DOCTORS IN PRACTICE

Membership & Professional Indemnity Insurance

Effective from 1 July 2018
By your side

We know you want to give your patients the best possible care. That’s why we’re by your side to give you the support, care and protection you need to do your best for them. Our role is more than simply providing the right professional indemnity insurance – it’s being here to reassure you with expert medico-legal advice and expertise, whenever you need it.
More than medical indemnity

You can always count on us to provide the right support and advice, and in many different ways:

✓ Medico-legal helpline for 24-hour expertise and support in emergencies
✓ Accredited education in your state
✓ Cyber Risk Education to equip you and your practice against cyber-attack
✓ 15% discount on eligible QBE Travel Insurance* policies for you and your immediate family
✓ Cover for practice undertaken overseas for up to 12 months#

• Support in Practice to help you manage practice risk
• Expert advisers and claims managers
• Defence Update - periodic journal to help you keep ahead of medico-legal issues
• Specialty-specific information on emerging risks, claims data and case studies
• Blogs and hundreds of online resources
• Doctors for Doctors Program - one-to-one peer support during a medico-legal matter
• Professional Support Service - referral to an independent psychiatrist may be arranged in exceptional circumstances
• Practice Indemnity Insurance that you can purchase to complement your own professional indemnity
• Live Well, Work Well activities promoting work-life balance at every stage of your career
• Association with beyondblue to promote doctors' health and wellbeing throughout the profession
• Local presence and national support with offices in NSW, QLD, SA, TAS, VIC and WA

*Subject to the terms and conditions of the relevant QBE travel insurance policy. Read the relevant QBE Travel Insurance PDS at qbe.com.au/Travel/Insurance to see if the policy is right for you. For more information please visit mdanational.com.au/member-support/member-discounts.

*Subject to written approval from MDA National Insurance Limited.
In safe hands

You can rest assured that with our extensive professional indemnity insurance and personalised support, you have a team of medico-legal experts who understand what you’re going through and are here to help you whenever you need.

**Up to $20 million cover** for civil liability claims and legal costs incurred in defending claims arising from your provision of healthcare services.* This applies to civil liability claims including those:

- arising from Good Samaritan acts worldwide
- resulting from unintended breaches of privacy legislation
- arising from you reporting another healthcare professional in good faith and in the public interest
- involving a practice entity in which you have an ownership interest*
- arising out of your provision of healthcare services in a clinical trial.

**Sublimits of $100,000** for legal costs arising out of each one of the following:

- cover for certain employment and credentialing disputes*
- disputes in relation to your involvement in training with a medical college
- civil liability claims for defamation, including defence costs for allegations made against you and for pursuing defamation allegations by you in relation to your provision of healthcare services.*
- seeking an Apprehended Violence Order
- defending alleged breaches of Competition and Consumer Act and fair trading legislation

**Sublimit of $100,000** for the replacement or restoration of lost or damaged documents or data related to your provision of healthcare services.

**$100,000 cover for a range of communicable diseases** payable as a lump sum one-time payment.*

**Sublimit of $250,000** for fines and penalties arising out of breach of privacy legislation.*

**Sublimit of $20,000** for loss of income up to $2,000 per day, for a maximum of ten days, for loss of your personal income because of your attendance at court for the defence of a civil liability claim against you.

**Sublimit of $1,000,000** arising from legal costs* for:

- investigations by a Professional Registration Board or Professional Services Review Committee
- inquiries including proceedings by a professional body, health services authority, medical tribunal, Royal Commission, Coroner’s Court, criminal court, health or medical benefits fund, Medicare, the Australian Information Commissioner or Anti-Discrimination Board (or equivalent)
- a professional or administrative body that you are required to pay
- allegations of criminal conduct or sexual misconduct*
- assistance with self-referral to a health program under the National Law in relation to an impairment that affects your provision of healthcare services or your clinical training.

* Subject to the terms and conditions of the current Professional Indemnity Insurance Policy.
Real life case scenarios

The importance of privacy

A practice owner contacted us when an independent contractor resigned and opened her own medical practice just one kilometer away. Because there was no written contract, there was nothing preventing her from doing this. Not long after, however, the practice owner discovered some of his patients had been sent letters from the new practice telling them that they had access to their medical records and could transfer their care to the new practice at no cost. With our help, the practice owner was able to write to his former contractor to remind her that removing and using patient details and medical records without consent was a breach of privacy legislation, and asked her to return the database and stop contacting his patients. She agreed to all the requests and the matter was resolved quickly and without the need for litigation.

Family disputes

One of our Members, a Paediatrician, contacted us for advice about an ongoing Family Court matter. Her patient was diagnosed with ADHD, but the separated parents couldn’t agree on the medication recommended by the doctor. Eventually the mother took the matter to the Family Court and the doctor sent us a copy of a subpoena, so we could ensure it was valid. After the Paediatrician’s appearance in court to give evidence, the father approached her and made serious threats against her. We assisted the doctor in obtaining a restraining order against the father, and the Family Court issued an order for the child to commence medication.

An unexpected death

A GP had been treating a patient for two months. He had a history of heart disease and diabetes but was otherwise well when the doctor saw him one week before his death. When he died, the patient’s wife called the GP but became very upset when the GP declined to sign the death certificate. Because of her distress, he reluctantly agreed to sign it so that the family could arrange a funeral, and recorded “myocardial infarct” as cause of death, also noting the patient’s past medical history. The patient’s children requested a post-mortem and, when the cause of death was still unknown, the matter was referred to the Coroner. The GP was asked to explain why he didn’t report the death to the Coroner and why he issued a certificate when he didn’t know the cause of death. The children made a complaint to AHPRA, and we arranged representation for the GP at both the Inquest and the Medical Board.

These case scenarios are based on actual claims or medico-legal referrals. Certain facts have been changed or omitted to ensure the anonymity of the parties involved.