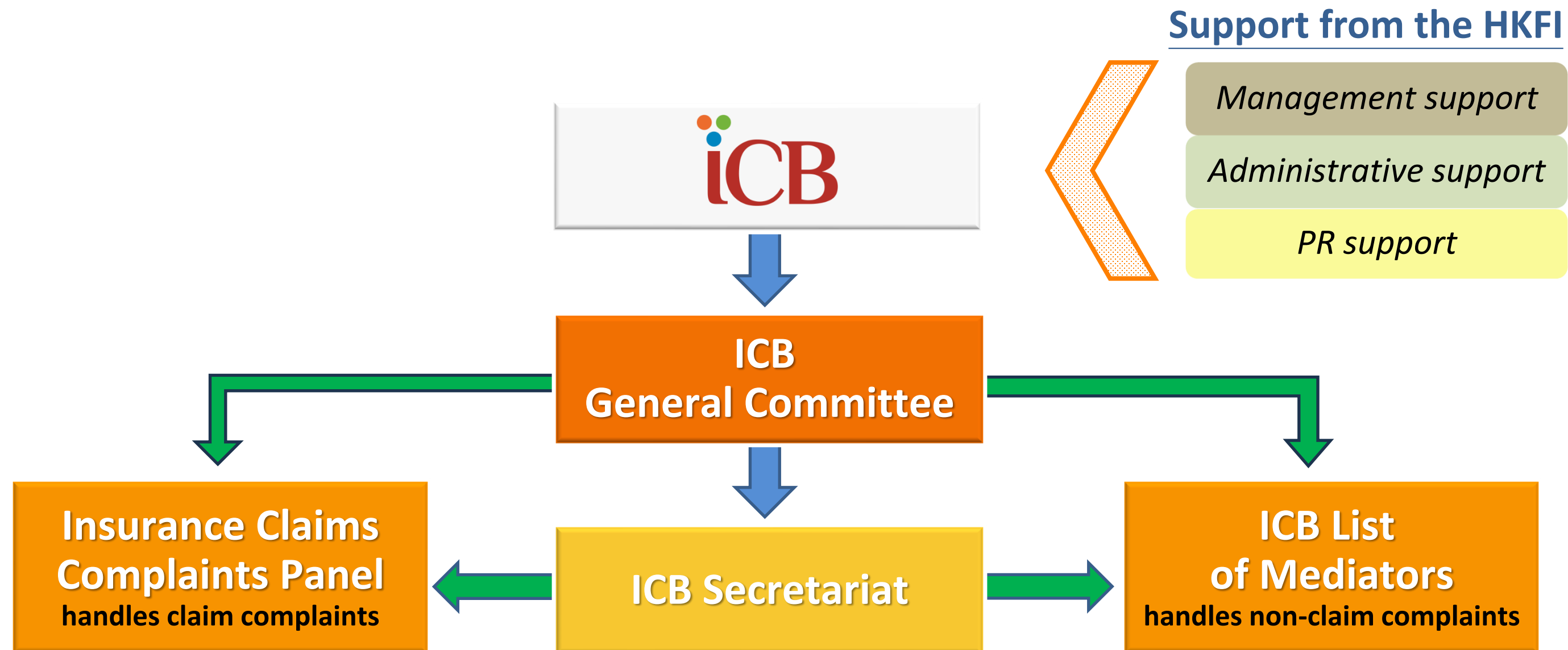
ABOUT ICB



- formerly known as Insurance Claims Complaints Bureau (ICCB), established in Feb 1990
- renamed as Insurance Complaints Bureau (ICB) on 16 Jan 2018, with expanded scope to resolve both claim and non-claim complaints
- provides a cost-effective and efficient alternative dispute resolution mechanism to help resolve all insurance disputes arising from personal insurance policies
- currently 110 Member Insurers
- A licensing requirement of IA: all authorized insurers carrying on personal insurance business in Hong Kong must be a member of ICB



ORGANIZATIONAL CHART





ABOUT COMPLAINTS PANEL

- an independent body appointed by the ICB
- provides independent and impartial adjudication of claims complaints between insurers and policyholders
- a five-member Panel, chaired by independent Chairman with majority from non-industry
- has power to look beyond strict interpretation of policy terms when making a ruling
- rulings are binding on Member Insurers only

