

## OTNZ-WNA Member Insurance FAQs

### 1. Who is BMS

BMS is the official and exclusive broker for the OTNZ-WNA member insurance program. BMS is a Lloyd's broker and has several global teams, including Melbourne and Ottawa, dedicated to providing coverage, and value-added services to associations and its members.

The Australian and Canadian operations provide coverage to more than 400,000 healthcare and regulated professionals through 60+ associations across Australia and Canada, including the Canadian Association of Occupational Therapists.

This experience gives BMS a unique insight and ability to create and deliver significantly enhanced and continuously evolving member centric insurance programs. This includes ensuring broad, market-leading coverage, evidence-based risk management and exceptional member service.

To find out more visit [www.bmsgroup.com/global-affinity](http://www.bmsgroup.com/global-affinity)

If you have any questions about the insurance program or the OTNZ-WNA Professional Indemnity Insurance Policy, contact BMS at 0800 999 267 or email [otnz-wna@bmsgroup.com](mailto:otnz-wna@bmsgroup.com).

### 2. Why has the OTNZ-WNA chosen BMS as their Insurance Partner?

Ensuring OTNZ-WNA's members have access to the most comprehensive coverage, additional, evidence-based risk management material and exceptional service for insurance queries and claims, is paramount. BMS is a specialist broker dedicated to servicing associations and its members, and will continue to enhance the OTNZ-WNA Insurance Program.

### 3. What do I do if I have an open claim with my previous insurer?

If you have a current claim with your previous insurance company, you will need to continue dealing directly with them. Any new claims or notifications under the new insurance program can be directed to BMS Group on 0800 999 267.

### 4. What is Professional Indemnity Insurance?

**Professional Indemnity Insurance** protects you against allegations or claims of financial loss due to injury or damages that have resulted from a negligent act, error, omission, malpractice or breach of duty that has arisen out of your professional capacity as an Occupational Therapist.

The OTNZ-WNA PI policy will also respond to protect your reputation should a claim occur.

### 5. What is Public Liability Insurance?

**Public Liability Insurance** provides cover for bodily injury or property damage to a third party that occurs while conducting your professional activities. This is primarily a legal defence costs cover, but also covers settlement costs in the event that you are found to be liable / negligent in causing the injury or property damage.

## 6. What is Products Liability?

**Products Liability Insurance** covers you for actual or alleged bodily injury or property damage to a third party arising through use of a product sold, supplied, or manufactured by you.

As with Public Liability, this cover will also respond to legal defence costs even if you are found to be not liable for the injury / damage.

## 7. What are the major benefits of the OTNZ-WNA Member Insurance Policy

- Choose between two comprehensive limits for **Professional Indemnity**:
  - \$1,000,000 any one claim, with an annual limit of \$3,000,000; or
  - \$2,000,000 any one claim, with an annual limit of \$6,000,000.
- Choose between two comprehensive limits for the Optional Additional Benefit of **Public Liability**:
  - \$1,000,000 any one claim, with an annual limit of \$3,000,000; or
  - \$2,000,000 any one claim, with and an annual limit of \$6,000,000.
- Access to free legal counsel with Duncan Cotterill, a leading Allied Health law firm in New Zealand, in the event a complaint is made against you or you receive a notification from your regulatory body.
- Cover is provided worldwide (excluding only the USA)
- Nil Deductible
- \$50,000 Cyber Liability coverage for both your own costs as well as third party losses
- Unlimited retroactive cover for past activities
- Unlimited run-off cover when you have a leave of absence or retire
- Locum and mobile Occupational Therapist's are insured
- Voluntary work is covered

See the attached the Features & Benefits brochure for a more extensive list.

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

You have the option to opt out of the OTNZ-WNA Insurance program during the application or renewal process.

## 9. Who do I call if I have any insurance-related questions or to discuss my insurance policy?

You can contact BMS' team of Senior Brokers on 0800 999 267 or by email at [otnz-wna@bmsgroup.com](mailto:otnz-wna@bmsgroup.com).

## 10. Am I covered if I treat family members?

No. There is no cover for when you are providing your services to family members.

