

**CHARTERED**   
INSTITUTE OF PROFESSIONAL CERTIFICATIONS

# FLORIDA MEDICAL MALPRACTICE LAWS, LIABILITIES AND RISK MANAGEMENT

**Fully Accredited  
By:**

Chartered Institute of  
Professional Certifications

CPD  
Certification Service



# PROGRAM OVERVIEW

According to data from the Florida Office of Insurance Regulation, medical malpractice payouts in Florida have consistently ranked among the highest in the United States, with **average indemnity payments exceeding \$400,000 and total annual payouts surpassing \$200 million**. In recent years, Florida has seen a steady rise in malpractice litigation, particularly involving **diagnostic errors, surgical complications, and delayed treatment**. As the legal and regulatory environment continues to evolve, it is crucial for medical leaders to understand the **nuances of malpractice law, proactively manage risks, and strengthen patient safety systems** to mitigate exposure.

This certified program will provide you with an in-depth understanding of the legal, procedural, and ethical dimensions governing medical malpractice in Florida. You will gain a comprehensive understanding of the state's malpractice framework—covering **negligence elements, burden of proof, informed consent, vicarious liability, damage assessment, and statutory defenses**. The program will also examine recent legislative developments and case precedents shaping Florida's medico-legal landscape, helping participants remain compliant and prepared in an increasingly litigious environment.

## ACCREDITATIONS



4.8



4.6





# PROGRAM OVERVIEW

Throughout the program, you will learn to identify and assess **liability risks, implement preventive risk management strategies, and develop institutional policies** that strengthen patient safety and legal defensibility. Key topics include **incident documentation and reporting, communication and disclosure** following adverse events, claims management processes, and collaboration between legal counsel, insurers, and clinical teams.

You will further explore strategies to build a culture of **accountability and transparency, minimize medical errors, and apply ethical principles** in clinical decision-making. By integrating real-world case studies and Florida-specific regulations, this program will ensure a practical and contextually grounded learning experience tailored to healthcare leaders, physicians, and administrators.

Upon completion, you will earn the **Certification in Florida Medical Malpractice Laws and Risk Management**, a globally recognized credential demonstrating your expertise in legal compliance, patient safety, and ethical medical governance. This certification will affirm your ability to lead effective malpractice prevention and defense strategies within Florida's evolving healthcare landscape.

## ACCREDITATIONS



4.8



4.6





# KEY SKILLS YOU WILL GAIN

## From This Program



**FLORIDA MEDICAL MALPRACTICE LAW  
STANDARD OF CARE  
EXPERT WITNESS TESTIMONY  
INFORMED CONSENT**

**INFORMED REFUSALS  
FLORIDA STATUTES CHAPTER 766  
APOLOGY LAWS  
ERROR DISCLOSURE**

**PEER REVIEW PRIVILEGE  
PATIENT SAFETY ORGANIZATIONS  
HIPAA COMPLIANCE  
HITECH ACT COMPLIANCE**

**MEDICAL DOCUMENTATION INTEGRITY  
ELECTRONIC RECORDKEEPING  
SPOILIATION PREVENTION  
CLAIMS MANAGEMENT  
PRESUIT SCREENING**

**EXPERT AFFIDAVITS  
MEDIATION AND SETTLEMENT**



A professional portrait of Michael R. Lowe, Esq. He is a middle-aged man with short dark hair, smiling at the camera. He is wearing a dark navy blue suit jacket over a white dress shirt and a gold-colored patterned tie. His hands are clasped in front of him. The background is a blurred office interior with warm lighting.

# YOUR FACULTY DIRECTOR

## Michael R. Lowe, Esq

### AV Preeminent-Rated Healthcare Law Attorney

Michael R. Lowe, Esq. is a board-certified health care attorney by the Florida Bar with over 30 years of experience specializing in medical malpractice defense, health law, and regulatory compliance. Licensed in both Florida and Georgia, Mr. Lowe has **represented thousands of healthcare professionals and institutions across a broad spectrum of medical-legal matters**, including malpractice litigation, HIPAA compliance, fraud and abuse prevention, Medicare/Medicaid audits, and hospital medical staff governance.