MEMBERS OF THE COMPLAINTS PANEL



Chairman

Michael Tsui, MH

- qualified for admission as a barrister or a solicitor
- with prior approval of the Secretary of Financial Services and the Treasury



Vanessa Lau



**Non industry
professionals**



Lars Nielsen



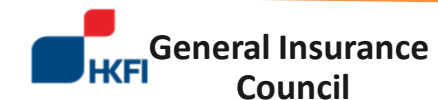
Orchis Li



**Industry
representatives**

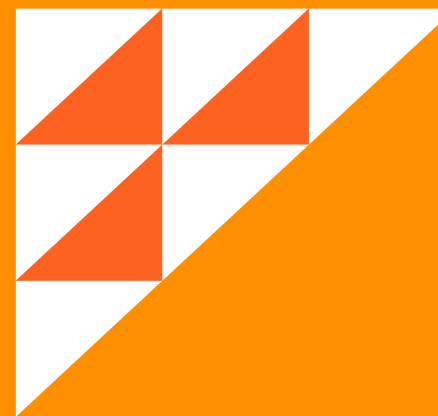


Jonathan Yau

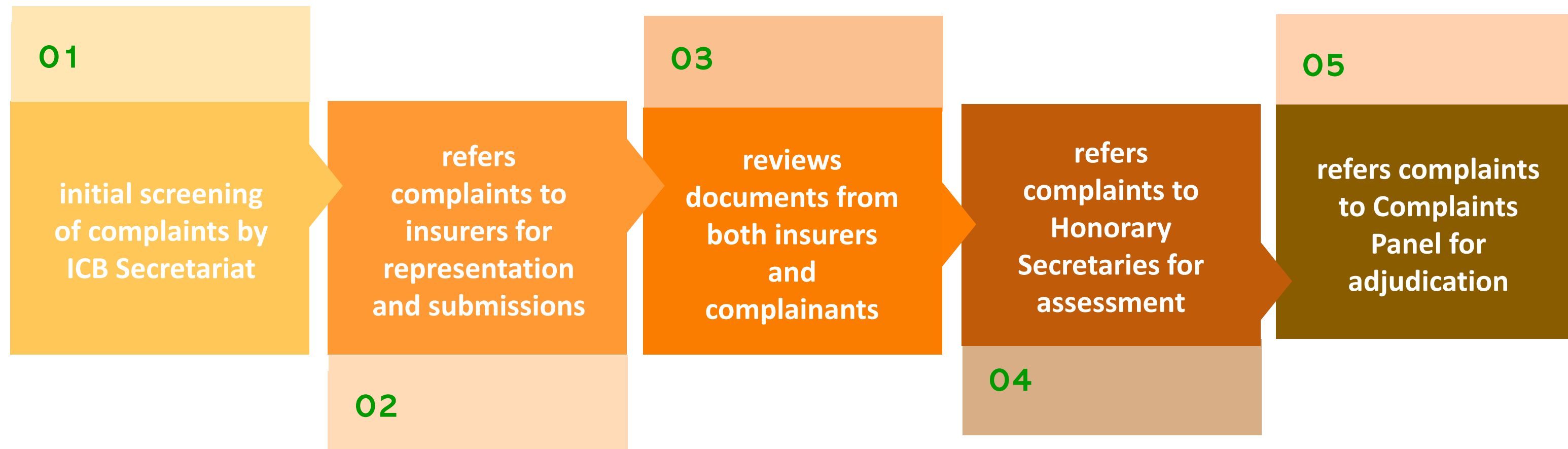


MAJOR TERMS OF REFERENCE

1. personal insurance contracts
2. claim amount not exceeding HK\$1.2 million
3. not arise from industrial, commercial or third-party insurance
4. filed within six months from the day of claims decision
5. not subject to legal proceedings or arbitration



COMPLAINTS HANDLING PROCEDURES





DECISIONS OF THE COMPLAINTS PANEL



- ❑ Decisions are binding on members of ICB
- ❑ If complainants are dissatisfied with the decision, they are free to seek legal redress and their legal rights will not be affected.

