

PROFESSIONAL LIABILITY INSURANCE

Professional Liability coverage designed for and exclusive to members of the Canadian Dental Hygienists Association

Coverage Options

Plan 1	
Professional Liability	\$1,000,000 per claim \$5,000,000 annual aggregate
Regulatory Legal Defence	\$75,000 per claim \$150,000 annual aggregate
Criminal Defence Cost Reimbursement	\$150,000 per claim \$150,000 annual aggregate
Deductible	Nil
Plan 2	
Professional Liability	\$2,000,000 per claim \$5,000,000 annual aggregate
Regulatory Legal Defence	\$75,000 per claim \$150,000 annual aggregate
Criminal Defence Cost Reimbursement	\$150,000 per claim \$150,000 annual aggregate
Deductible	Nil
Plan 3	
Professional Liability	\$5,000,000 per claim \$5,000,000 annual aggregate
Regulatory Legal Defence	\$75,000 per claim \$150,000 annual aggregate
Criminal Defence Cost Reimbursement	\$150,000 per claim \$150,000 annual aggregate
Deductible	Nil

All premiums noted are subject to applicable provincial tax: Ontario 8%, Quebec 9%, Manitoba 7%, Newfoundland 15% and Saskatchewan 6%. All other provinces are not subject to tax.

About the Policy

The CDHA program is the longest standing and largest professional liability insurance program available to dental hygienists in Canada. Having coverage ensures you have comprehensive protection backed by the CDHA that is designed to protect you and your professional practice.

Professional Liability

Provides coverage for wrongful acts to a third party (i.e. actual or alleged negligent act, error or omission) committed within the scope of professional services as a dental hygienist. Protection includes both damages and legal costs.

Regulatory Legal Defence

Coverage is provided for legal expenses associated with having to appear at a disciplinary hearing with a provincial regulatory body or agency. In the event of a complaint or investigation, members are provided with superior legal representation and defence protection. Examples of Regulatory Legal Expense claims include complaints alleging professional misconduct, incompetence, or incapacity.

Criminal Defence Coverage

Coverage will reimburse insured members for defence costs associated with a case filed under the criminal code if the professional service was rendered in Canada and the member is found 'not guilty' of the criminal charge.

Loss of Earnings

If you are asked to attend a trial, pre-trial, or appeal to assist in the defence of your claim, requiring time off work, you will be reimbursed for your loss of earnings up to \$750/day.

Sexual Abuse Therapy and Counselling Fund

All options include a maximum funding of \$20,000 for the rehabilitation and therapy of a person who, while a patient or client, suffered abuse in the course of an insured member's practice as a dental hygienist.

Clinic Professional Liability Insurance

In the event of a claim, both the treating professional (any regulated health professional) and the business are likely to be named in a statement of claim or lawsuit.

Clinic Professional Liability Insurance protects the business and its assets in such circumstances. If you are a sole proprietor your individual Professional Liability Insurance coverage will extend to protect your business name and limits are shared between you and your business name.

However if you have employees and/or other regulated health professionals billing under your business name it is recommended that you purchase Clinic Professional Liability insurance.

Please contact BMS Group for further information or to secure coverage.

How to report a claim

Coverage is afforded on a "claims-made and reported" basis and will respond to claims made during the policy period. This means that the policy which is in place when a claim is made will be the policy to respond – regardless of when the incident occurred. Consequently, prompt claims notification is very important and should be made within 30 days of notification at the very latest. Failing to report a claim may result in denial of coverage. Please do not correspond directly with a client or change any patient records before discussing with the adjuster. If you are unsure, always err on the side of caution and report a claim directly to BMS Group at 1-855-318-6557 or cdha.insurance@bmsgroup.com.

Claims Examples

1. Dental Hygienist Injures Client During Routine Debridement

When performing a routine periodontal debridement, the Insured caused trauma to the client's periodontal tissues which developed into an infection. The client sued the Insured for medical expenses and lost wages. When the trial took place, the plaintiff could not remember the location of the traumatized area and the trial was dropped. However, the insurer paid approximately \$10,000 in defence costs.

2. Dental Hygienist Refused to Provide Treatment. No Indemnity Paid.

A dental hygienist refused to provide treatment to a client on the grounds that the client suffered from previous medical conditions which would likely be aggravated by dental hygiene interventions. The client filed a complaint with the Insured's professional college, due to the Insured's refusal to provide medical treatment.

After an initial inquiry, the matter was dropped by the college and professional duties were resumed by the Insured without issues.

3. Settlement Following Two-Year Investigation for Lip Injury

The dental hygienist had accidentally burned the plaintiff's lip during a routine treatment. During the investigation, there was debate as to whether the injury was a result of the Insured's negligence or improper calibration of the instrument at the factory. The two parties were able to negotiate a settlement of \$27,000. The investigative expenses totaled \$17,000.

4. Plaintiff Forces Lengthy, Expensive Course of Litigation for Eye Injury

The dental hygienist accidentally spilled solution in the plaintiff's eye. The eye was immediately flushed out and the plaintiff was referred to his family physician for examination. An investigation revealed that the Insured's negligence was disputable and considering the plaintiff's eye was irritated for only a few days, the case was dropped.

How to Apply

Please contact BMS Group or visit www.cdha.bmsgroup.com to purchase coverage.

This insurance is available to all CDHA members. Members can purchase insurance coverage at any time; however December 31st is the annual policy renewal date.

BMS Canada Risk Services Ltd (BMS Group)

825 Exhibition Way, Suite 209
Ottawa, ON K1S 5J3

Toll Free: 1-855-318-6557

Email: cdha.insurance@bmsgroup.com

Web: www.cdha.bmsgroup.com

More information

This brochure is a summary of coverage and is for information purposes only. Full terms and conditions of the policy, including all exclusions and limitations are described in the policy wordings, a copy of which can be obtained from BMS Group.