

APA Member Insurance Program

Your hands are in good hands

FAQ V.22

General

1. Who is Insurance House?

A. Insurance House is a national insurance broker who provides innovative insurance solutions across all classes of insurance including public liability, professional indemnity and business insurance. Combining their expertise with Lloyds of London as the underwriter they bring a market leading insurance offer for APA members.

2. Why has APA chosen Insurance House as their members' Insurance provider?

A. APA has partnered with Insurance House to bulk buy a policy for all physiotherapists in Australia. We worked hard to find you a tailored and competitive insurance offer. Unlike a direct insurer, Insurance House is able to work with a number of insurance companies to bring a tailored offering at a competitive price to our members.

Insurance House has been chosen due to their:

- ✓ Tailored and broad scope of cover - \$20 000 000 Limit for Professional Indemnity and Public and Products Liability
- ✓ Competitive premiums
- ✓ High level service
- ✓ Claims support
- ✓ Risk management support

3. Who is covered by the APA Member Insurance Policy?

A. The APA Member Insurance Policy provides cover to all members who agree to the insurance offer as part of their respective membership package.

4. How did you achieve such affordable premiums?

A. We have secured an innovative and efficient process for you to buy your insurance as part of your membership renewal, allowing us to reduce costs and pass on the savings to you.

5. How do I take up the offer?

A. The great news is the insurance is automatically included with your membership application. All you have to do is renew your membership and answer the relevant insurance questions and you're covered, provided you don't choose to opt out of receiving cover at the time of membership application/renewal.

6. I'm a new member. Can I pay my membership and insurance monthly?

A. Yes you can pay monthly or annually and the price is the same.

7. I'm a new member joining in March 2017. Do I need to pay in full or can I pay pro-rata?

A. Yes. You only pay from your start date a pro-rata amount of the Annual Membership Fee.

8. Who do I call if I want to discuss how to access the insurance policy?

A. Phone 1300 306 622 to speak with your local membership officer about your membership and insurance options. Visit insurance4physios.com for policy documents and terms and conditions.

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9. Do you offer any support for legal advice?

A. Yes. As part of the insurance offer APA members receive 30 minutes free professional legal advice per annum for matters relating to your business or your employment in a physiotherapy business. To access this benefit, simply contact the Insurance House team on 1300 305 834.

10. I provide treatment to professional sportspeople and the membership renewal asks me to declare this. Does this change my membership fee or insurance cover?

A. No, we are simply gathering information to assess the number of professional sports people being cared for by members so we have a clear understanding of the risk.

11. The membership renewal only asks about professional sportspeople in the AFL, A League, ARU, NRL, Cricket Australia or Olympic representatives. Do I need to declare my treatment of sportspeople involved in other sporting codes, or up and coming sportspeople that may fall into those areas?

A. No, the insurer is only interested in gathering information about treatment of current representatives of the professional sports areas we have highlighted, not those who may be.

12. The membership renewal asks me to provide income for the professional sportspeople I treat. I can't estimate this figure, how do I answer this question?

A. This question is not referring to the player's income, but rather the percentage of income the member derives from treating professional sports people in comparison to the member's total income.

13. Will I be penalised for having dual insurance with two separate insurers?

A. No, in the event of dual insurance the Insurance Contracts Act protects you as the consumer and allows you to decide which policy you prefer to make the claim under

14. What is Insurance House's stance on APA members treating family members? Are they allowed to?

A. Clients are not covered when working for related parties. The definition of related parties is on page 19 of the policy.

15. What do I do if I have a current policy with Insurance House and want to take up this offer?

A. Insurance House will provide a pro rata refund for your individual policy. Send a letter to Insurance House requesting cancellation of your individual policy. Make sure you have renewed membership and insurance with the APA first as you need continuous cover.

16. What do I do if I have a current policy with another insurance agency and want to take up this offer?

A. After you have renewed your membership for 2015, send your current insurance agency a letter requesting cancellation of your individual policy. Please note, most insurers will provide a refund, but some charge an administrative fee to cancel. Make sure you have renewed membership and insurance with the APA first, as you need continuous cover.