PUBLIC RELATIONS ACTIVITIES



Annual Media Conference

- provides a summary review of cases deliberated by the Complaints Panel
- educates consumers and let the insuring public better understand their legitimate rights under insurance policies

Active interactions with industry

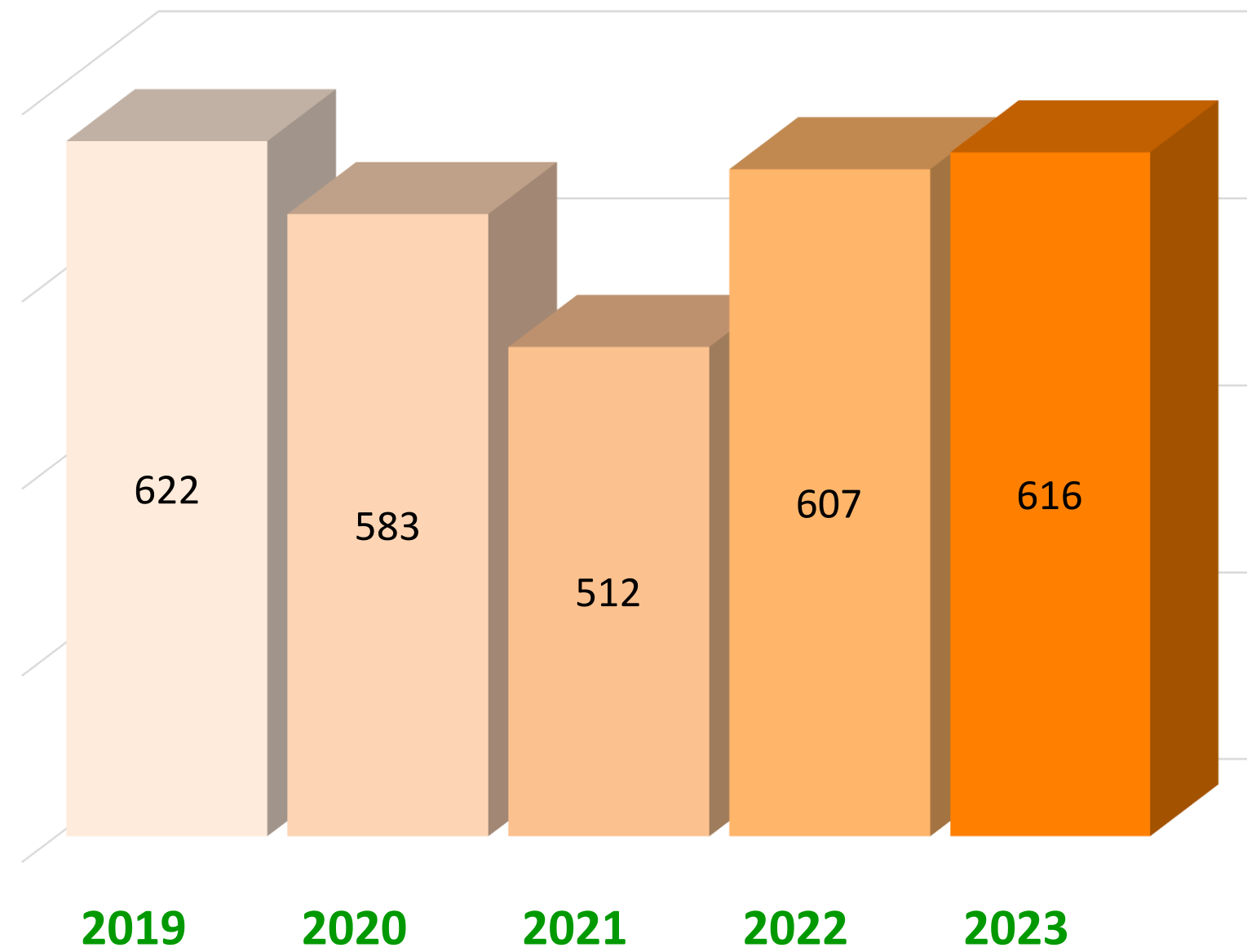
- informs the industry of areas which may need to review and improve
- sets industry's benchmark for good market practices

