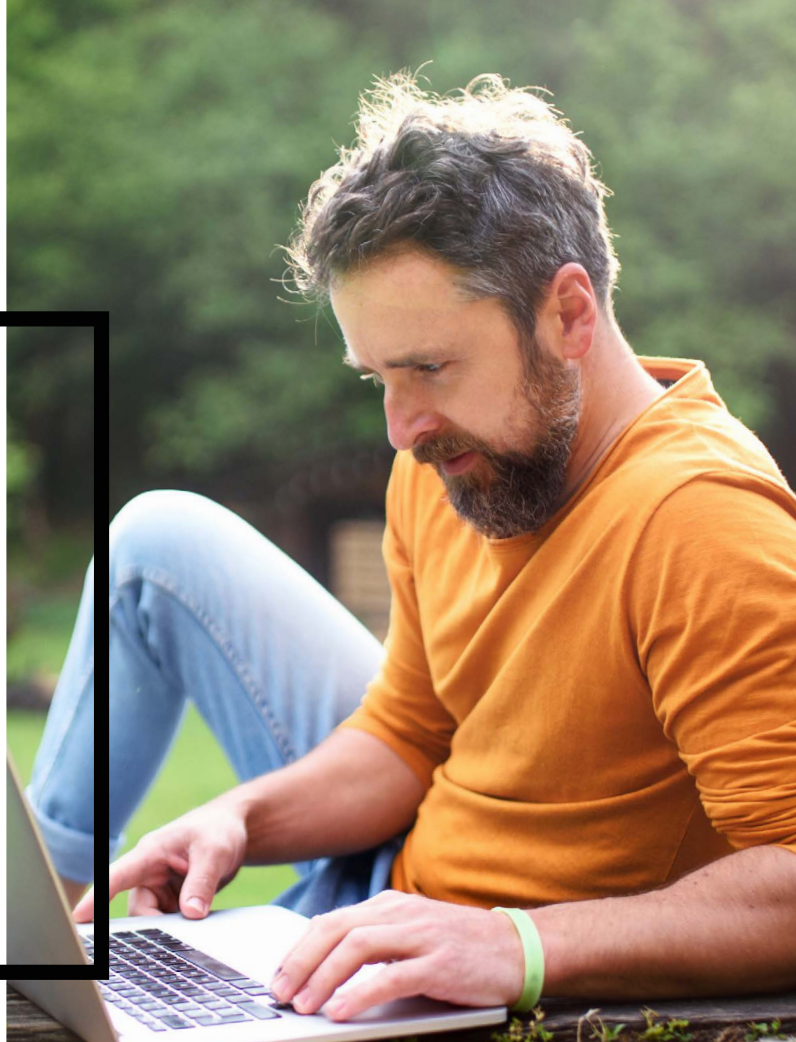


Australian Physiotherapy Association Member Insurance Program 2022-2023

FAQs



This is your handy guide to understanding the Australian Physiotherapy Association (APA) Member Insurance Program with BMS. Contact BMS directly for further assistance.

1. Who is BMS?

BMS is the official and exclusive broker for the APA member insurance program. BMS is part of the wider BMS group which is dedicated to providing coverage and value-added services to associations and their members.

The BMS group provides cover to more than 700,000 healthcare and regulated professionals through 100+ associations across Australia, Canada, Europe and New Zealand. This experience gives BMS a unique insight and ability to create and deliver significantly enhanced and continuously evolving member centric insurance programs. This includes ensuring broad, market-leading coverage, evidence-based risk management and exceptional member service.

To find out more visit the [BMS website](#).

If you have any questions about the insurance program, contact BMS via email apa@bmsgroup.com

2. Why has the APA chosen BMS as their insurance partner?

Ensuring APA members have access to comprehensive coverage, additional, evidence-based risk management material and exceptional service for insurance queries and claims is paramount. BMS is a specialist broker dedicated to servicing associations and their members and will continue to enhance the APA Member Insurance Program.

3. Can I opt out if I don't want insurance in my membership?

You can opt out of the APA Member Insurance Program at any time by contacting APA on 1300 306 622. While it's not compulsory to take up the APA policy, all physiotherapists must have adequate Professional Indemnity Insurance to be registered.

4. How do I know if I am covered?

Most APA membership categories include \$20M Professional Indemnity insurance. Eligible members will automatically receive an Evidence of Insurance document when membership is renewed each year. To confirm whether your Membership category includes insurance, please contact APA on 1300 306 622 or email info@australian.physio

5. What are the key benefits of the APA Professional Indemnity Insurance Policy?

- \$20M limit of indemnity per claim for Professional Indemnity and Public and Products Liability, and an annual limit of \$40M.
- Cover is provided worldwide (excluding the USA)
- No Excess
- \$50,000 Cyber Liability coverage for both your own costs as well as third party losses
- Unlimited retroactive cover for past activities
- Unlimited run-off cover when you retire
- Locum and mobile physiotherapists are insured
- Voluntary work is covered
- Cover for member therapy and counselling expenses in the event of a claim
- Access to legal counsel in the event a complaint is made against you once your claim has been approved, (Refer to 15. What Legal Support is available to me as a member insured through the APA?).

