

La procédure d'indemnisation des erreurs et accidents médicaux en pratique

Accident

- Accident médical (geste fautif etc...)
- Infection iatrogène (effet médicamenteux indésirable) ;
- Infection nosocomiale (infection contractée dans l'établissement) ;
- Aléa thérapeutique (risque qui se réalise alors qu'aucune faute des personnels soignants)

Assurance

- Démarches amiables avec l'assurance du responsable en cas de préjudice léger ;

Expertise amiable

- L'assurance met en place une expertise dite amiable ;
- Réunir tout les documents utiles avant l'expertise ;
- L'expert examine la victime et chiffre ses préjudices selon la nomenclature Dinthilac ;
- Attention les experts sont mandatés et payés par l'assurance elle même ;

Proposition d'indemnisation

- L'assurance doit faire une proposition d'indemnisation dans les 8 mois de l'accident ou 5 mois de la consolidation ;
- Cette offre est quasi systématiquement sous évaluée ;
- Il ne faut pas hésiter à la refuser ;

Acceptation de l'offre : transaction

- Si acceptation de l'offre, signature d'une transaction entre l'assurance et la victime ;
- La signature de la transaction empêche la victime de saisir la justice pour les mêmes préjudices, sauf aggravation de l'état de santé ;

- Récupérer le dossier médical auprès du médecin ou de l'établissement de santé ; 

OU

Saisine CCI

- La CCI met en place une expertise ;

OU

Préjudices importants

- Si les préjudices sont importants et graves, la CCI fait une proposition d'indemnisation

Préjudices légers

- Si les préjudices sont légers la CCI met en place une conciliation avec les responsables ;

Refus de l'offre: procédure judiciaire

- Saisine du juge des référés pour obtenir une expertise judiciaire et une provision le cas échéant ;
- Chiffrage des préjudices par l'avocat ;
- Saisine du juge du fond pour obtenir les dommages et intérêts sur la base du rapport d'expertise rendu par l'expert judiciaire ;

Ans Dindemnisation Des Victimes Dinfractions

Yicheng Fang



Ans Dindemnisation Des Victimes Dinfractions:

Unveiling the Magic of Words: A Report on "**Ans Dindemnisation Des Victimes Dinfractions**"

In a world defined by information and interconnectivity, the enchanting power of words has acquired unparalleled significance. Their capability to kindle emotions, provoke contemplation, and ignite transformative change is truly awe-inspiring. Enter the realm of "**Ans Dindemnisation Des Victimes Dinfractions**," a mesmerizing literary masterpiece penned by a distinguished author, guiding readers on a profound journey to unravel the secrets and potential hidden within every word. In this critique, we shall delve into the book's central themes, examine its distinctive writing style, and assess its profound impact on the souls of its readers.

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