enhance consumer protection,
confidence and satisfaction

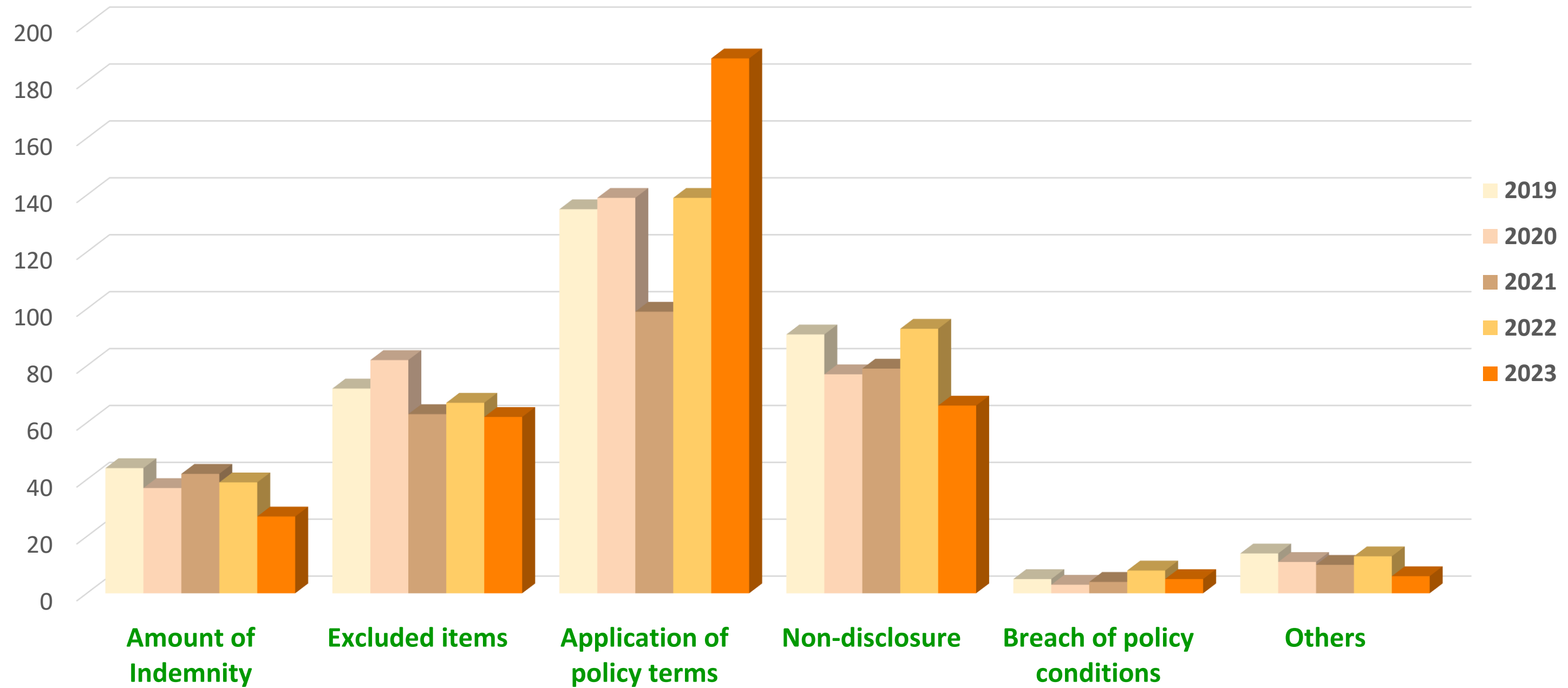


STATISTICS

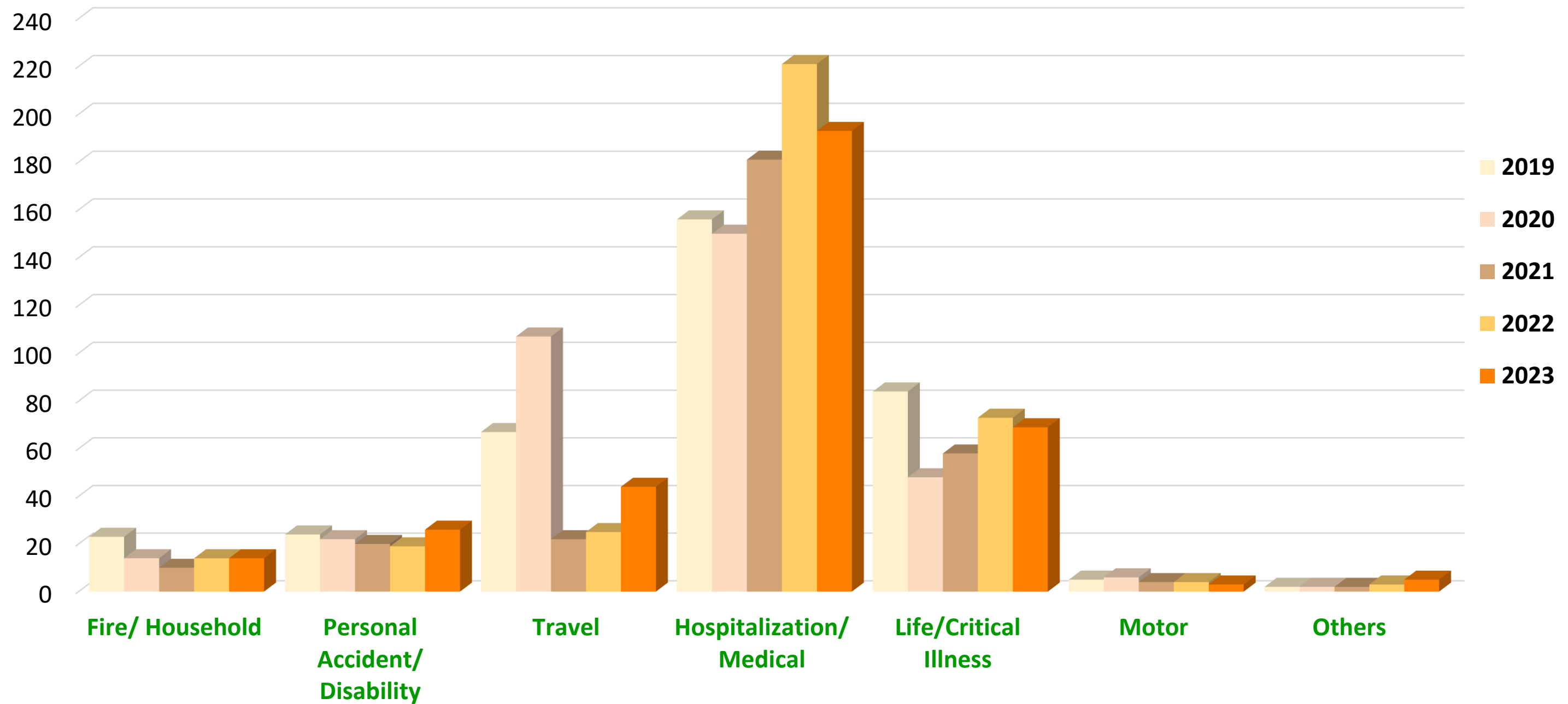
STATISTICS FOR THE PAST FIVE YEARS



NATURE OF COMPLAINTS CLOSED ((CLAIM-RELATED))



TYPES OF POLICIES CLOSED ((CLAIM-RELATED))



