

Liability Insurance

Reviewed Date		Number	HR0504
Revised Date	February 9, 2011	Approved Date	February 26, 1998

Introduction

N/A

Purpose

To provide liability coverage that financially protects board members, employees, students, volunteers and the employer from potential law suits that may occur during the course of carrying out Health Unit programs

Legislative Authority

N/A

Policy Definitions and Interpretation

General Liability (malpractice) – Insures against liability imposed by law from damages because of bodily injury or death to any person resulting from the operations of the health unit and for damages to or destruction of property caused by an accident.

Insures against liability imposed by law for damages because of personal injury sustained by any person caused by false arrest, detention, or imprisonment, malicious prosecution, libel, slander, defamation of character, humiliation, invasion of privacy, wrongful eviction, wrongful entry and discrimination.

Blanket Tenant’s Legal Liability, Malpractice Coverage, and Liquor License Act of Ontario are included.

Limit \$20,000,000

Errors & Omissions (malpractice) - insures against liability imposed by a court of Civil Law for compensatory damages because of a wrongful act.

Covers claims made during the Insurance Policy period arising from wrongful acts occurring during that Insurance Policy period. It also covers claims made during the term of the Insurance Policy arising from wrongful acts occurring prior to inception of the Policy, provided the Health Unit had no knowledge of such wrongful acts when the policy was taken out.

The Insurance Policy will also pay compensatory damages imposed as a result of a negligent act, error or omission, in the administration of the health unit’s employee benefit program,

Corporate Indemnification Endorsement included with a sub-limit amount of \$2,500,000. This endorsement extends the Errors and Omissions Policy to provide coverage to Board Members, Directors and Officers of the Simcoe Muskoka District Health Unit and or the Simcoe Muskoka Board of Health for claims made against them personally where no protection exists under the basic Errors and Omissions policy.

Limit \$20,000,000

Non-Owned Automobile Coverage - provides legal liability protection against claims arising out of accidents involving vehicles not owned by the insured but being operated on its behalf. Coverage is provided as per the Statutory Non-owned Automobile policy.

The coverage provides excess of personal automobile insurance against claims arising out of an accident occurring when driving for health unit business purposes.. This coverage applies when contractually assumed by the Health Unit, and is only in excess of the insurance on the automobile driven by such person and in no event less than the legal minimum limit of \$200,000 and is subject to the policy limit of the Health Unit's Non-Owned Automobile policy.

Physical Damage insures the legal liability of the Insured for damages to vehicles not owned by them to a limit of \$50,000 with all perils being subject to a \$500 deductible.

Limit \$20,000,000

Policy

The Board of Health ensures indemnification of board of health members, employees, volunteers and students and the health unit itself from actions taken on the part of recipients of service as a result of the services provided by its employees to the general public. The health unit therefore has liability insurance to cover:

- General Liability,
- Errors & Omissions,
- Non-Owned Automobile Coverage
- Transportation of board members, employees, volunteers, students, or guests of the health unit when they are on health unit business or when such transport is in the direct interest of the health unit.

Any deductible owed will be the responsibility of the health unit.

An employee who is considered a regulated healthcare professional is encouraged to contact their governing body to ascertain the need for additional insurance.

Procedures

1. Employees will report any claims or potential for claims to their Manager.
2. The Manager will inform the Director.
3. The Manager and employee will prepare a written, detailed account of the incident/situation and submit to the Director of Corporate Service.

4. The Director Corporate Service will be responsible to contact the insurance carrier and/or health unit legal counsel.

Related Policies

N/A

Related Forms

N/A

Final Approval Signature: _____

Review/Revision History:

September 2010 Policy re-numbered, previous number B6.050

Revised: February 9, 2011