

Guide to The Japan Obstetric Compensation System for Cerebral Palsy

What is The Japan Obstetric Compensation System for Cerebral Palsy?

In addition to quickly compensating for the economic burden affecting families with children born with severe cerebral palsy, this system seeks to avoid conflict and find an early solution, and works to improve the quality of obstetric care by analyzing the cause and providing contributory information to prevent the recurrence of similar cases.

Persons Eligible for Compensation

For births occurring after January 2015, the qualifications for compensation in cases of cerebral palsy will be revised. As a result, for children born on January 1, 2015 or later, standards regarding length of pregnancy and birth weight have been set, as well as "other specified requirements" for pregnancies longer than 28 weeks, differ from those for children born on or before December 31, 2014. Children who satisfy the following three items are targeted for compensation.

For children born between January 1, 2009 and December 31, 2014.

1. A birth weight of **2,000 grams** or more and a pregnancy of **33 weeks** or longer. For pregnancies **28 weeks or longer, other specified requirements are included**.
2. Cerebral palsy corresponding physical disability **certificate Class I/II**.
3. Cerebral palsy **not caused by congenital reasons or factors during the neonatal period**.

For children born after January 1, 2015.

1. A birth weight of **1,400 grams** or more and a pregnancy of **32 weeks** or longer. For pregnancies **28 weeks or longer, other specified requirements are included**.

* This system does not cover children who die before the age of 6 months.

- (Regarding 2) Authorization for compensation is carried out based on the doctor's certificate and diagnosis standard of this system.
This does not qualify a person for a national physical disability certificate.
- (Regarding 3) Cases where the main cause of severe motor impairment cannot be clearly identified as "congenital reasons or factors during the neonatal period" will be targeted for compensation.

Compensation Details

Once certified for compensation, a lump-sum payment for preparation and installment payment will be combined for a total of 30 million yen.

To provide the foundation expenses for nursing care

Lump-sum payment for preparation:
6 million yen

To provide nursing care expenses

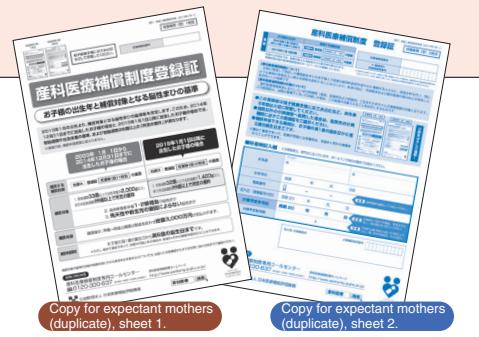
Installment compensation payment:
total **24 million yen**
(1.2 million yen, 20 time-installments in a year)

Application Period of Compensation

Applications for compensation are accepted from the child's first birthday until his/her fifth birthday. However, in cases of severe condition and early diagnosis is possible, application for compensation may be submitted 6 months after the birth.

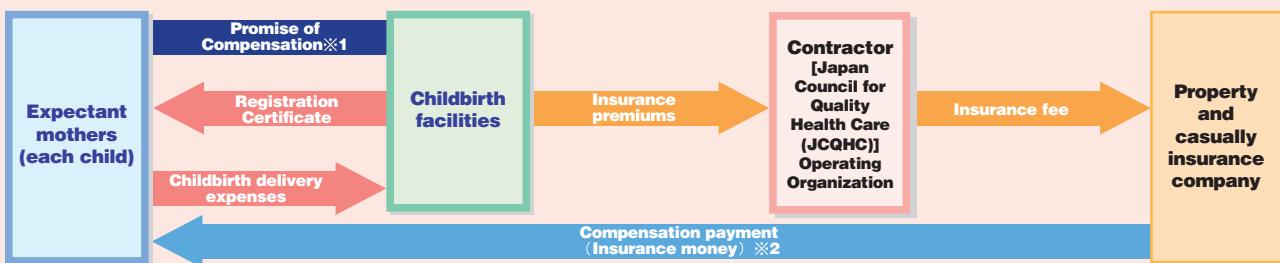
Reminders for Expectant Mothers

- The childbirth facility will issue a “Registration Certificate” identifying all expectant mothers under the management of this hospital as eligible for application to this compensation system. Please fill in this certificate (the compensation agreement is printed on the back).
- Please retain the “registration certificate” (1st and 2nd) for five years after birth in the maternal and child health handbook.



System Structure

Compensation



※1 The compensation is promised under the standard compensation agreements regulated by the operating organization.

※2 If you are approved as a recipient of compensation by the operating organization, the operating organization will apply to the insurance for payment as a dupe of the affiliated childbirth facility. Also, the insurance company will provide the compensation payment.

- The childbirth facility participates in this system, so insurance premiums for compensation are paid by the childbirth facility.
- For children born at an affiliated childbirth facility (deliveries after the 22nd week), the amount corresponding to an installment payment is added to the lump-sum payment for childbirth and nursing.

Cause Analysis and Future Prevention

Cause Analysis

After authorized as a recipient of compensation, the causes are analyzed from the clinical viewpoint in the analytical reports which are to be provided to both expectant mothers (the child) and childbirth facilities.

Future Prevention

The preventive measures are drawn up through the analysis of cases filed.

Improvement in Maternity Care

Other Points to Remember

- Only births at childbirth facilities which participate in “The Japan Obstetric Compensation System for Cerebral Palsy” are eligible for compensation by this system.
- If you accept payment for damages due to malpractice from the childbirth facility, double payment of compensation (i.e. compensation payment and liability payment) is not allowed.

Please contact the childbirth facility where delivery occurred or the contact address below for details regarding compensation standards and specific procedures.

For inquiries regarding the “The Japan Obstetric Compensation System for Cerebral Palsy”

Japan Obstetric Compensation System for Cerebral Palsy Special Call Center

0120-330-637 Hours : 9:00a.m. - 5:00p.m. (closed Saturday and Sunday)

Website of The Japan Obstetric Compensation System for Cerebral Palsy

<http://www.sanka-hp.jcqhc.or.jp/>

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Japan Council for Quality Health Care (JCQHC)

(Jurisdiction of the MHLW : Ministry of Health, Labour and Welfare)