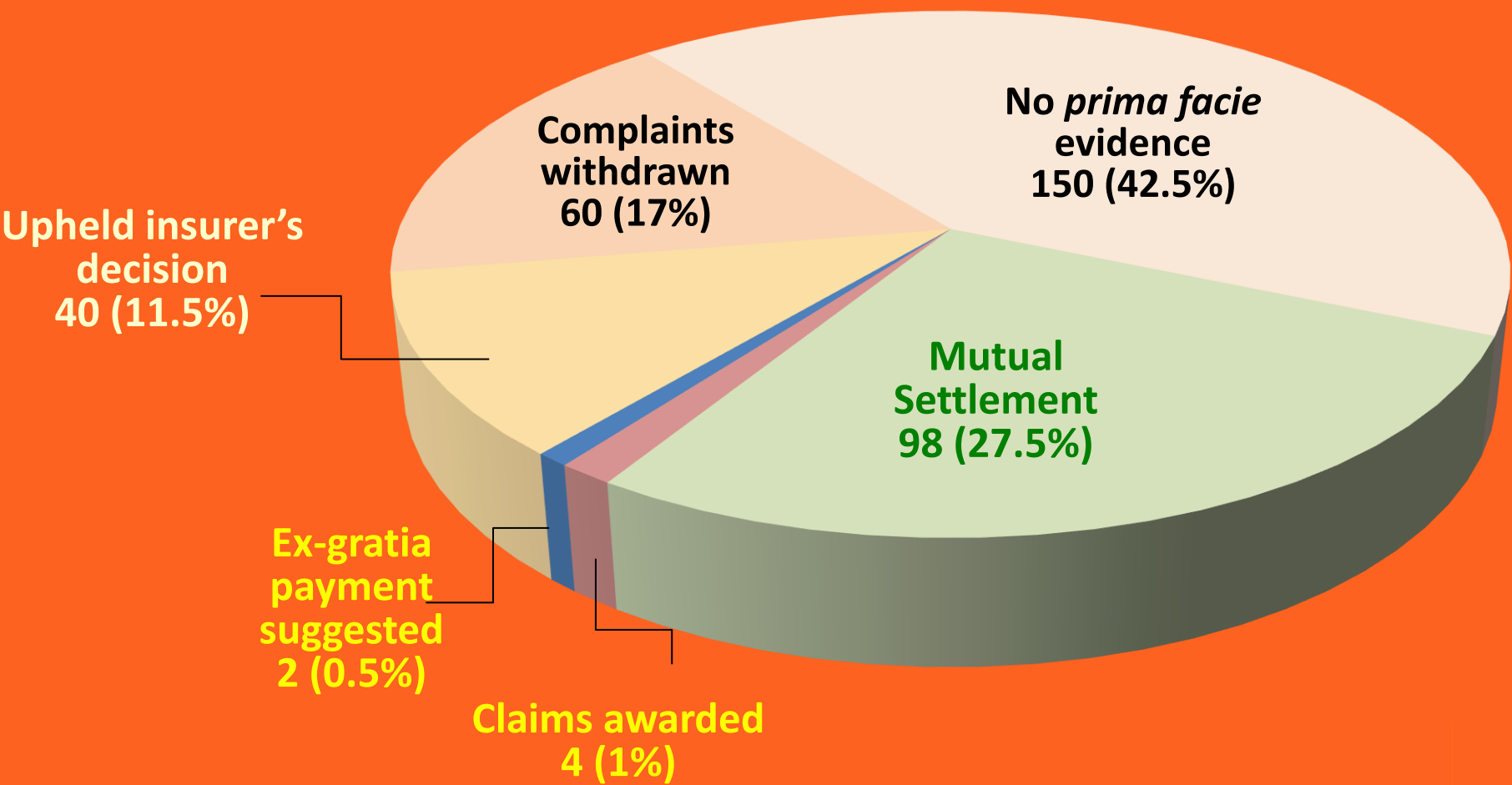
OUTCOME OF CASES CLOSED IN 2023 ((CLAIM-RELATED))



Out of 354 cases closed, 46 were referred to the Complaints Panel for deliberation. The Complaints Panel ruled in favour of the complainants in 4 cases.

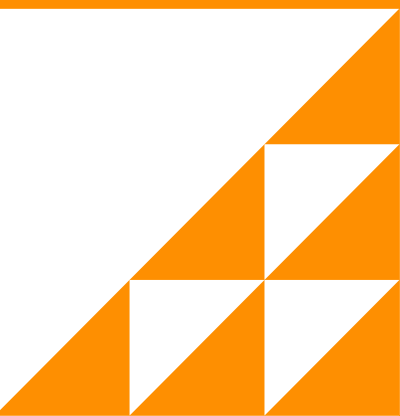


104 complainants received a total claims compensation of around HK\$12.12 million from insurers. The highest single case award amounted to about HK\$780,000.

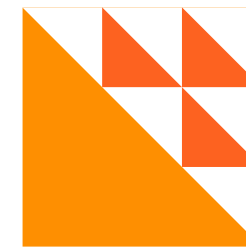




CASE SHARING



MEDICALLY NECESSARY



Were these hospitalizations medically necessary?