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

A. Full-Time and Part-Time members may opt-out and pay a membership only fee. Reduced rate categories do not get a fee reduction if they do not want insurance in their membership. Most categories are 50% price reduced and therefore no additional reductions or discounts apply.

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18. What happens if I have a change in work situation throughout the year?

A. If your work situation changes in any way during the course of the year, you must notify the APA. There will be no change to your membership premium paid either up or down. E.g. if you go on maternity leave in July 2016, notify the APA, and select Maternity Category for 2017.

19. Can I buy Business Insurance from Insurance House?

A. Yes. Insurance House have a product for Business Insurance that may be purchased direct. Please call Insurance House on 1300 659 626.

Insurance Coverage

20. What is the total amount of cover provided?

A. Your APA policy provides you \$20,000,000 cover per claim with two reinstatements, meaning you have access to an annual aggregate amount of \$60,000,000 cover.

21. Is the APA member insurance offer a group policy or an individual policy?

A. The APA insurance offer is for individual member cover.

22. What is the benefit of individual member cover with the APA offer?

A. Each member receives **their own individual** policy limit of \$20,000,000 any one claim and \$60,000,000 in the aggregate.

This ensures that no other member(s) claims will affect, restrict or reduce the amount of cover you receive. Once you join the APA policy will also cover you for all your past activities, ensuring **you have full continuity of cover**. As an added benefit the new APA policy **will protect you for all your past work** at your new individual policy limit of \$20,000,000.

23. Is this cover compliant with the Physiotherapy Board of Australia (PBA) and the Australian Health Practitioner Regulation Agency (AHPRA) insurance requirements?

A. Yes. We know as a Physiotherapist you cannot trade without being registered and your registration requires you to maintain a compliant policy. We are pleased to confirm the APA policy meets and exceeds all the insurance requirements set by the PBA and AHPRA.

24. If I change insurers will the new policy cover my past activities?

A. Yes. The Member Insurance Policy offers unlimited retroactive cover. This means if you become aware of a new and valid claim under this policy, even if the claim results from your past activities, the Member Insurance Policy will still cover you.

25. Am I covered for legal costs and expenses associated with Physiotherapy Registration Board hearings?

A. Yes. The policy provides \$20m legal costs and expenses for hearings, investigations, tribunals, inquiries into your business services by a professional body or industry association, including:

- Physiotherapy Registration Board
- Australian Physiotherapy Association
- Australian Health Practitioner Regulation Agency
- Health Care Complaints Commission
- Coronial inquiries

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26. I work in the public sector - why should I buy insurance?

A. APA has designed a very competitive public sector member insurance coverage to help “plug the gaps”.

Your current public sector employer’s policy may not cover you for claims resulting from:

- your services with any previous employer
- your past, current or future private practice work
- your services as a contractor, sub-contractor or consultant in the public sector
- if you act outside your employment conditions
- if you are sued by your employer
- personal legal support for registration and disciplinary hearings, including coronial inquiries

In addition, you have your own individual \$20m cover and access to the free legal assistance hotline for APA physiotherapists.

For a very minimal cost APA has provided public members with an excellent “peace of mind” protection covering the above issues.

27. As a registered physiotherapist, I provide a range of multi-discipline physiotherapy treatments to my clients, including cervical manipulations, acupuncture, animal, yoga and clinical pilates. Am I covered for the full scope of physiotherapy practise?

A. Yes, this policy covers you for the full scope of physiotherapy practise provided you have the appropriate training.

28. As a multi-discipline practitioner I provide more than just Physiotherapy treatment to my clients. Will I be covered for non-physiotherapy activities?

A. APA members will receive free cover for over 150 other approved modalities in which they are qualified. Members will have to have completed the appropriate training to undertake such activities for cover under the policy. For confirmation of the approved modalities list please contact Insurance House on 1300 659 626.

29. Is Continence and Women's Health Physiotherapy scope of practice covered, including internal vaginal and rectal examinations and fitting of pessaries?

