

INDIAN HOSPITALS PROPOSED SETTLEMENT AGREEMENT

COMPENSATION GRID

Severity of Abuse	Description of Abuse	Compensation
Level 1	<ul style="list-style-type: none"> • Sexual comments or sexualized provocation; OR • Unreasonable or disproportionate acts of discipline or punishment; OR • One or more incidents of mocking, denigration (e.g. belittling or abusive language), or humiliation (e.g. shaming); OR • Threats of violence or intimidating statements or gestures; OR • One or more incidents of abuse, such as: <ul style="list-style-type: none"> ◦ Unreasonable confinement unrelated to medical treatment and interventions; OR ◦ Being forced to consume alcohol and/or illegal substances, excluding the administration of necessary medication including narcotics 	\$10,000
Level 2	<ul style="list-style-type: none"> • One or more incidents of: <ul style="list-style-type: none"> ◦ Nude photographs taken of the primary class member with no medical purpose (such as for medical treatment or interventions including X-rays); OR ◦ Non-patients exposing their genitals or other private parts to primary class member; OR ◦ Touching genitals or other private parts (directly or through clothing), excluding touching for a medical purpose (e.g. with a thermometer, scope, or other medical device); OR ◦ Fondling or kissing; OR ◦ Simulated intercourse through clothing; OR • One or more incidents of physical assault causing: <ul style="list-style-type: none"> ◦ Minor impairment or disfigurement that was not permanent (e.g. loss of consciousness, broken bones, loss of or damage to teeth, black eye, bruise, abrasion, laceration, fracture) excluding extractions of teeth or minor impairment or disfigurement that is the result of medical treatment or interventions. 	\$50,000
Level 3	<ul style="list-style-type: none"> • One incident of: <ul style="list-style-type: none"> ◦ Masturbation; OR ◦ Oral or attempted oral intercourse; OR ◦ Attempted penetration (including vaginal or anal, digital penetration or penetration with an object) excluding attempted penetration for a medical purpose (e.g. with a thermometer, scope, or other medical device); OR • Recurring (pattern or repetitive) physical assaults causing: <ul style="list-style-type: none"> ◦ Minor impairment or disfigurement that was not permanent (e.g. loss of consciousness, broken bones, loss of or damage to teeth, black eye, bruise, abrasion, laceration, fracture) excluding extractions of teeth or minor impairment or disfigurement that is the result of medical treatment or interventions. 	\$100,000

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Level 4	<ul style="list-style-type: none">• One incident of penetration (including vaginal or anal, digital penetration or penetration with an object) excluding penetration for a medical purpose (e.g. with a thermometer, scope, or other medical device); OR• Two or more incidents of:<ul style="list-style-type: none">◦ Attempted oral intercourse; OR◦ Attempted penetration (including vaginal or anal, digital attempted penetration or attempted penetration with an object) excluding attempted penetration for a medical purpose (e.g. with a thermometer, scope, or other medical device); OR• One or more physical assaults causing permanent or long-term mental or physical impairment, injury, or disfigurement.	\$150,000
Level 5	<ul style="list-style-type: none">• Two or more incidents of:<ul style="list-style-type: none">◦ Masturbation; OR◦ Oral intercourse; OR◦ Penetration (including vaginal or anal, digital penetration or penetration with an object) excluding penetration for a medical purpose (e.g. with a thermometer, scope, or other medical device); OR• Any pregnancy resulting from an incident of sexual assault (including pregnancy that is interrupted by miscarriage or therapeutic abortion); OR• One or more physical assaults causing permanent loss of mobility or brain injury.	\$200,000