

HAMILTON
FRASER

Cosmetic
INSURANCE

Our top tips on how to avoid a potential claim

Non-invasive cosmetic procedures are a growing part of the UK's cosmetic industry. An increasing number of claims for compensation are being made against clinics and medical practitioners who perform non-invasive procedures. All non-invasive treatments which are negligently administered may result in a claim. This includes botulinum toxin, fillers, cosmetic peels/derma roller, and laser/IPL.

Fortunately, claims are the exception for the careful practitioner who keeps good treatment notes, follows product use guidance and has robust assessment and consent procedures in place.

Here are our top tips to minimise the risk of legal action:

1

Keep Detailed Patient Notes

Maintain good, thorough notes of all assessments and appointments with your clients.

2

Keep Hold of your Patient Notes

If you are a practitioner trading mobile from a clinic and the clinic holds the records, it would be useful for the practitioner to also hold notes in the event of any disputes with clinics in the future. It is a condition that all records are kept for a minimum of 10 years in a secure place and backed up. Any patient has up to 3 years from the date of treatment to pursue a claim.

3

Assess your Clients Carefully

Assess your clients carefully before accepting them. Do not treat clients that you think might have unrealistic expectations about treatment outcomes.



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4**Obtain a Full Medical History from the Patient**

Obtain a full medical history from your patient including whether they have undergone non-invasive procedures in the past and whether there has been any adverse affects from the products. Be aware that patients can have unforeseen reactions to products that cannot always be predicted.

5**Patient Consent**

Ensure that the client is consented carefully for the procedure. Make sure you explain the risks of the treatment clearly to them. If there are alternative, more suitable treatments tell them about the treatment. Make sure that they sign and date the consent form to indicate they understand the information that has been provided to them.

6**Follow Product Guideline**

Ensure that the procedure is carried out within the product guidelines. If a treatment has been undertaken outside the guidelines it is very difficult to maintain that the treatment was appropriate.

7**Record Settings**

Make sure you record the settings that are used on the equipment and perform all of the necessary patch tests and skin assessments prior to the treatment being administered.

8**Encourage Patient to Follow Guidance**

Be aware that patients do not always follow guidance such as avoiding the sun or applying adequate sun block. If they have not done so, it is your responsibility to refrain from treating the patient on that occasion.

9**Patient Literature**

Always provide your patient with any leaflets or brochures with details of the product and the conditions which the product can treat, not only is this informative to patients but could tempt the patient into coming back for further treatments i.e. Botulinum Toxin can also be used for Hyperhidrosis or Dermal Fillers for different areas of the body (not just facial rejuvenation).

10**Take Before and After Photos**

Take clear before and after photographs of the treated areas and make sure these are stored safely. The photos will enable the patient to see the effect of the final outcome and refer back to photographs prior to the treatment which was performed.

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