A. Yes, this policy covers you for the full scope of physiotherapy practice provided you have the appropriate training.

30. I've been asked to assist a student complete their practical experience. Will I be covered?

A. Yes. As an APA policy holder you will be covered for claims made against you or your student for work performed by a student whilst under your supervision.

31. Am I covered if I travel overseas?

A. The policy is valid in all countries excluding United States of America and Canada.

32. Is voluntary work covered?

A. Yes. Volunteering is an excellent way to give back to your community but is still considered providing a service. The great news is if you do any volunteer physiotherapy work at a not for profit or charitable community event, then you're covered for claims arising. Volunteer work can be in any sector, including but not limited to public, private, sporting clubs, sporting events, charities, associations, not for profit organisations etc.

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33. Am I covered as a locum or a mobile physiotherapist?

A. Yes. Locums are covered as are mobile physiotherapists.

34. I am a student member and I am currently completing a qualification in Pilates and Yoga. Does my APA policy extend to cover these additional activities?

A. Yes, this policy covers you for the full scope of physiotherapy practise provided you have the appropriate training and are relevant to their studies. APA members will receive cover for over 150 other approved modalities in which they are qualified.

Students have cover and may attend all APA Lectures.

Students have cover and may attend “APA Student Only Courses/Workshops” or the equivalent external courses.

Only qualified physiotherapists may attend APA Courses/Workshops structured for practising physiotherapists unless stated otherwise.

35. What training is required for Acupuncture and Dry Needling?

A. The practice of needling (whether dry needling or acupuncture) is recognised as falling within the scope of physiotherapy practice. It is expected that physiotherapists have completed an APA accredited or equivalent Dry Needling course which is no less than 15 hours in duration or 80 hours in Traditional Acupuncture; and that they adhere to relevant safety guidelines such as Australian Society of Acupuncture Physiotherapists (2007). Guidelines for Safe Acupuncture and Dry Needling Practice. *Australian Society of Acupuncture Physiotherapists*. IAAPT (2003). Standards of Safe Acupuncture Practice by Physiotherapists. *International Acupuncture Association of Physical Therapists*. Australian Guidelines for the Prevention and Control of Infection in Healthcare (2010) *Australian Government: National Health and Medical Research Council*.

36. What additional training is required for Animal Physiotherapists?

A. As from 1 July 2014, the APA will introduce a ‘guideline’ for physiotherapists working with animals; that they have a minimum requirement of APA level 1 or equivalent to work with animals. This guideline will be reviewed in 2 years.

37. Does the APA member insurance policy have a minimum requirement for patient consent?

A. The APA member policy does not contain any minimum requirement for the type of consent that needs to be obtained for cervical manipulation or any other form of physiotherapy work. The APA policy has no exclusions, conditions or minimum requirements for obtaining consent. The APA policy will cover negligent acts – all professional liability policies do.

38. Will the APA policy cover me for treatment risk, including errors in obtaining consent?

A. Yes, this is exactly what the policy is designed to do.

39. Does the APA member insurance policy provide unlimited run-off cover upon retirement?

A. Yes, the APA policy has unlimited run-off cover as a free benefit. When you cease to practice during a policy period simply advise Insurance House and you will be placed into run-off under that year’s policy. The run-off cover has no expiry date and will continue to cover you for the following years, even if your membership is not renewed.

40. Does the APA member insurance policy cover personal injury, property damage and financial loss?

A. Yes, as part of a valid claim.

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41. My activity largely centres around prevention and health promotion in the workplace. Does the APA Member Insurance Policy cover this?

A. Yes, prevention and health promotion in the workplace falls within our definition of full scope of activities

42. I use ultrasound and electrotherapy technology in delivering my physiotherapy services, is this ok?

A. Yes, we cover the use of any technology in the delivery of physiotherapy services, including electrotherapy and ultrasound technology.

43. Does Insurance House's policy cover include clinical Pilates?

A. Insurance House will cover a member for Pilates, provided they are qualified in Pilates. The cover will automatically extend to valid claims for teaching classes and at any location, including the clinic, gym or outdoors etc.