Case 1

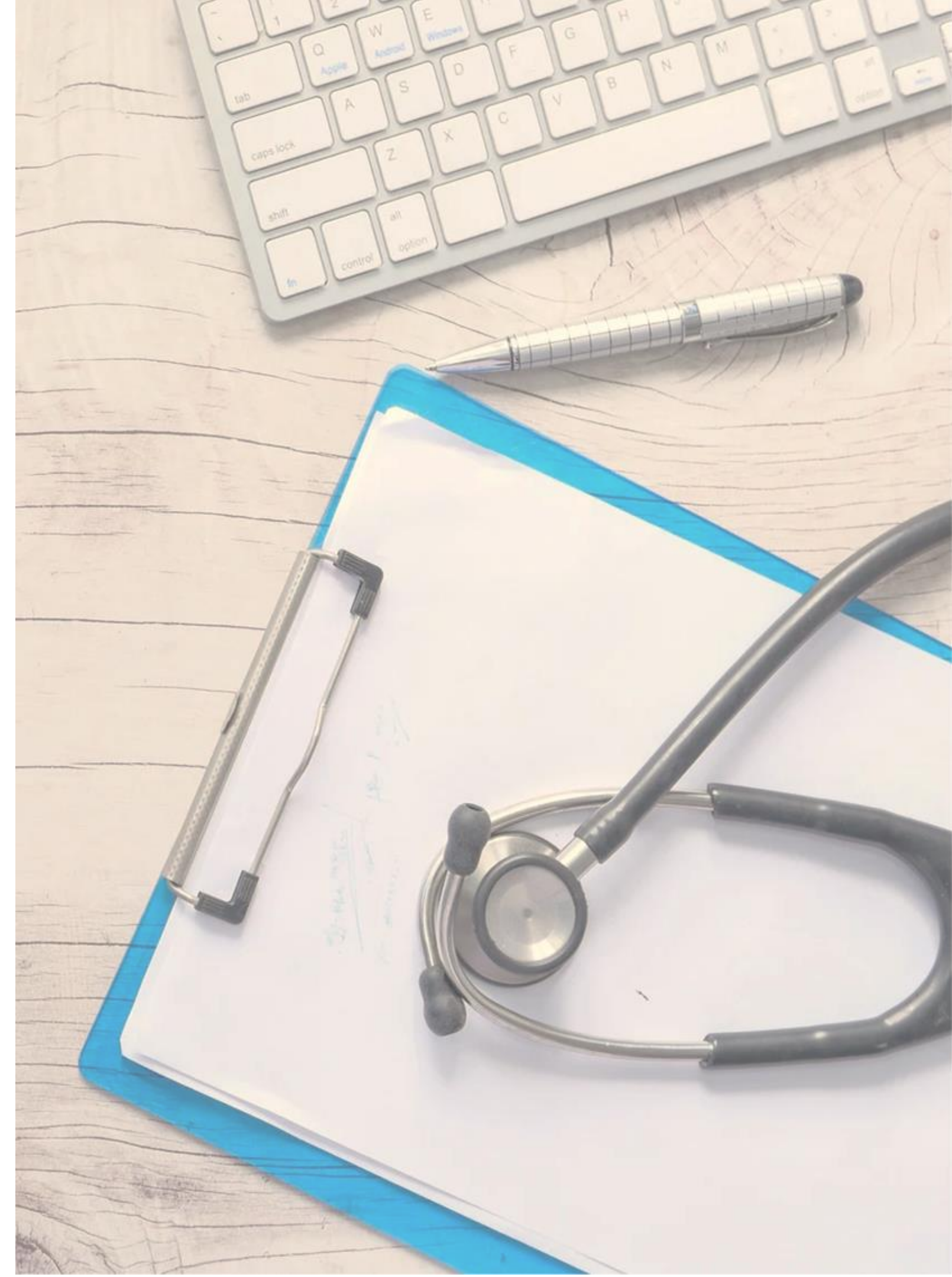
- insured suffered from carcinoma of bladder 3 years ago
- admitted to hospital for PET scan
- no recurrence of tumour
- discharged the next day

Case 2

- insured suffered from epigastric pain and abdominal pain
- admitted to hospital for gastroscopy and colonoscopy
- diagnosis: gastric erosion and colon diverticulum
- opted to have endoscopy at hospital due to history of coronary artery disease

Case 3

- insured suffered from chest pain and palpitation for one week
- admitted to hospital 12 days after consulted a cardiologist
- diagnosis: angina pectoris
- performed echocardiogram, ECG, CT coronary angiogram, etc

