



Feidhmeannacht na Seirbhíse Sláinte
Health Service Executive

Office of the National Director of Human Resources
Health Service Executive
Dr. Steevens' Hospital
Dublin 8

Tel: (01) 635 2319
Fax: (01) 635 2486

E-mail: nationalhr@hse.ie

HSE HR Circular 04(A)/2008

**To: Each Asst. National Director, PCCC
Each Hospital Network Manager
Each Asst. National Director, HR
Each Employee Relations Manager, HSE Areas
Each Human Resource Manager, Voluntary Hospitals**

**c.c: National Director, National Hospitals Office
National Director, PCCC
National Director, Finance
Director, Nursing Services**

26th November 2008

Re: Insurance Based Scheme for nurses employed in Mental Health Services

Dear Colleague,

Following acceptance by the HSE, PNA and SIPTU of Labour Relations Commission proposals, concerning a Personal Injury Insurance Scheme for nurses in Mental Health Services, **the provisions of HSE Circular 04/2008 on the above matter have now been amended to read as follows:**

I refer to the introduction of a scheme of personal injury cover for nurses employed in Mental Health Services who are assaulted during the course of their duties.

As you may be aware, the introduction of such a scheme has been the subject of protracted engagement with staff representatives, particularly, though not exclusively, in relation to the matter of psychological trauma. The revised Insurance Based Scheme provides a set of payments associated with the agreed range of physical injuries; those payments to incorporate compensation in respect of psychological trauma normally expected in cases of assault leading to physical injury. The event insured against is assault arising as a direct consequence of the insured person's employment, which shall, independently of any other cause, be the sole cause of any of the assaults. Cover will operate on a 24 hours basis, in the relevant hospital, home centre, patients' home, travelling as part of the nurse's employment to and from patients / clients.

The Insurance Based Scheme came into operation on 16 May 2008.

Benefits

The schedule of benefits payable under the scheme, are as follows:

	Benefit	Amount
1	Death	€25,000
2	Loss of two or more limbs or both eyes or one of each	€100,000
3	Loss of sight in one eye	€30,000
4	Permanent and total loss of speech	€100,000
5	Permanent and total loss of hearing in both ears	€100,000
6	Permanent and total loss of hearing in one ear	€30,000
7	Permanent and total loss of use of one limb	€75,000
8	Permanent and total loss of use of one big toe	€12,500
9	Permanent and total loss of use of any other toe	€10,000
10	Permanent and total loss of use of one thumb	€20,000
11	Permanent and total loss of use of one forefinger	€12,500
12	Permanent and total loss of use of any other finger	€10,000
13	Permanent and total loss of use of one hand	€30,000
14	Permanent and total loss of use of shoulder or elbow or wrist	€20,000
15	Permanent and total loss of use of hip or knee or ankle	€20,000
16	Total loss of use of back or spine (excluding cervical) without cord involvement	€30,000
17	Total loss of use of neck or cervical spine without cord involvement	€30,000
18	Removal by surgical operation of a kidney	€20,000
19	Quadriplegia	€100,000
20	Paraplegia	€100,000
21	Fracture to leg or arm	€12,500
22	Fracture to hand	€10,000
23	Fracture to skull	€12,500
24	Fracture to cheek or nose or jaw	€10,000
25	Fracture to vertebra	€12,500
26	Fracture to rib or sternum	€7,500
27	Fracture / dislocation to hip or pelvis	€12,500
28	Bodily injury resulting in treatment requiring sutures	€5,000
29	Dislocation of shoulder or arm or elbow or wrist	€10,000
30	Dislocation of thumb or finger	€5,000
31	Dislocation of knee or ankle	€12,500
32	Dislocation of foot	€7,500
33	Dislocation of big toe or toe	€5,000
34	Burns or scalds to any area apart from the face requiring hospitalisation	€6,000
35	Bite injuries resulting in medical treatment	€7,500

36	Contusion or haematoma or laceration to spleen	€10,000
37	Contusion or haematoma or laceration to heart	€10,000
38	Contusion or haematoma or laceration to bowel or digestive system	€10,000
39	Contusion or haematoma or laceration to bladder	€7,500
40	Contusion or haematoma or laceration to kidney	€12,500
41	Contusion or haematoma or laceration to lung	€10,000
42	Crushing injury to foot	€5,000
43	Crushing injury to hand	€5,000
44	Crushing injury as defined by (WHO ICD)	€10,000
45	Hernia	€5,000
46	Permanent total disablement from gainful employment of any and every kind	€100,000

In respect of Benefits 1 to 46 the following conditions shall apply:

(A)

Any bodily injury sustained must comply with the definitions and classifications of those injuries as defined in the World Health Organisation International Classification of Diseases (WHO ICD) Version 10.

Each injury specified on cover will be defined as a recognised condition (as per WHO ICD 10) which can be verified by a medical practitioner.

(B)

Benefit shall not be payable in respect of any one insured person under more than one of additional benefits 1 to 46 in connection with the same accident.

Additional Benefit 1

Dental expenses (vouched)	Up to	€7,500
Payment for psychological trauma arising from the physical assault.		€1,500

Additional Benefit 2

Burns or Scalds to Face requiring hospitalisation		€9,000
---	--	--------

Cover under the above terms is based on fixed benefits, with the exception of dental treatment which will be covered on vouched expenses. The benefits will require medical confirmation of the relevant condition. Cover has been arranged by the HSE through Irish Public Bodies Mutual Insurances Ltd.

Reporting of Incidents

All incidents are required to be reported through the appropriate channels within 48 hours of their occurrence.

Claims Procedure

The claims procedure for the scheme is consistent with that already in place for other types of insurance claims under HSE insurance policies.

The various stages of procedure in such eventuality are:

1	Claim notified by employee to HSE
2	HSE notify the Irish Public Bodies Mutual Insurances Ltd (IPB)
3	IPB issue claim form to HSE
4	Claim form completed by injured employee
5	Medical Certificate section of claim form completed by employee's doctor
6	Completed claim form returned to HSE
7	HSE forward claim form to IPB
8	IPB validate claim and issue cheque

Arbitration Mechanism

A joint arbitration Mechanism will be put in place to deal with situations where disallowance of a claim is not accepted.

Enquiries regarding the operation of this circular should be directed to Mr. Brendan Mulligan, Assistant Chief Executive –Industrial Relations, HSE Employers Agency, 63/64 Adelaide Road, Dublin 2; telephone 01-6626966; email: brendana.mulligan@hse.ie.

Yours sincerely,



Sean McGrath
National Director of Human Resources