

Do you have the right insurance coverage?

The CAND recommends that all naturopathic doctors, regardless of where they practice, carry malpractice liability insurance. In regulated jurisdictions ND's are required to carry malpractice liability insurance. However this may not be the only insurance that you should be purchasing to protect you or your business from financial loss in the case of a claim. We have prepared the following insurance checklist to assist you in your decision on how best to protect your financial interests as a practicing Naturopathic Doctor whether practicing as a sole practitioner, clinic owner, or with others in an office/clinic environment.

Insurance Options as shown on application form	A	C	D	E	F
Type of Practice	Professional Malpractice Liability	Clinic Malpractice Professional Liability	Commercial General Legal Liability	Sole Practitioner Business Package includes Property and Commercial General Liability	Office Clinic Business Package includes Property and Machinery Breakdown Plus Commercial General legal Liability
ND Regulated Insurance	✓				
Working For Somebody Else	✓		✓	✓	
Working on your own in several locations	✓			✓	
Own & Operate Office on Your Own	✓				✓
Own & Operate a Clinic with other Professionals	✓	✓			✓

Highlights of the CAND Insurance Program for Naturopathic Doctors

The CAND sponsored Insurance Program for Naturopathic Doctors provides a full range of general insurance products specifically designed to protect the interests of naturopathic doctors from sole practitioners to clinic owner/operators. The program was developed in partnership with Partners Indemnity Insurance Brokers Ltd. and is underwritten by Continental Casualty Company.

Our program provides comprehensive affordable coverage for Professional Liability Malpractice Insurance, Commercial General Liability (CGL), Crime; and Property insurance. For those that require it we can add Disability and Health Benefits plus Home & Auto insurance through different insurance providers.

It is important to note that the following information is not the insurance policy. For full details of terms and conditions we recommend reviewing the policy. For your convenience a complete copy of the policies are available on the CAND site for review. They can also be downloaded for your files.

How do I apply for this insurance?

By simply completing the insurance enrollment and application forms you can design your own program to meet your insurance needs. You are able to complete your own premium rating (see rate sheet) and forward the completed forms along with the premium cheque or credit card authorization form to Partners Indemnity Insurance Brokers for binding.

It is important to **note** that you are required to have Professional Liability Insurance should you elect to purchase Commercial General Liability Insurance (CGL)

Professional Malpractice Liability – Option A

There are various liability limits offered under this insurance:

- \$2,000,000 per claim and \$2,000,000 annual limit
- \$3,000,000 per claim and \$3,000,000 annual limit
- \$5,000,000 per claim and \$5,000,000 annual limit
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Note: there is no claims deductible for this insurance coverage.

The purpose of this insurance is to protect you against a claim or complaint made by one of your patients due to the professional services provided within your scope of practice as a naturopathic doctor. The policy insures defense costs (legal fees etc.) as well as legal damages awarded in favour of the third party (your patient). It also provides legal expenses for regulatory matters due to a complaint. The insurance policy is designed to defend and indemnify you for a claim made in Canadian courts from treatment you provide in Canada and anywhere in the world.

For those that provide IV therapy we recommend carrying a minimum limit of \$3,000,000. **Note:** a higher limit may be required by your regulatory board/college.

The insurance is written on a claims made basis. This wording appears in professional liability policies and simply means that a claim, or an incident that could lead to a claim, (i.e. a patient complaint) is insured under the policy in force at the time the claim is reported and not the policy in force at the time of the incident or occurrence leading to the claim. Please note you **must** report any incident or client complaint that could lead to a professional liability claim to Partners office immediately. Failing to do so could invalidate your insurance.

The continuity date is important. Malpractice claims reported during the new term under the CAND program for past incidents or occurrences are insured provided Malpractice insurance was in force at the time of the occurrence and has remained in force continuously without any interruption. If the insurance has been interrupted, or the policy allowed to lapse there would be no coverage should a claim be reported. Should you decide to stop practicing for any reason and elect to lapse or discontinue your insurance you have the option of purchasing the extending reporting period. Purchasing the extended reporting period means that you are covered for any claim that may be made after you cease practicing relating to treatment provided while you were treating patients. We highly recommend purchasing this coverage.

New Coverage has been added under this insurance;

Cyber Cover

This protects you and your practice for the forensic and legal expense to investigate and secure security leaks including liability from patients and or other third parties if their medical files or credit cards have been compromised.

Legal Advice (Insured by DAS division of Munich Re)

This is personal legal advice insurance coverage. This allows you to contact a lawyer primarily for telephone consulting where legal advice can be provided for both business and personal matters. Please note if the legal question you have is related to a claim or complaint Partners Indemnity must be contacted.

Additional Named Insured under Malpractice Professional Liability Insurance

If you operate your practice under a corporate name this name should be added to your personal Malpractice policy. This protects you from claims made against your company in addition to you personally. There is no charge for adding your incorporated name to this policy

Clinic Malpractice Professional Liability Insurance - Option C

When operating an office or clinic with several practitioners it is important to secure the business against a malpractice claim. It is not unusual for the patient to claim against both the practitioner and the business name.

Commercial General Legal Liability Insurance (CGL) – Description of Coverage – Option D, E and F

There are various liability limits offered under this insurance.

- \$2,000,000
- \$3,000,000
- \$5,000,000

The claims deductible is \$1,000 per occurrence.

Commercial General Liability (CGL) insures you for accidental slip and fall claims causing bodily injury or property damage to third parties. For example, if your patient should happen to hurt themselves coming into your premises or falls while getting on or off the examining table. This would not be covered under your Professional Malpractice Liability Insurance. It is important to note that this policy provides additional coverage for product liability. In most instances this would be insured under your Professional Malpractice Liability policy, but if your clinic offers services non-related to the practice of naturopathic medicine you may be at risk. Our experience has shown that some business office/clinic policies purchased by ND's outside of the CAND program can exclude this coverage.