Product features

6. Will this policy cover my past activities?

Yes. The APA Professional Indemnity Insurance Policy provides unlimited retroactive cover provided that there are no known and unreported circumstances that may lead to a claim.

7. Am I covered if I treat family members?

No. There is no cover when you are providing your

services to family members.

8. Am I covered for multiple modalities?

As an APA member participating in the insurance program, you are covered for a number of additional modalities. Please see the complete insured modalities list on the APA website. If your modality is not listed, contact BMS on 1800 931 068 or at apa@bmsgroup.com to discuss insurance options.

9. Am I covered if I provide treatment to animals?

Provided you maintain your human contact hours under your AHPRA physiotherapy registration, your APA policy will extend to cover Animal physiotherapy as long as this falls under your individual scope of practice.

Under the APA Member's Insurance Program there is cover for Animal Physiotherapy up to the limit of \$20M per claim. **"Animals"** are defined within the Policy Wording as native, sporting and domestic animals, including cats and dogs (pets), working dogs, and horses **except performance animals**.

Performance Animal

For performance animals coverage is \$1M per claim and \$1M in the aggregate inclusive of costs and expenses.

"Performance Animal" is defined within the Policy Wording as horses that compete in thoroughbred or standardbred racing, eventing, dressage and show jumping.

It is a condition of the coverage that there is a Veterinary referral for racehorse work or under the supervision of a Vet.

Should coverage in excess of the above sub-limits be required we ask that members contact BMS, and the request shall be referred to the insurers. Please contact BMS on 1800 931 068 or via email at apa@bmsgroup.com

10. What happens if I have a leave of absence during the year?

The APA Member Insurance Policy is a claims made policy. This means the policy only provides cover for any prior acts as long as you have an active policy at the time of a claim. It's therefore important to ensure you have a policy in place should you take a leave of absence (leave where you'll likely return to work at some stage). This will ensure you're covered should a claim arise during this time.

11. Does this policy cover me when I retire?

Yes, your policy can be put into run-off in this instance. To activate run-off, please contact BMS to advise the date your retirement will commence.

12. Is the APA Member Insurance Policy compliant with the Physiotherapy Board of Australia (PhysioBA) and the Australian Health Practitioner Regulation Agency (AHPRA)?

Yes, the APA professional indemnity insurance policy complies with and exceeds all requirements set by the PhysioBA and AHPRA.

13. I'm a student member. Am I covered?

Yes, student members are automatically covered by the APA Member Insurance Program provided they are working within their scope of practice and are under supervision.

14. Should I consider this cover if I work in the Public Health Sector?

As a Public Health Sector worker without your own insurance policy, you are relying on your employer's insurance, which may be geared towards protecting your employer.

Public Hospitals or Health Centres typically carry policy excesses upwards of \$250,000; which means that in the event of a claim against you, they may decline to cover you.

Your employer's policy may not cover you for:

- Your services with previous employers,
- Your private practice work,
- Your past services rendered,
- Your services provided as a contractor, sub-contractor or consultant,
- If you are sued by your employer,
- support for regulatory inquiries, disciplinary hearings and coronial enquiries.

APA members who participate in the Insurance Program also have peace of mind that they have an

individual \$20M limit covering their interests, as well as access to legal counsel in the event a complaint is made against you, once your claim has been approved. Having your own individual policy also ensures you are covered if you want to work while transitioning from one employer to the next.

15. What support is available to me as a member insured through the APA?

All APA insured members participating in the insurance program have access to legal counsel in the event a complaint is made against you, once your claim has been approved.

APA insured members can take advantage of this service for practice related questions involving issues such as:

- Privacy and confidentiality,
- Conflicts of interest,
- How to respond to requests for information from third parties,
- Inquiries from your regulatory body,
- How to respond to a subpoena,
- Professional misconduct,
- Ethical obligations, and
- Professional obligations.

16. Are Allied Health Assistants (AHA) / NDIS Assistants covered under my policy?

Allied Health Assistants (AHA) / NDIS Assistants are covered under your APA policy as long as the individual is employed and supervised by you, and you are the supervising Physiotherapist and an APA member with BMS.

The AHA needs to act under direct supervision, direction or control of the supervising physiotherapist. If completing home visits, the AHA must work strictly within the direction/plan set by the supervising physiotherapist.

It is important to understand that the supervising physiotherapist can only delegate services within their individual scope of physiotherapy practice, based on their judgement of the assistant's knowledge and skillset.

17. I am a student member studying physiotherapy but am qualified as a Pilates instructor and wish to undertake teaching Pilates without supervision. Am I covered?

