

## **complaint**

Mr K complains about AXA PPP Healthcare Limited's refusal to cover the cost of repatriating his daughter to the UK under a private medical insurance policy.

## **background**

The policy provides some overseas assistance, and this includes emergency repatriation to the UK if medically necessary. But the policy explains that the repatriation service excludes any costs that arise from or are directly or indirectly caused by a deliberately self-inflicted injury, suicide or an attempt at suicide.

Mr K found his daughter in need of medical help. He took her to the local hospital, but she needed to be moved somewhere that could offer her appropriate care. Mr K asked AXA if she could be repatriated to the UK. AXA refused the claim as it thought Mr K's daughter had attempted suicide, and therefore the claim was excluded.

Mr K arranged for his daughter to be transferred elsewhere so she could have the care she needed. He complained to AXA about its decision, and asked it to cover the costs he'd incurred. AXA didn't alter its decision, so he brought a complaint to this service.

Our adjudicator didn't uphold the complaint. He thought AXA's decision was reasonable, given the available information about what happened.

Mr K disagreed with the adjudicator's findings, so the matter has been passed to me to consider.

## **my findings**

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

The issue for me to decide is whether it was reasonable for AXA to refuse the claim, based on the available evidence.

Unfortunately AXA hasn't been able to obtain a copy of the hospital admission record from the hospital where Mr K's daughter was initially admitted.

But after Mr K's daughter was taken to hospital, one of her treating doctors spoke with AXA about the necessity of moving her elsewhere. I've listened to that phone call, and when describing the situation, the doctor said "*...she's a...girl who had attempted suicide this morning by hanging...she was found by her father probably shortly after the attempt...*"

In a later phone call between AXA and the same doctor, there was a discussion about whether or not Mr K's daughter had attempted suicide or not. The doctor said that the evidence was circumstantial, as there were no witnesses. But she acknowledged it very well may have been a suicide attempt, and although she didn't know for sure, she said that the "*circumstances would suggest that is the case*".

Mr K says the doctor AXA spoke with wasn't treating his daughter, and was only speaking with AXA to inform it of the lack of facilities at that particular hospital. But during the calls, the doctor makes it clear that she (together with the anaesthesiologist) was responsible for Mr K's daughter's care.

Sadly, Mr K's daughter now suffers from a brain injury as a result of the incident and hasn't been able to explain what happened. I understand there were no witnesses and therefore I accept we don't know for definite what happened.

This has been a difficult case to decide, given the very sad circumstances. But I think it was reasonable for AXA to rely on the relevant exclusion, given the information provided by the treating doctor, and therefore refuse the claim.

**my final decision**

My final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr K to accept or reject my decision before 18 July 2016.

Chantelle Hurn-Ryan  
**ombudsman**