Employee Injury

Work related bodily Injury to your employees is normally covered under Workers Compensation. However the CGL insurance can protect you against Employers Liability in the rare case where the claim does not fall under a Provincial Workers Compensation Act in Canada

Contractual Liability is included under your CGL policy

Contractual liability most often arises under lease agreements either with your landlord or equipment suppliers. For example, in the lease that you sign with your landlord you can normally expect to be asked to hold the landlord harmless from liability arising from your negligence but also to be responsible for direct loss to the leased premises for property damage caused by fire and related perils such as flood and windstorm. With CGL coverage the insurance company will agree to support the conditions of your lease, providing the required insurance coverage is within the terms and conditions of your policy. They will also agree to add the landlord's name to the insurance as additional insured.

We recommend that you request evidence of Commercial General Liability (CGL) insurance with your name added as additional insured from any subtenant sharing your premises.

Property Insurance Office Building and Contents – Description of Coverage – Option E and or F Below

There are various limits offered under this insurance ranging from \$50,000 to \$1,500,000. Higher limits are available on request. The deductible is: \$1,000 for each claim.

The insurance covers property in your possession from direct physical loss or damage. This principally covers your office contents and building if you own or are responsible for insuring the building. Contents include Tenants improvements, office equipment and dispensary. In the application we have set out various items and coverages available. It is important to list the replacement value of the property when selecting the insured limit in order to be properly insured. For insuring terms and conditions please refer to the insurance policy. We have briefly commented on the items appearing in the policy and application below. This also covers Machinery Breakdown coverage, this insurance provides coverage for the breakdown of equipment due to accidental internal cause. This would include heating, air conditioning, boiler or pressure vessels, electronic equipment, including phone and computer equipment. Common causes include electrical surges, excessive moisture, insulation, poor workmanship (defective product) operator error. Best examples of equipment specific to naturopathic doctors would be Bio Meridian machines, laser and ultra sound machines, heating & air conditioning equipment. This coverage is often required as part of the lease

agreement with your landlord.

Building: if you wish to insure the building that you occupy please provide the answers to the questions outlined and send it in for a quote.

Personal Property: this would include your office equipment, and supplies, dispensary as well as permanent fixtures such as tenant's improvements.

This often includes preexisting as well as new tenant improvements. Please check your lease or discuss this with your landlord prior to deciding what is required here. **Electronic Data Processing (Office Computer Equipment):** includes computers, media data and phone system.

Extension in insurance coverage includes the following.

Extra Expense: Provides for extra expenses over your normal operating expenses to continue to operate after a fire or flood to your premises. For example you may have to lease temporary space or equipment etc. until your premises have been restored.

Loss of Business Protection \$150,000 Limit: This is business interruption insurance designed to protect your business from a reduction in income and extra expense to operate due to direct physical loss or damage to property. If your net profit plus continuing expense exceeds \$150,000 please complete a loss of business work sheet available from our office.

Accounts Receivable \$500,000 Limit: This covers all sums due from customers, provided the insured is unable to effect collection as a result of a loss or damage to the accounts receivables records.

Valuable Papers \$500,000 Limit: Covers Valuable Papers and Records (meaning written, printed or otherwise inscribed documents and records including books, maps, films, drawings, abstracts, deeds, mortgages, and manuscripts). The coverage is limited to the cost for re documenting the information from other files and records.

Fine Arts: As art work \$25,000 Limit: This covers one of a kind items that cannot be replaced. The insurance company will pay the agreed insured value for items lost or destroyed due to an insured peril. If you have original art located on your premises we encourage you to maintain appraisals of the items and insure them according to value.

Trade Shows \$50,000 Limit: This insurance will protect your property for fire or theft while attending a conference. If you are maintaining a booth at a trade show this coverage will come in handy. You may wish to consider increasing the limit for this coverage.

Transit \$25,000 Limit: This insurance covers your equipment in transit. Please note that your vehicle must be kept locked when unattended.

Co- Insurance

When reporting insurance values on buildings, office equipment, including tenant's improvements and your dispensary please report the full replacement value new for old or you run the risk of becoming a co-insurer with the insurance company if and when a claim should occur. For further information please feel free to contact Partners indemnity. If you require a further explanation of co-insurance please contact Partners Indemnity.

Crime Insurance – Description of Coverage –included in Options E&F below

There are various limits offered under this insurance - \$25,000 - \$100,000. The claims deductible is \$1,000.

This insurance protects you from the following perils:

Theft by an employee

Depositor's forgery

Money orders and counterfeit paper currency

A recap of the various insurance policies that are available to you through the CAND Program include

Commercial General Liability Insurance (only) - Option D

Again this provides protection for third party bodily injury and or property damage claims principality for patients that become injured due to slip and fall injury. Mentioned above are the various insurance options available to you for this extended coverage.

Sole Practitioner/Small Business Package – Option E

As well as Commercial General Legal Liability, and starting at limits of \$2,000,000, this policy includes property and crime insurance. The insurance is completely portable. Property limit starts at \$10,000 and include physical loss or damage including theft to your dispensary, equipment, computer, etc. wherever you are working (self-employed or for someone else as an independent employee) and while you are in transit between clinics. Please note that your personal Homeowners insurance policy does not normally extend to insure your home office.

Office/Clinic Business Package Including Commercial General Legal Liability Insurance – Option F

This provides insurance for the practitioner who operates/owns their own office or business clinic which most often hosts other medical practitioners and requires more extensive insurance coverage. It includes Commercial General Legal Liability starting at limits of \$2,000,000 and Property starting at limits of \$50,000 and Crime Insurance.

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