An AV Preeminent-rated attorney by Martindale-Hubbell and a Super Lawyers honoree, Mr. Lowe has **defended more than 70 medical malpractice cases, serving as lead counsel in multiple trials with an outstanding record of defense verdicts**. He has also handled over 100 HIPAA investigations and represented six hospital medical staffs in peer review, credentialing, and fair hearing matters.

A respected educator and author, Mr. Lowe has **served as an Adjunct Professor and Dean's Advisory Council Member at the University of Central Florida's College of Health & Public Affairs**. He has published extensively on healthcare law and risk management, and is a sought-after speaker on medical malpractice prevention, legal compliance, and healthcare governance.

# OUR PARTICIPANTS

Over 70% of FORTUNE 500 Companies Have Attended Our Accredited Programs Before







# PROGRAM AGENDA

## MODULE 1 - CASE INITIATION & MEDICAL RECORD MANAGEMENT

- Case Initiation
- Obtaining, Reviewing and Analyzing Medical Records
- Insurance and Medical Records Requests
- Expert Witness Laws & Daubert Standard in Florida

## MODULE 2 - FLORIDA MEDICAL MALPRACTICE LAW ESSENTIALS

- Overview of Florida Medical Malpractice Laws
- Chapter 766, Florida Statutes
- Expert Witness Laws & Daubert Standard in Florida

## MODULE 3 - STANDARD OF CARE & EXPERT SELECTION

- Standard of Care
- Selection of Experts (Both Pre-suit & Lawsuit)
- When is There a Breach of the Standard?

## MODULE 4 - FLORIDA PRE-SUIT SCREENING & DISCOVERY

- Florida's Pre-suit Screening Process and Procedure
- Complying with Pre-suit Requirements
- Pre-suit Discovery

- Use of Expert Witnesses
- Pre-suit Deadlines

## MODULE 5 - STATUTE OF LIMITATIONS & FILING RULES

- Legal Timeframes and Filing Rules
- Statute of Limitations
- How Does Pre-suit Affect Statute of Limitations
- Response to Complaint

## MODULE 6 - PROVING NEGLIGENCE IN MALPRACTICE CASES

- Providing Negligence in Medical Malpractice Cases
- Elements of Medical Malpractice Claim
- Use of Experts
- Deposing Relevant Treaters
- Summary Judgement

## MODULE 7 - MEDICAL RECORDS COMPLIANCE & DOCUMENTATION

- Creating and Maintaining Proper Medical Records
- Common Mistakes Made in Medical Records
- Key Considerations in Using EMR

## MODULE 8 - RISK COMMUNICATION, PRIVILEGE & AMENDMENT 7





# PROGRAM AGENDA

- Communication in Risk Management
- Amendment 7 in Florida
- Maintaining Privilege
- Role of the Risk Manager

## **MODULE 9 - INFORMED CONSENT REQUIREMENTS & STRATEGIES**

- Managing Informed Consent
- Florida's Informed Consent Laws
- Using Informed Consent in Both Plaintiff's and Defendant's Depositions
- Proper Use of Informed Consent Laws

## **MODULE 10 - ADVERSE EVENT REPORTING & MANAGEMENT**

- Adverse Events Management
- Code 15 Reports under Chapter 395, Florida Statutes
- Physician Office Adverse Incident Reporting
- Maintaining Privilege in Adverse Event Situations

## **MODULE 11 - MEDICAL MALPRACTICE LITIGATION PROCESS**

- Medical Malpractice Litigation Process
- Initiating and Responding to the Complaint
- Discovery Tips – Written and Depositions
- Motion Practice
- Mediation

## **MODULE 12 - DEFENSE STRATEGIES & EXPERT USE**

- Defense Strategies for Medical Practitioners
- Discovery Practices
- Use of Expert Witnesses
- Statute of Limitations Defense
- Summary Judgment
- Daubert Motions and Practice
- Deposition Strategy for Treators, Plaintiff and Experts