No. Student members are only covered whilst working within their scope of practice and under appropriate supervision. If you're unsure whether you are covered, contact BMS on 1800 931 068 or apa@bmsgroup.com

18. What training is required for Acupuncture and Dry Needling?

The practice of needling (whether dry needling or acupuncture) is recognised as falling within the scope of physiotherapy practice and is therefore covered under your APA professional indemnity insurance policy. APA recommends that physiotherapists have completed an APA accredited or equivalent Dry Needling course which is no less than 16 hours in duration or 80 hours in Traditional Acupuncture; and that they adhere to relevant safety guidelines such as Australian Society of Acupuncture Physiotherapists (2007).

Guidelines for Safe Acupuncture and Dry Needling Practice. Australian Society of Acupuncture Physiotherapists. IAAPT (2003). Standards of Safe Acupuncture Practice by Physiotherapists. International Acupuncture Association of Physical Therapists. Australian Guidelines for the Prevention and Control of Infection in Healthcare (2010) Australian Government: National Health and Medical Research Council.

Product description

19. What is Professional Indemnity (PI) Insurance?

Professional Indemnity Insurance protects you against allegations or claims of financial loss due to injury or damages that have resulted from a negligent act, error, omission, malpractice or breach of duty that has arisen out of your professional capacity as a physiotherapist.

20. What is Public Liability Insurance?

Public Liability Insurance provides cover for bodily injury or property damage to a third party that occurs while conducting your professional activities.

This is primarily a defence costs cover but also covers settlement costs in the event that you are found to be liable and/or negligent in causing the injury or property damage.

21. What is Products Liability?

Products Liability Insurance covers an insured for actual or alleged bodily injury or property damage to a third party arising through use of a product sold, supplied, or manufactured by the insured subject to terms and conditions.

Claims

22. What do I do if I have a claim or complaint made against me?

Members should:

- Immediately report any potential claim to BMS
- Formally document the incident, including details of those involved
- Submit any formal statement to BMS
- Report any regulatory investigations or notice of complaint immediately
- Gather any noted and supporting documentation

Members should not:

- Speak with any third parties about the claim
- Assume any fees before reporting a claim
- Offer compensation to independently settle a claim
- Amend or change any previous medical records once a statement of claim has been received.
- If you are aware of a potential claim you should contact BMS directly on 1800 931 068 or email apa@bmsgroup.com

23. What do I do if I have an open claim with my previous insurer?

If you have a current claim with your previous insurance company, you will need to continue dealing directly with them. Any new claims or notifications under the BMS insurance program can be directed to BMS on 1800 931 068.

Additional products

24. What other insurance products can I purchase?

Not only do APA members have access to Professional Indemnity Insurance, but access to a range of other policies with BMS.

Visit the self-service [BMS insurance website](#) for more information or to get a quote.

Business Insurance

Business Insurance is designed for Allied Health and Medical businesses with assets not exceeding \$5M. It covers various general elements of business risk relating to property and interruption to operations. It is comprised of two main sections of cover, being Material Damage and Business Interruption.

Cyber Security & Privacy Liability

Cyber Security and Privacy Liability coverage responds to various losses resulting from but not limited to, stolen credentials, malware, phishing and social engineering and insider threats. Coverage is provided for loss suffered by your business, claims made by third parties affected and for your business interruption in the event of a breach.

Personal Accident

Personal Accident insurance is designed for individuals to provide coverage in the event of death or permanent/temporary disability due to injury or sickness.

There are a range of benefits that the coverage extends to provide, including but not limited to rehabilitation, corrective surgery, medical expenses and child support. Benefits are paid by either lump sum or weekly throughout the benefit period for prolonged sickness or injury.

This coverage is particularly important where:

- You are a sole trader or business owner and not covered by a workers compensation policy,
- You are a contractor, sub-contractor or locum and not covered by a workers compensation policy,
- You work in a high-risk industry or are off site often, or
- You do not have the financial means to support yourself in the event of a serious injury or prolonged illness.

25. What is Business Entity cover?

Business Entity cover is professional indemnity and public liability insurance for your business name. This is different to your personal insurance coverage, or that of clinicians working in your practice. If your business is named in a action, these costs are not covered by your standard APA insurance policy. This is where Business Entity coverage comes in.

It is important to note that Business Entity cover does not cover clinicians for their actions while working within your clinic.

26. How do I add my business name onto the Policy and what coverage will be provided?

To add your business name onto your policy, you need to purchase Business Entity Insurance via the self-service [BMS insurance website](#).

27. How do I purchase additional insurance products?

BMS has a self-service site to help APA members purchase additional products. The site allows you to bind cover and pay online; it's simple, fast and secure, and can be found here apa.bmsgroup.com

More information

For insurance-related questions contact BMS on 1800 931 068 or email apa@bmsgroup.com

Visit australian.physio for further Clinical, Practice and Risk resources, including an overview of the APA member Professional Indemnity Insurance Program.