

### 1. Who is BMS Group?

BMS Group is the official and exclusive broker for the APA member insurance program.

BMS is a Lloyd's broker and has several global teams, including in Melbourne and Ottawa, dedicated to providing coverage, and value-added services to associations and its members. The Australian and Canadian operations provide coverage to more than 400,000 healthcare and regulated professionals through 70+ associations across Australia and Canada, including the Canadian Physiotherapy Association.

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 [www.bmsgroup.com/global-affinity](http://www.bmsgroup.com/global-affinity)

If you have any questions about the insurance program or APA PI Policy, contact BMS at 1800 931 068 or email [apa@bmsgroup.com](mailto:apa@bmsgroup.com).

### 2. Why has the APA chosen BMS Group as their Insurance Partner?

Ensuring APA members have access to the most 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 its members and will continue to enhance the APA Member Insurance Program.

### 3. 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 new insurance program can be directed to BMS Group on 1800 931 068.

### 4. What is Professional Indemnity 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.

The APA PI policy will also respond to protect your reputation should a claim occur.

### 5. 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 / negligent in causing the injury or property damage.

## 6. 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.

## 7. What are the major benefits of the new APA professional indemnity insurance Policy?

- \$20,000,000 Limit of indemnity per claim for Professional Indemnity and Public and Products Liability and an annual limit of \$60,000,000.
- Cover is provided worldwide (excluding only 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 have a leave of absence or retire
- Locum & mobile physiotherapists are insured
- Voluntary work is covered
- Cover for member therapy and counselling expenses in the event of a claim
- Access to free legal counsel with Lander & Rogers; a leading Allied Health law firm in Australia, in the event a complaint is made against you or you receive a notification from your regulatory body

## 8. How do I know if I am covered?

Your APA membership may include \$20M PI Insurance at each year's renewal. To confirm whether your Membership category includes insurance, please contact APA on 1300 306 622 or email [info@physiotherapy.asn.au](mailto:info@physiotherapy.asn.au).

An invoice and Certificate of Currency is issued to every eligible member once they've renewed each year.

## 9. Can I opt out if I don't want the insurance in my membership?

You have the option to opt out of the APA Insurance program during the application or renewal process. While it's not compulsory to take up the APA PI Policy, all Physiotherapists must have adequate PI Insurance to be registered.

## 10. Who do I call if I have any insurance-related questions or to discuss my insurance policy?

You can contact BMS' team of Senior Brokers on 1800 931 068 or by email at [apa@bmsgroup.com](mailto:apa@bmsgroup.com).

## 11. Am I covered if I only provide treatment to animals?

Please contact BMS on 1800 931 068 or via email at [apa@bmsgroup.com](mailto:apa@bmsgroup.com). Some Animal Physiotherapists may be required to pay an additional Premium.

## 12. Am I covered if I treat family members?

No. There is no cover for when you are providing your services to family members.

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

The APA PI Policy has unlimited run-off cover, so you remain covered in the event you have a leave of absence (such as maternity leave or due to an illness). To activate this, you must apply for run-off cover by contacting BMS on 1800 931 068 or via email at [apa@bmsgroup.com](mailto:apa@bmsgroup.com).

**14. Does this policy cover me when I retire?**

Yes. The APA Insurance Policy provides run-off cover, which means you are covered when you retire. To activate this, you must apply for run-off cover by contacting BMS on 1800 931 068 or via email at [apa@bmsgroup.com](mailto:apa@bmsgroup.com).

**15. 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 completed insured modalities listing and if your modality is not listed, contact BMS Group on 1800 931 068 or at [apa@bmsgroup.com](mailto:apa@bmsgroup.com) to discuss insurance options.

**16. 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.

**17. Will this policy cover my past activities?**

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

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

Yes. As a Public Health Sector worker, without your own insurance policy you are relying on your employer's Insurance, which may be geared more towards protecting your employer. Further, 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;
- Legal 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 \$20,000,000 limit covering their interests as well as access to 30 minutes of free legal assistance with a senior lawyer for each potential issue that arises.

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

## **19. What Legal Support is available to me as a member insured through the APA?**

Lander & Rogers, a leading independent Australian law firm is pleased to offer summary pro bono legal advice to all APA members participating in the insurance program. To ensure all eligible members are provided with superior legal defence in the event of a claim or complaint, Lander & Rogers has been retained as the preferred legal provider for claims made under the APA Insurance Program.

APA members can take advantage of this complimentary 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;
- Inquires from your regulatory body;
- How to respond to a subpoena;
- Professional misconduct;
- Ethical obligations; and
- Professional obligations

Lander & Rogers is one of Australia's leaders in insurance claims services and offers expertise in all areas of litigated and non-litigated claims.

The Lander & Rogers team not only defends a large portfolio of litigated claims against allied health professionals and health care providers, but also provides specialised services in coronial investigations, disciplinary hearings and complaints resolution processes. The team works closely with its clients to identify what is particularly important in resolving claims, including accuracy, speed, and sensitivity to reputational risk and intelligent and controlled solutions to litigation.

## **20. What do I do if I have a claim or complaint made against me?**

### **Members should**

- Immediately report any potential claim to BMS Group
- Formally document the incident, including details of those involved
- Submit any formal statement to BMS Group
- Report any regulatory investigations or notice of complaint within 30 days
- Gather any noted and supporting documentation

### **Members should not**

- 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 Group directly on 1800 931 068 or email [apa@bmsgroup.com](mailto:apa@bmsgroup.com)

## 21. What other insurance products can I purchase?

### **Clinic Package**

Clinic Package Insurance is designed for Allied Health & Medical businesses with assets not exceeding \$5 million. It covers various general elements of business risk relating to property and interruption to operations; it is comprised of 2 main sections of cover being **Material Damage** and **Business Interruption**.

### **Cyber Security & Privacy Liability**

Cyber 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 companies (group cover) or 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.

### **Journey Cover**

Journey Insurance provides cover in the event that you are injured on your commute to and from work. This is a typical exclusion to many workers compensation policies, which would leave majority of employees uninsured and left to manage expenses should they be unable to work for an extended period of time.

### **Corporate Travel Insurance**

Corporate Travel Insurance is an annual policy covering all staff and directors of a company for business travel. Cover will also respond to leisure trips taken by directors and business owners as well as associated leisure travel for employees of the business.

Cover also extends to any employees spouse and dependent children.

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

You can apply to have your APA Insurance Policy extended to include your business entity by clicking “Apply for Coverage” on the top right corner of the APA/BMS website [www.apa.bmsgroup.com](http://www.apa.bmsgroup.com).

This will act as an extension to your APA policy to protect your business in the event the entity is named in an action.

**23. How do I purchase additional insurance products?**

Click “Apply for Coverage” on the top right corner of the APA/BMS website [www.apa.bmsgroup.com](http://www.apa.bmsgroup.com). Complete the application and payment details to purchase a policy. It’s simple and fast and secure.

**24. I am 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.

**25. I am a student member studying physiotherapy but am qualified as a Pilate’s 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 are unsure whether you are covered, contact BMS on 1800 931 068 or email [apa@bmsgroup.com](mailto:apa@bmsgroup.com).

*For more information*

Visit [www.physiotherapy.asn.au](http://www.physiotherapy.asn.au) for further Clinical, Practice and Risk resources and an overview of the APA member benefits, including the APA Professional Indemnity Insurance Program.

Contact BMS on 1800 931 068 or email [apa@bmsgroup.com](mailto:apa@bmsgroup.com) for more information on Professional Indemnity Insurance for Physiotherapists.



*Your partners in protection*