

Authority

This standard has been approved by the Australian Health Workforce Ministerial Council on 31 March 2010 pursuant to the *Health Practitioner Regulation National Law (2009)* (the National Law) with approval taking effect from 1 July 2010.

Summary

This standard specifies the arrangements for professional indemnity insurance (PII) cover that all practising osteopaths must have in place.

Any person practising and/or holding themselves out to be practising osteopathy is required to be registered under the National Law.

Scope of application

This standard applies to all applicants and registered practitioners. It does not apply to students or practitioners who have nonpractising registration.

Requirements

1. A registered osteopath must not practise unless the minimum professional indemnity insurance cover specified by the Board is in place.
2. Osteopaths must ensure that they are covered in all circumstances where they may practise osteopathy and for all modalities being offered while they are practising as an osteopath.
3. Osteopaths must exercise their professional judgement to ensure that they have insurance cover that is appropriate to their individual level of risk. Osteopaths practising in areas where there is a greater risk of the payout of higher claims (e.g. for serious injury, such as spinal injury, to persons under 18 years of age) should ensure that they have an appropriate level of cover in place.
4. The minimum professional indemnity insurance cover is specified on the Board's website <http://www.osteopathyboard.gov.au>. This amount is set at \$20 million at the commencement of this standard but may be varied by the Board.
5. The minimum amount specified is to cover any single claim and the policy must have at least one automatic reinstatement during the period of cover.
6. The policy must not contain exclusions that relate to the individual's scope of practice.
7. The policy must have unlimited retroactivity of cover and include run-off cover for retirement or death.
8. The Board will require a declaration from a registered osteopath on renewal that the applicant will not practise unless professional indemnity insurance arrangements that meet this standard are in force in relation to the individual and that the applicant has not practised as an osteopath during the preceding period of registration under the National Law without PII arrangements in force in accordance with this standard. Evidence of PII must be produced if required by the Board.

Definitions

Professional indemnity insurance arrangements means arrangements that secure for the practitioner insurance against civil liability incurred by, or loss arising from, a claim that is made as a result of a negligent act, error or omission in the conduct of the practitioner. This type of insurance is available to practitioners and organisations across a range of industries and covers the costs and expenses of defending a legal claim, as well as any damages payable. Some government organisations under policies of the owning government are self-insured for the same range of matters.

Run-off cover means insurance that protects a practitioner who has ceased a particular practice or business against claims that arise out of activities which occurred when he or she was conducting that practice or business. This type of cover may be included in a PII policy or may need to be purchased separately.

Review

This standard will commence on 1 July 2010. The Board will review this standard within three years of operation.