

FAQs

Australian Physiotherapy Association Member Insurance Program 2023

About the program

What is the Australian Physiotherapy Association (APA) Member Insurance Program?

The APA Member Insurance program offers members access to comprehensive insurance products and exclusive rates with our insurance partner BMS.

Why has the APA chosen BMS as their insurance partner?

Ensuring APA members have access to comprehensive cover, 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.

Can I buy insurance via BMS without an APA membership?

No, the negotiated rates are for APA members only. It is a requirement of the insurance program that you hold an active membership with APA.

Can I apply outside of my APA membership renewal?

Yes, you can opt into the insurance program at anytime. Contact the APA to upgrade to

a membership category that includes insurance.

Who do I call if I have any insurance-related questions?

Please contact BMS on **1800 931 068** or at apa@bmsgroup.com

Can I cancel my insurance?

You can cancel your insurance at any time. Contact BMS on **1800 931 068** or at apa@bmsgroup.com

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

It's not compulsory to take up the APA policy, but all physiotherapists must have adequate Professional Indemnity Insurance to be registered. If

About the products

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.

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 legal 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.

What is Products Liability?

Products Liability Insurance covers you for actual or alleged bodily injury or property damage to a third party arising through use of a product sold, supplied, or manufactured by you.

you do not want to be part of the APA Member Insurance Program, simply choose an APA membership category without insurance.

Professional Indemnity, Public & Products Liability Insurance

How do I know if I am covered?

Most APA membership categories include \$20M Professional Indemnity insurance. Insured 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

Will this policy cover my past activities?

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

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 on **1800 931 068** or at apa@bmsgroup.com

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

The APA Member Insurance (Professional Indemnity and Public & Products Liability) 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. Therefore it's 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.

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.

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.

Having your own individual policy also ensures you are covered if you want to work while transitioning from one employer to the next.

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

The policy provides access to legal counsel as a result of a professional indemnity and public & products liability claimable event or incident, once your claim has been approved.

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

AHA / NDIS assistants are not covered under your APA policy. AHA / NDIS assistants should hold their own insurance policy to ensure they are covered.

Am I covered if I treat family members?

No, there is no cover when you are providing your services to family members.

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 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

What other insurance products can I purchase?

BMS also offers additional cover for APA members. This includes:

- Business Insurance
- Entity Insurance
- Cyber Liability Insurance
- Personal Accident Insurance

Additional cover may offer greater peace of mind.

Student information

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.

I'm a student member studying physiotherapy but am qualified as a Pilates instructor. I 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

I'm a student working as a physiotherapy assistant, am I covered?

Cover can be provided but is dependent on the stage of training the student is in and the student must be working within their scope of practice.



Claims

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

Do:

- 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

Don't:

- Speak with any third parties about the claim
- Assume any legal 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.

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

If you have a current claim with your previous insurer, you will need to continue dealing directly with them. Any new claims or notifications under the APA Member Insurance Program with BMS can be directed to BMS on **1800 931 068** or at apa@bmsgroup.com.

Speak to a BMS broker to confirm whether cover can be provided.

Additional products

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, apa.bmsgroup.com

Business Insurance

Cover can be customised to your business needs and can include; Property Damage, Business Interruption, Theft, Money, Glass, General Property, Electronic Equipment Breakdown, Machinery Breakdown, Tax Audit, and Employee Fraud.

Cyber Liability Insurance

Cyber Liability Insurance 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.

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, apa.bmsgroup.com

Entity Insurance

What is Entity Insurance?

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

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

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 Entity Insurance with BMS. Speak to a broker on **1800 931 068** or at apa@bmsgroup.com

For more information

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 cover and value-added services to associations and their members.

The BMS group provides cover to healthcare and regulated professionals through 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.



For more information visit the apa website australian.physio/member-insurance-program. Or speak to a broker on **1800 931 068** or apa@bmsgroup.com

You must be a current APA member to be eligible for the APA member insurance program. If your membership ceases you will not be offered renewal when your policy expires. In arranging this insurance for our members APA is acting as a distributor of BMS Risk Solutions Pty Ltd (BMS) AFSL 461594, ABN 45161187980. Some insurance is issued by BMS under binder with Certain Underwriters at Lloyds. When acting under a binder BMS acts as agent for the insurer and not as your agent. This is general advice only and BMS has not considered whether it was suitable for your particular objectives, needs or financial situation. Please read the Policy Wording/Product Disclosure Statement and the BMS Terms of Engagement which contains the Financial Services Guide before making a decision about purchasing this policy. A Target Market Determination is available for some policies. APA may receive a percentage of the commission paid to BMS by the insurer and/or a fee per policy.