



# Rural GP Medical Indemnity Insurance Program

Frequently Asked Questions



# Contents

Frequently Asked Questions ..... 3

Disclaimer: The information provided in this document is intended to be general advice only. All claims will be assessed on a case by case basis and subject to the terms, conditions and exclusions of the VMIA Rural GP Medical Indemnity insurance policy.

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VMIA welcomes the opportunity to offer Medical Indemnity Insurance to general practitioners practicing in rural Victoria.

VMIA's Rural General Practitioner Medical Indemnity Insurance Program is supported by the Department of Health and reviewed annually. The Insurance Program provides medical indemnity insurance cover for GPs and registrars who are practicing in rural regions of Victoria and have admission rights to a rural Victorian public hospital/bush nursing hospital as designated by DH.

## Frequently Asked Questions

### Who is eligible for cover under this program?

To be eligible for cover under the Insurance Program, you must be a GP or registrar practicing in rural Victoria and have admission rights to a rural Victorian public hospital/bush nursing hospital as designated by DH.

The program extends cover to any student and/or practitioner of a university, college of advanced education or like institution who is appointed to the insured GP.

The policy covers employees of an insured GP and persons for whose conduct the GP is liable for at law, except for medical practitioners, unless the medical practitioner is employed by the insured GP and is acting as a locum on behalf of the insured GP.

Employed administrative and/or nursing staff of an insured GP's medical practice may also be covered (refer to page 2 "Does the policy extend to cover practice staff?").

### What GP activities are not covered under this program?

The Program does not extend to GPs while practicing:

- in Victorian metropolitan regions, except for participation in professional development courses (refer to page 3 "Am I covered when I am undertaking professional development?")
- interstate, unless prior written approval is granted by VMIA (e.g. a GP participating in a short-term interstate locum position)
- as a locum, unless prior approval is granted by VMIA
- in hospitals or day procedure centres unless the facilities are named in the schedule.

### What are the limits of cover?

The policy has a limit of indemnity of \$20 million for any one claim.

### What cover options are available?

The following cover options are available:

- Cover option 1a – Includes cover for all work including obstetric, anaesthetic and procedural work.
- Cover option 1b – Includes cover for all work including anaesthetic and procedural work but excluding obstetric work.
- Registrar option – Includes cover for all work including obstetric, anaesthetic and procedural work by a registrar.

Premiums will vary depending on the cover option chosen and the Annual Gross Earnings of the GP or registrar.

## **Am I covered for legal representation for defending complaints or proceedings against me involving a professional disciplinary tribunal or board of inquiry such as the Medical Practitioners Board?**

In relation to your provision of health care services, you are covered for the costs of reasonable legal fees and associated expenses for:

- any complaint or proceeding against you by a professional or Registration Board or disciplinary tribunal
- any investigation or proceeding against you by a peer professional association
- any complaint or investigation against you by a statutory body
- any Royal Commission
- any coronial inquiry or investigation.

However, it should be noted that VMIA does not provide legal advice in relation to other actions, complaints, proceedings, and inquiries such as:

- a contractual dispute with employees/ contracted staff
- a contractual dispute with an employer
- a contractual dispute with a hospital
- defending a prosecution for a motor vehicle driving offence
- a breach (or alleged breach) of the consumer protection legislation
- a defamation action by or against you
- any proceedings arising out of reporting another doctor or health care professional to a hospital, area health service or registration body.

Furthermore, VMIA does not provide a general medico-legal advice service.

## **I am an International Medical Graduate (IMG) and have moved from overseas to practice in rural Victoria. Can I obtain cover?**

If you meet the eligibility criteria, we can extend cover to you. Please contact us to discuss your circumstances.

### **Can I obtain retroactive cover?**

We have discretion to endorse the policy to provide retroactive cover for an unlimited period prior to the commencement of the period of insurance. Retroactive cover is only available to new GPs who wish to join the program. Retroactive cover is subject to the completion of the appropriate proposal form and the provision of previous insurance claim particulars.