## **MODULE 13 - MEDICAL MALPRACTICE INSURANCE & COVERAGE**

- Medical Malpractice Insurance
- Coverage Considerations
- Florida's Consent to Settle Requirements
- Going Bare and Defending Bare Providers

## **MODULE 14 - TRIAL PREPARATION & COURTROOM STRATEGIES**

- Trial Considerations for Medical Malpractice Cases
- Pre-trial Practice, Motions in Limine, Summary Judgement
- Jury Selection/Voir Dire
- Order of Proof and Strategies
- Use of Experts at Trial
- Winning Over the Jury

# YOUR CHARTER DESIGNATION



Chartered Institute of Professional Certifications' programs are unique as they provide you with professional charter designations and marks that can be used across your lifetime once you have completed our programs.

Upon successful completion of this program, you will be awarded the **Certification in Florida Medical Malpractice Laws and Risk Management**, a prestigious credential that strengthens your professional portfolio and career profile. This globally recognized certification holds lifelong validity and attests to your expertise in Florida's complex medical malpractice and risk management framework.

Developed by the **Chartered Institute of Professional Certifications**, the program is certified by the **CPD Certification Service** and adheres to the highest standards of continuing professional education. It validates your expertise in navigating Florida's medical malpractice statutes, risk mitigation strategies, and litigation defense processes, as well as your ability to implement robust compliance and patient safety practices. This certification will distinguish you as a leader capable of managing legal exposure, upholding clinical integrity, and advancing patient safety across Florida's healthcare system.



# ABOUT US

49,525

Business Leaders Have  
Attained Their Chartered  
Certifications Since 2009

390

Certified and Fully  
Accredited Programs

87%

Chartered Leaders Have  
Reported Career Promotions  
and Enhancements

## Chartered Institute of Professional Certifications

All of Chartered Institute of Professional Certifications programs are fully accredited programs. The professional charters and designations are trademarked credentials that can only be used by professionals who have completed and passed our accredited program. It is also independently accredited by CPD as adhering to the highest standards of continuing professional principles.

**CHARTERED**   
INSTITUTE OF PROFESSIONAL CERTIFICATIONS



# OUR FACULTY DIRECTORS

We Collaborate With  
Instructors From  
Renowned Institutions



**HARVARD**  
UNIVERSITY



**Wharton**  
UNIVERSITY of PENNSYLVANIA



**Stanford University**



**UNIVERSITY OF MICHIGAN**



THE LONDON SCHOOL  
OF ECONOMICS AND  
POLITICAL SCIENCE



**Columbia  
Business  
School**

**London  
Business  
School**



# CONTACT US TODAY

We Thank You for Your Ongoing Support  
of Our Programs

## **Singapore and Asia Pacific Enquiries**

Email: [advisor@charteredcertifications.com](mailto:advisor@charteredcertifications.com)  
Phone: +65 6716 9980  
Address: Chartered Institute of Professional Certifications  
1 Gateway Drive  
#20-04 Westgate Tower  
Singapore 608531

## **Australia and New Zealand Enquiries**

Email: [advisor@charteredcertifications.com](mailto:advisor@charteredcertifications.com)  
Phone: +61 3 9909 7310  
Address: Chartered Institute of Professional Certifications  
530 Little Collins Street, Level 1  
Melbourne VIC 3000, Australia

## **UK, Europe and Middle East Enquiries**

Email: [advisor@charteredcertifications.com](mailto:advisor@charteredcertifications.com)  
Phone: +44 (020) 335 57898  
Address: Chartered Institute of Professional Certifications  
86-90 Paul Street  
London, EC2A 4NE

## **USA Enquiries**

Email: [advisor@charteredcertifications.com](mailto:advisor@charteredcertifications.com)  
Phone: +1 888 745 8875  
Address: Chartered Institute of Professional Certifications  
99 Wall Street #3936  
New York, NY 10005