

Medical Malpractice – Frequently Asked Questions

January 2018

What is Medical Malpractice Insurance?

Medical Malpractice, also known as Errors and Omissions liability or Professional Liability responds to allegations arising from your work as a Licensed Practical Nurse in Canada. It responds to third-party claims against you, arising from actual or alleged “negligence caused by rendering or the failure to render professional services”. It includes coverage for legal expenses and potential indemnification payments.

Is there need for me to carry my own coverage if my employer provides coverage?

Your employer may or may not purchase Medical Malpractice Liability, and their policy may not include you as insured or have enough limit even if they do purchase it. This policy for Licensed Practical Nurses provides reassurance that coverage, subject to the policy conditions, is in place for incidents should they arise. In addition, if you contract your services or are self-employed, individual coverage is required.

I have left the profession permanently and am no longer licensed; will the policy still provide coverage?

The program contains a broad definition of who is insured and includes former members. This means once you leave the profession, the policy will respond to allegations against you resulting from instances while you were active in your role.

I am working outside of the country for a short period, will the policy respond?

The intent of the policy is to provide coverage for Licensed Practical Nurses working and living in Canada. If you engage in work outside of Canada, for example a Humanitarian Project, coverage can be extended on a short term basis only. It is critical that you contact your LPN regulatory body and/or Lloyd Sadd Insurance Brokers Ltd. and advise the duration and location of your work.

What is the Difference between Medical Malpractice Liability and Commercial General Liability?

Medical Malpractice Liability responds to allegations stemming from negligence in the course of providing professional services within the Scope of Practice.

Commercial General Liability provides insurance for injuries or property damage sustained by members of the public, not resulting from professional services. It covers accidents at your premises or away from your premises as a result of business operations. For example, a patient slips and falls on your sidewalk due to ice build-up.



Licensed Practical Nurses Program Medical Malpractice Liability Insurance Confirmation

INSURANCE COMPANY: Continental Casualty Company

EFFECTIVE: January 1, 2018

EXPIRATION: January 1, 2019

POLICY NUMBER: MMP 2877488

MEDICAL MALPRACTICE LIABILITY

\$2,000,000 per member limit per claim

\$50,000,000 policy aggregate (shared by all members)

Coverage Features

Duty to Defend
Claims Made & Reported
No Retroactive Date
Named Insured amended to include retired members and students if supervised
Therapy Endorsement \$10,000 per member /\$100,000 per policy period
Penal Defense Reimbursement: \$100,000 per member
\$250 per member per day for expenses at trial, pre-trial and discovery
Abuse & Sexual Misconduct Legal Costs Reimbursement if "fully successful" - \$50,000

Main Exclusions

Absolute Abuse and Sexual Misconduct Exclusion
Asbestos Liability Bodily Injury Exclusion – Medical Treatment Exception
Deliberate, Dishonest or Fraudulent Acts
Economic Return
Fines, Penalties
Insured vs. Insured – Medical Treatment Exception
Libel and Slander

Deductible

Nil

NAMED INSUREDS

College of Licensed Practical Nurses of Alberta
College of Licensed Practical Nurses of British Columbia
College of Licensed Practical Nurses of Manitoba
Association of New Brunswick Licensed Practical Nurses
College of Licensed Practical Nurses Newfoundland and Labrador
College of Licensed Practical Nurses of Nova Scotia
Saskatchewan Association of Licensed Practical Nurses
Licensed Practical Nurses Association of Prince Edward Island

CONDITIONS: The Company binds the kind(s) of insurance stipulated on this form. This insurance is subject to the terms, conditions, and limitations of the policy(ies) in current use by the Company.

