

# Practice Nursing - Professional Indemnity

## APNA introduces Professional Indemnity as a member benefit.



The Australian Practice Nurse Association has appointed Mediprotect & Medisure Indemnity Australia (MIA), a leading health industry Insurance Intermediary and underwriting Agency to provide members with an individual Professional Indemnity product. The cover is underwritten by VERO and has been tailored to suit members needs by offering 2 levels of indemnity and a range of choices to suit all

Australian Practice Nurses  
Association Inc  
149 Drummond Street  
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Phone: 03 9669 7400  
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MIA is an authorized corporate  
representative of Insurance  
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PART TIME (up to 20hrs/week)		FULL TIME		CONTRACTOR	
\$5,000,000 Limit of Indemnity	\$10,000,000 Limit of Indemnity	\$5,000,000 Limit of Indemnity	\$10,000,000 Limit of Indemnity	\$5,000,000 Limit of Indemnity	\$10,000,000 Limit of Indemnity
\$275.00 pa	\$335.00 pa	\$305.00 pa	\$375.00 pa	\$335.00 pa	\$415.00 pa

Includes all fees and charges, does not include APNA Membership Fee – 12 month policy period

## Why do you need Professional Indemnity?

As a General Practice Nurse you are an important part of a General Practice team, but... you may have a personal exposure for the health care you provide. A "personal exposure" might mean a civil liability claim for damages or compensation being brought against you, personally. This is regardless of whether you are an employee or not.

Examples of a civil liability claim might be (but are not limited to): an adverse or unexpected outcome for a patient, or an error or omission on your part whilst providing your professional services; breach of patient confidentiality, or libel and slander. An unintentional breach of Trade Practices legislation, or unintentional infringement of rights to intellectual property. Good Samaritan Acts – claims arising from rendering, or failing to render, emergency first aid and assistance.

## Employment arrangements... how do they affect you?

### ARE YOU AN EMPLOYEE?

If you are an employee, your employer has a "vicarious liability", or a type of deemed responsibility for your acts or omissions. But...this does not mean that YOU do not have a personal liability as well. If a person was to claim compensation, they might sue both the employer and the Nurse individually.

You may be entitled to indemnity from your employer, but this will depend on the statutory laws in your state and whether there is any indemnity from your employer built into your employment contract.

Unfortunately, indemnity might not exist 'as a right' – nor is an employer required to hold an insurance policy for your or their protection. (i.e.: "a practice policy" or a "staff and entity policy") It is also important to remember, that the cover on this type of insurance policy can vary greatly depending on your employers' chosen provider. You may not be afforded enough protection and may not receive independent representation. Therefore, holding your own personal indemnity policy would be a prudent move and offers peace of mind.

### ARE YOU A CONTRACTOR OR SELF EMPLOYED?

If you are NOT an employee i.e.: a sub-contractor or self employed, there is NO reason for not having your own insurance, it is a "must have" cover that forms part of a suite of insurances that you should hold as a sole-trader or business operator. For further information & advice please call: David OR Caroline from MIA on 07 3426 0440.

## What does the policy cover?

The policy will cover *you* (the Insured) for civil liability claims made against *you* for compensation, claimant costs and expenses resulting from your professional services (i.e.: general practice nursing duties).

The policy also covers the legal costs for your defence at a hearing, coronial, or enquiry – this cover is limited to \$100,000. The policy will not pay for any penalty or fine imposed on you as a result of the hearing or enquiry, etc.

## What if I retire or stop practicing as a general practice nurse?

If you have held a policy with Mediprotect / MIA through the APNA for 3 consecutive years, you will automatically receive 'run off' cover on your policy for a further 7 years. I.e.: you will still be covered for any

unknown claims that might arise from when you were in practice. You will need to notify APNA of your retirement date or the date you cease to practice, as you will be asked to sign a declaration.

If you have not held a policy for 3 consecutive years, you can opt to purchase 'run off' cover for your policy. This is charged at 80% of the remaining cost of the additional policy time to meet the 3 year requirement. E.g.: If you have had a 5 million policy for 2 years - then you can purchase 'run off' for \$200, being 80% of \$250 for the third year.

## Things to remember about your policy...

### YOUR SCOPE OF PRACTICE:

It is important that you understand the policy will not cover activities that are *not* performed in a general practice environment and that you are *not qualified to perform*. That is to say, activities that are outside of your *individual* scope of practice. Should a claim arise you may be asked to provide proof that you are capable of performing the related activity e.g. pap smears etc.

### GENERAL PRACTICE ENVIRONMENT:

A "general practice environment" refers to the clinic or practice in which *you* work. General practice is defined as a *non procedural* GP clinic or medical centre, in which *you* are employed or contracted to perform "general practice" nursing – this would include off site activities such as "home visits" for medication reviews, etc as long as you are instructed to do so by your employer / contractor (i.e.: the General Practice)

### EXCESS:

The policy does have an excess, this is your contribution to defence costs of the claim. Please check your schedule for the excess cost. The excess will need to be paid at the time the incident becomes a claim or you receive information informing you there is a claim.

### NOTIFICATION, ASSISTANCE WITH CLAIMS & CHANGE OF CIRCUMSTANCES:

- You are required to notify us of *any* incident that might give rise to a claim – if in doubt, report the incident anyway.
- You are required to provide assistance to the insurer during a claim.
- You are required to report any claim activity or new information pertaining to your claim immediately.
- You are required to notify us of any changes to your circumstances, i.e.: personal / employment address changes, reduction or increase in working hours and additional activities.
- You are required to notify us if you retire, or if you intend to take an extended leave of absence from work.

### PAYMENT OF PREMIUM

Payment of your premium must be made by the due date, failure to do so may result in your insurance being cancelled under the Insurance Contract Act 1984. If you are unable to pay by the due date, please contact us to make alternative arrangements.

### RUN OFF COVER:

You can not report any new incidents or claims from activities that have arisen from activities AFTER your declared retirement or cessation of activity date.

## More Information?

If you would like **more information** on how to apply for the Mediprotect's General Practice Nurse Professional Indemnity product, please call us on (03) 9669 7400 or (Free Call) 1300 303 184, application details are also available on our website. [www.apna.asn.au](http://www.apna.asn.au)

APNA recommends that members seek appropriate advice concerning this product for their individual needs and requirements.

If you would like to discuss your individual needs or have any questions about Mediprotect's / MIA's General Practice Nurse Professional Indemnity product, please call MIA on 07 3831 0440 for no pressure, no obligation advice and help.



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