



COTNS
POLICIES & PROCEDURES

DATE APPROVED: draft September 2013

DATE FOR REVIEW: September 2016

CATEGORY: Registration – initial and annual

AUTHORITY: OT Act 6 (3)(n); Registration Regulation 48

POLICY TITLE: Professional liability insurance

Requirement

Minimum professional liability insurance

Registration Regulation 48 Every occupational therapist shall ensure that they are covered by a minimum of \$5 000 000.00 professional liability insurance, with a legal expenses endorsement for investigation of complaints by a regulatory body, prior to engaging in the practice of occupational therapy and no member shall engage in the practice of occupational therapy unless they are insured in accordance with this Section.

Principle

Registrants are responsible for their own actions and activities. In the event of committing a fault, error, omission or negligent act while practising occupational therapy, professional liability insurance must be in place to facilitate an appropriate level of accountability to the public.

Policy

1. An applicant may meet the requirement by providing a copy of their certificate to the College which confirms the purchase of the insurance and includes the policy number and expiry date. This should be provided as a hard-copy, a fax or a PDF. The policy content must demonstrate that it meets the College's requirement of including a legal expenses endorsement for investigation of complaints by a regulatory body.
2. Sometimes it is not practical to provide proof of insurance until after the Certificate of Registration has been issued as the insurer has not yet issued the appropriate proof of insurance. In this case the applicant may meet the requirement by providing the College with written confirmation that insurance has been purchased directly from the institution through which the insurance was purchased. This confirmation may be in the form or fax,

email or PDF.

3. The College must receive confirmation of malpractice insurance for each area of practice in which clinical services are provided including, regular employment, private practice, contract and volunteer positions.
4. Every member must declare on the Annual Renewal Form that they maintain professional liability insurance as prescribed by the Regulations in order to renew their registration certificate.

Possible Outcomes:

1. The applicant satisfies the Registrar that they have met this requirement by providing a copy of the professional liability certificate with the New Applicant Form or by signing the declaration on the Annual Renewal Form.
2. A member's certificate of registration may be revoked for failure to maintain professional liability insurance as prescribed by the regulations or if the member fails to provide satisfactory evidence of maintaining such insurance within 30 days of a request in writing from the College.