44. I operate a website to promote my practice, I record my patient's personal and medical details electronically and I communicate regularly with my patients via email. Will the policy cover me if I unintentionally breach a patient's confidence or privacy or if my IT systems are hacked?

A. From 31 December 2014, APA members will receive as an added benefit free cyber liability cover as part of their member insurance policy. The cyber liability extension will provide up to \$25 000 cover if:

1. the content of your emails, intranet or website results in:
 - a) an unintentional infringement of intellectual property, copyright or trademark;
 - b) a defamatory statement about your patient or competitor;
 - c) an unintentional breach of confidence or privacy;
including if the above were to occur as a result of the actions of a computer hacker.
2. your website or computer system is damaged, altered or destroyed as a result of the actions of a computer hacker.
3. your negligent transmission of a computer virus, worm, logic bomb, or trojan horse to anyone you transact business with or who uses your website.
4. your unauthorised collection or misuse of confidential patient information which was obtained through the internet or your website and you hold electronically.

Claims

45. What support do you provide if I become aware of a claim?

A. This policy provides you with free unlimited legal support from the time you notify Insurance House of a valid claim or circumstance. Insurance House has an in-house claims team to assist you through the process, all at no cost and with no time limitation. Importantly, this service extends to not only claims but also circumstances. A circumstance is notification of a potential of a claim occurring and allows Insurance House to assist you in the very early stages.

46. What am I expected to pay in the event of a claim?

A. NIL excess applies to the APA member policy, so you pay nothing in the event of a claim.

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47. Who do I call if I need to make a claim?

A. If the worst happens, and you need to make a claim, or advise a circumstance, you can contact the Insurance House claim team on 1300 305 834.

48. Is the APA policy restricted to negligence claims only?

A. No, the APA policy is not restricted to negligence claims only. The APA member policy is a civil liability policy. Civil liability is the broadest form of professional liability insurance available in the insurance market.

49. Does the APA member insurance policy provide access to expert lawyers?

A. Yes, APA insured members are supported by DLA Piper, trusted legal advisors to approximately a third of the ASX 100 companies or their subsidiaries and all levels of government. DLA Piper manage claims for all AHPRA registered occupations, including physiotherapy.

50. I have a previous claim three years ago, can I get insurance in my membership?

A. The member must disclose the details of the claim at renewal time. A representative from Insurance House will discuss and accept or decline the request for insurance. In most cases, this process will be simply record keeping for details on the claims history.

In some circumstances, the underwriter may make special conditions for the individual member or decline the request for coverage. These circumstances would be very rare.

51. What if I have had a claim in the past, or am aware of circumstance which may result in a claim?

A. If you answer yes to one or more of the questions around claims or circumstances during the online renewal process, your application will be halted and a representative from Insurance House will call you within 24 hours to follow up. This doesn't mean you will not be eligible for insurance, but we will need more information in order to continue with your membership application. If you are returning a hard-copy membership form, you will be contacted by an Insurance House representative within 24 hours of the application.

Membership Category

52. I'm a current member in 2016. If I pay my membership late, do I get a reduced fee?

A. No. 2016 members must pay a full 12 month fee. Members with insurance who do not pay by 4pm on 31/12/2016 will have their policy lapsed. For members renewing after 4pm 31/12/2016 a new policy will be applied for and this member will not have continuous cover.

This insurance is a "claims made" policy which requires all known claims or circumstances to be reported within the policy period you become aware of them. Once the policy has expired no new claim or circumstance can be reported under the policy. For this reason it is vital that prior to the expiry date, any unreported claim or circumstance is notified and the policy is also renewed.

53. What happens if I cancel my membership?

A. Your membership is a 12 month purchase and no refunds are given. If you cease to be a member, your insurance cover ceases the day you resign.

54. Can I buy insurance without membership?

A. No. The negotiated rates are for members only.

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55. What happens if I suffered major financial hardship?

A. The APA is supportive of members who suffer financial hardship. Please give your Branch Manager a call on 1300 306 622. Upon application, a Branch Manager may change or amend membership categories or fees in extreme circumstances.

