

Professional Liability Insurance

Professional liability insurance, also known as malpractice insurance, provides coverage for registrants from claims that may arise from the practice of physiotherapy. The College believes that in order to protect both patients and physiotherapists, every registrant who provides patient care, whether in a paid or volunteer capacity, must be covered by professional liability insurance.

The College's Registration Regulation requires that physiotherapists hold professional liability insurance in order to be registered with the College. The College by-laws specify the criteria that this insurance must meet.

For example the liability insurance must have:

- a liability limit of at least \$5 million dollars per incident
- a minimum coverage of \$5 million for the annual policy period
- no deductible
- no additional terms, conditions or exclusions, other than those standard to the insurance industry

The by-laws also indicate that this insurance may be obtained directly by the physiotherapist or provided by an employer, such as a hospital. Regardless of where the insurance is obtained, registrants are responsible for ensuring that their insurance coverage meets the above criteria. Registrants who work in multiple practice environments should ensure that their insurance covers all the practice environments in which they provide patient care.

Physiotherapists are also responsible for ensuring that they have insurance coverage for claims that arise even after they have ceased patient care as claims may arise several months, and in some cases, years after the care was provided. Insurance policies may not automatically provide coverage for claims that arise after the policy has expired, even if the incident on which the claim is based occurred during the policy period. Most insurers offer a type of policy called tail insurance or extended discovery which provides coverage for any events that occurred while a full policy was held but that were not reported until after that policy expired. The College requires that physiotherapists ensure coverage, for the period of time that patient care was provided, at a minimum of 10 years after ceasing patient care

Physiotherapists who are ceasing patient care activities are encouraged to check with their insurer to ensure appropriate ongoing coverage is in place.

Upon request, registrants are required to provide proof of appropriate insurance coverage to the College within thirty days.

Note: Coverage available to members of the Canadian Physiotherapy Association meets the general terms required by the College.

Supporting College Documents

- College By-laws, Section 38
- Regulation 532/98 General, Part III, Registration S.17