## 11. What happens if I have a leave of absence during the year?

The OTNZ-WNA PI Policy has run-off cover, so you remain covered in the event you have a leave of absence (such as maternity leave or leave due to illness). To activate this, you must apply for run-off cover by contacting BMS on 0800 999 267 or via email at [otnz-wna@bmsgroup.com](mailto:otnz-wna@bmsgroup.com).

**12. Does this policy cover me when I retire?**

Yes. The OTNZ-WNA Insurance Policy provides run-off cover, which means you are covered when you retire. To activate this, you must apply for run-off cover by contacting BMS on 0800 999 267 or via email at [otnz-wna@bmsgroup.com](mailto:otnz-wna@bmsgroup.com).

**13. Is the OTNZ-WNA Member Insurance Policy compliant with the New Zealand Occupational Therapy Board of New Zealand?**

Yes. The OTNZ-WNA Insurance Policy complies with and exceeds all requirements set by New Zealand Occupational Therapy Board of New Zealand.

**14. Will this policy cover my past activities?**

Yes. The OTNZ-WNA PI Insurance Policy provides unlimited retroactive cover provided that there are no known and unreported circumstances that may lead to a claim.

**15. Should I consider this cover if I work in the Public Health Sector?**

Yes. As a Public Health Sector worker, without your own insurance policy you are relying on your employer's Insurance, which may be geared more towards protecting your employer. Further, Public Hospitals or Health Centres typically carry policy excesses upwards of \$250,000; which means that in the event of a claim against you, they may decline to cover you.

Your employer's policy may not cover you for:

- Your services with previous employers.
- Your private practice work.
- Your past services rendered.
- Your services provided as a contractor, sub-contractor or consultant.
- If you are sued by your employer
- Legal support for regulatory inquiries, disciplinary hearings and coronial enquiries.

OTNZ-WNA members who participate in the Insurance Program also have peace of mind that they have an individual \$1,000,000 limit, and a \$2,000,000 aggregate limit, covering their interests, as well as access to free legal assistance with a senior lawyer for each potentially claimable issue that arises.

Having your own individual policy ensures you are covered if you want to work while transitioning from one employer to the next.



## 16. What Legal Support is available to me as a member insured through the OTNZ-WNA?

Duncan Cotterill, a leading independent Australian law firm is pleased to offer summary pro bono legal advice to all OTNZ-WNA members participating in the insurance program. To ensure all eligible members are provided with superior legal defence in the event of a claim or complaint, Duncan Cotterill has been retained as the preferred legal provider for claims made under the Duncan Cotterill Insurance Program.

Duncan Cotterill members can take advantage of this complimentary service for practice related questions involving issues such as:

- Privacy and confidentiality;
- Conflicts of interest;
- How to respond to requests for information from third parties;
- Inquires from your regulatory body;
- How to respond to a subpoena;
- Professional misconduct;
- Ethical obligations; and
- Professional obligations

Duncan Cotterill is one of New Zealand's leaders in insurance claims services and offers expertise in all areas of litigated and non-litigated claims.

The Duncan Cotterill team not only defends a large portfolio of litigated claims against allied health professionals and health care providers, but also provides specialised services in coronial investigations, disciplinary hearings and complaints resolution processes. The team works closely with its clients to identify what is particularly important in resolving claims, including accuracy, speed, and sensitivity to reputational risk and intelligent and controlled solutions to litigation.

## 17. What do I do if I have a claim or complaint made against me?

### Members should

- Immediately report any potential claim to BMS
- Formally document the incident, including details of those involved
- Submit any formal statement to BMS
- Report any regulatory investigations or notice of complaint immediately
- Gather any noted and supporting documentation

### Members should not

- Speak with any third parties about the claim
- Assume any legal fees before reporting a claim
- Offer compensation to independently settle a claim
- Amend or change any previous medical records once a statement of claim has been received

If you are aware of a potential claim should contact BMS Group directly at 0800 999 267 or [otnz-wna@bmsgroup.com](mailto:otnz-wna@bmsgroup.com)