Cover will extend to claims which may arise from healthcare services previously provided to patients treated in a private or public practice/hospital in Australia. This cover applies only to those incidents or circumstances which were not known, or have not been previously reported to another insurer, prior to the start date of cover under this program. The cost for this cover is an additional 50 per cent of the relative full annual premium. This is a once-off premium charge only.

### **Does the program offer run-off cover?**

Your policy is written on an "occurrence" based wording, therefore any incident arising out of the healthcare services provided while you were insured with VMIA may be covered irrespective of when we are notified.

### **How do I notify VMIA of a claim or incident?**

It is important that any incident which may give rise to a claim be reported to VMIA immediately when you become aware of the incident. Report an incident by emailing circumstances direct to <mailto:miclaims@vmia.vic.gov.au>

### **Does the policy extend to cover practice staff?**

If you are a principal GP, you may elect to extend cover to the administration and nursing staff who are employed by your practice. This cover will also extend to the practice entity in respect to healthcare incidents involving nurses and administration staff employed by the practice.

VMIA must approve this cover extension and once approved, the cover will be endorsed at no additional premium charge. The cover relates to medical indemnity only and does not protect the practice in respect to other professional liabilities.

### **When am I covered under the Victorian Public Healthcare Insurance Program?**

Cover under the Victorian Public Healthcare Insurance Program will depend on the conditions of your contract or appointment with a public hospital. Cover under the Program is provided where you:

- are an employee of a public hospital
- do not bill patients directly for the provision of your healthcare services
- receive remuneration for your services from the public hospital; for example, the hospital pays you a wage or fee for service
- are appropriately credentialed and provide healthcare services in accordance with your defined scope of practice in the public hospital
- treat patients who are deemed to be public patients of the public hospital and not your private patients.

### **Am I covered for providing telephone advice?**

Yes, you are covered for telephone advice given in relation to the treatment of a patient.

### **Am I covered for cross border work?**

Cover under the policy can be extended to GPs who are living in rural Victoria and who provide limited services in border towns of New South Wales and South Australia. The cover must be approved by VMIA in writing prior to the provision of these cross-border services.

### **Am I covered when I am undertaking professional development?**

We will extend cover under the program to include clinical attachments at major public or private hospitals within Australia, specifically undertaken as recognised professional development.

GPs are required to contact VMIA in writing prior to undertaking such clinical attachments, providing full details regarding the professional development including hospital, duration of clinical attachment and specific clinical activities to be undertaken.

We will consider these requests and, if accepted, will provide written advice confirming cover is extended to clinical attachments.

### **Can I obtain cover for locum work outside Victoria?**

We can cover you for limited locum work in other states of Australia, however, this cover must be approved by VMIA in writing prior to commencing this locum practice.

### **Am I covered for sessional work within metropolitan Melbourne?**

The program is fundamentally for GPs or registrars practicing in rural Victoria. Please contact us to discuss your specific requirements.

### **Am I covered for provision of health care services to local sports clubs?**

Yes, cover extends to the provision of these services when provided within rural Victoria.

### **What other areas does this policy cover?**

The policy covers you under the following areas:

- supervision or training of a student, healthcare professional or other person
- publishing a presentation/academic paper or article in a journal, newspaper or newsletter
- providing a report or advice not for the purpose of a treatment (e.g. requested by third party such as lawyer, insurer or statutory body)
- providing advice to a person/organisation in relation to a person's fitness to carry out certain duties or activities.

### **What about my particular circumstances?**

We will request individual information annually for each renewal period. This information is required before the renewal of cover is offered under the program.

It is your responsibility to notify VMIA immediately of:

- change of contact details
- change of work conditions, such as a change of practice, locum work, significant changes in income
- loss or suspension of registration as a medical practitioner
- loss of admission rights to a designated rural public hospital.

### **What about 'Good Samaritan' responses?**

You should not be concerned about situations in which you respond to and provide first aid to a member of the public in an emergency.

Internationally and in Australia - this is legally recognised as a 'Good Samaritan' response. In Australian states, doctors are generally not liable for any errors or omissions when attending a public emergency as a 'Good Samaritan'.

#### **For further information**

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**T:** (03) 9270 6900

**W:** [www.vmia.vic.gov.au](http://www.vmia.vic.gov.au)