56. A clear explanation if a member is worried about changing sectors (public/private) during the year.

A. At the time of applying for APA membership it is important you select the membership category which best describes your activities at the time. If you selected to opt in for the insurance with your APA membership, IH will continue to cover you if your activities shift during the policy period from public to private or visa versa. There is no change in the coverage and cost and there is no requirement to notify us.

57. The membership categories have changed and I can't see Private or Public categories.

What category do I select?

A. Membership is defined in two separate categories. Members now are Physiotherapists Private Practice Full-time or Part-time. However, some physiotherapists are eligible to receive a discount if they are employees in the public sector. This category difference also affects Graduates who must select whether they are an employee in the public sector. The public sector definition covers both private and public settings in the public sector and allows for an average of 8 hours per week private practice work.

58. What if I work for a hospital but I do 1 hour per week in private practice or paid work at a sporting club?

A. As a public sector employee for insurance purposes, you are permitted to do an average of 8 hours per week in a private practice. If you do more than an average of 8 hours work in private practice, you must choose a Physiotherapist Private Practice Full-time or Part-time category and you are not eligible for the Public Sector category.

59. I work in a private hospital that treats public patients. What category do I select?

A. As an employee, you are eligible for Public Sector categories.

60. I work in a public hospital but am employed by a private contractor. What category do I select?

A. Unless you are an employee of the hospital and you are paid directly by the hospital, you will be considered a full or part-time Private Practice Physiotherapist.

61. I work in aged care. What category do I select?

A. The aged care setting can be public or privately owned. If you are an employee you are eligible for Public Sector categories. Contractors and private practitioners are not eligible for public sector membership.

62. I work part-time in a government-owned hospital and part-time for a private practice. What category do I select?

A. If you do any work for a privately-owned business more than an average of 8 hours per week, you are considered a full or part-time private practice physiotherapist.

63. I work for a university. What category do I select?

A. If you are an employee of the university, whether public or private, you are considered a public sector physiotherapist.

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64. I am a physiotherapy assistant but my membership doesn't include insurance. Why?

A. A physiotherapy assistant works under the supervision of a physiotherapist therefore is covered by the supervising physiotherapist's insurance policy.

65. I am an Associate (overseas registered) member and my membership doesn't include insurance, but it says the policy is valid in all countries except USA and Canada. Why doesn't my membership include insurance?

A. Your Associate membership is priced at a highly reduced rate and its purpose is to provide you with access to many of the APA's great research, learning and publication resources. To be eligible for the APA Member Insurance Program you must be or have been a registered physiotherapist with the Physiotherapy Board of Australia, or hold a limited registration.

Therefore, Associate members (M11) registered and living overseas are not eligible for the policy. Associate members (M10) previously registered overseas and applying for limited registration and living in Australia are eligible for the policy.

66. When does my 2016 Membership/Insurance commence?

A. Membership renewals open on 1 October 2016. Membership and insurance cover commence the day you renew/join and pay the relevant fees.

For new members commencing 1 October 2016 – 31 December 2016, the membership fee payable is 12 months and the period prior to Christmas is granted at no charge.

For renewing members commencing 1 October 2015 – 31 December 2017, the membership fee payable is 12 months. (renewing members have already paid, or continue to pay on instalments, membership until 31/12/2016)

67. Am I covered in my Retired Membership?

A. When you retire, all retired members will have unlimited runoff cover.

PLEASE NOTE: this document is a summary only. For the full terms and conditions please refer to the policy schedule, wording and endorsements.

Insurance House Pty Ltd ABN 33 006 500 072, AFSL No.240954. PLEASE NOTE:

The APA does not hold an Australian financial services licence and members should consider obtaining their own financial product advice about the product from a person who is able to give such advice under an Australian financial services licence.

In all instances we will confirm to you that cover has been provided under the APA Group policy. That will occur by means of the provision of a Certificate of Currency ("CoC"), which will be issued for new policies and renewal of cover. The CoC is the only confirmation that cover is being provided.

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