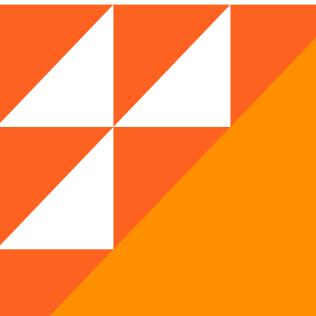


A photograph of medical supplies on a wooden desk. In the top left, a portion of a white computer keyboard is visible. Below it, a silver pen with a blue and white striped grip lies horizontally. In the foreground, a blue clipboard holds a white sheet of paper. A stethoscope with a silver chest piece and black tubing is resting on the paper. The desk surface is made of light-colored wood with visible grain.

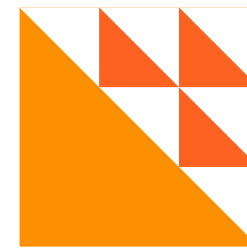
MEDICALLY NECESSARY

Adjudication Principles of the Complaints Panel

- admission solely for diagnostic tests?
- other treatments given during hospitalization?
- tests/investigations safely done at outpatient settings?
- minor surgeries effectively performed as day case procedures in clinics or outpatient surgery centers?
- medical conditions of patients?
- element of medical urgency/emergency?
- tests related to the diagnosis?
- professional opinions of attending physicians?
- for the convenience of patients or doctors?



REASONABLE AND CUSTOMARY CHARGES



Disputes often arise in premier hospital plans which offer “full cover” benefits with a specified annual policy limit.

Case 4

- 80-year-old insured suffered from per rectal bleeding
- admitted to hospital for colonoscopy
- fee charged by surgeon: HK\$48,000
- insurer adjusted surgeon fee to HK\$33,600 by applying R&C clause

Case 5

- insured suffered from large uterine tumour
- admitted to hospital for total abdominal hysterectomy with bilateral salpingo-oophorectomy for uterine fibroid
- fee charged by surgeon: HK\$200,000
- Insurer adjusted surgeon fee to HK\$120,000 by applying R&C clause

Case 6

- insured suffered from multiple viral warts over face, forehead, nose, check and neck (over 350 in number)
- warts removal by cryotherapy or cauterization,
- Fee charged by surgeon: HK\$67,000
- insurer adjusted surgeon fee to HK\$25,500 by applying R&C clause



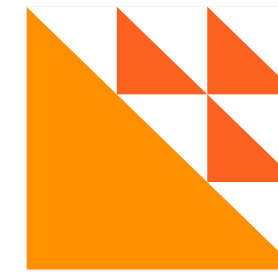


REASONABLE AND CUSTOMARY CHARGES

Adjudication Principles of the Complaints Panel

- disputed fees are within usual level of charges for similar treatment or medical services in the locality?
- reference to relevant publications or information available, such as
 - gazette issued by Hong Kong government which sets out the fees for private patient services in public hospitals in Hong Kong (List of Private Services of Hospital Authority)
 - information provided by local health authorities and recognized medical associations
 - information collected from practicing medical specialists/surgeons and private hospitals
 - industry medical fee survey and claims statistics
 - internal claims experience





NON-INVASIVE MEDICAL PROCEDURES

involve specific techniques and methods that are aimed at addressing and treating particular medical conditions

Case 7

- insured suffered from axillary hyperhidrosis (excessive underarm sweating)
- microwave treatment to eliminate sweat glands in underarm areas
- incurred medical expenses of HK\$15,300

Case 8

- insured suffered from meibomian gland dysfunction (dry eye)
- thermal pulsation treatment (heat and pulsatile pressure applied to eyelids to unclog meibomian glands)
- incurred medical expenses of HK\$42,800





NON-INVASIVE MEDICAL PROCEDURES

Adjudication Principles of the Complaints Panel

- medically necessary?
- belong to a surgical procedure?
- for cosmetic purpose?
- insured tried prior conservative treatment?
- experimental and new medical technology/procedure?
- effectiveness of the medical procedure?
- professional opinions of attending doctor?
- risk and safety of the procedure?
- guidelines from reputable medical association or organization?



Thank you

