



What is Professional Liability Insurance (PLI) and do I need it?

Yes. Professional Liability Insurance also known as Errors and Omissions or Medical Malpractice protects you from incidents arising from your work as a *Licensed Practical Nurse* in Canada. This policy protects you from third-party claims arising from actual or alleged “negligence caused by the failure to render professional services”. It includes coverage for legal defense costs and potential indemnification payments. Liability insurance is provided to you as part of your annual registration and licensing. If you allow your registration to lapse, even temporarily, you do not have insurance.

Is there a need for me to carry my own coverage if my employer provides coverage?

It is difficult to fully know or understand your employer’s coverage so the liability insurance provided to you with your annual licensing provides reassurance that coverage will be available for any incidents that may arise. In addition, if you do any contract work or are self-employed, **individual coverage is required**.

I am working outside of the country for a short period. Will my liability insurance cover me?

The intent of the policy is to provide coverage for Licensed Practical Nurses working and living in Canada.

Coverage extends worldwide if you temporarily engage in work outside of Canada (e.g., Humanitarian Project) as long as you notify the College of the duration and location of your work, **before you leave Canada**.

The policy will not provide coverage **if you are** working a full-time contract outside of Canada (e.g., a one-year work contract in an American hospital). Check with the employer and licensing agency in the jurisdiction for information on liability insurance.

I have treated juveniles in the course of my practice. Are there any special considerations?

All provinces/territories in Canada have a “statute of limitations” period during which a claim or complaint can be filed. In the case of the treatment of juveniles, the statute begins once they reach the age of majority in the province where they lived when treated. You need to maintain professional liability coverage for this period.

What is the difference between Professional Liability Insurance and Commercial General Liability Insurance?

Professional liability insurance (PLI) protects you from errors or omissions when providing professional health care services. Commercial general liability (CGL) covers liability related to injuries or property damage sustained by members of the public. It covers accidents occurring on your premises or away from your premises resulting from business operations. For example, a client slips and falls on your sidewalk due to ice build-up.

PLI is included as part of your annual registration and licensing and CGL is not. Self-employed LPNs requiring CGL must purchase it from an insurance broker.

What are the types of claims or complaints filed against licensed practical nurses?

The type of complaints can be many and varied and can even be unfounded. Professional liability responds to complaints and lawsuits in order to protect you from costly legal expenses and potential indemnity payments. Some of the complaints include professional misconduct, alleged sexual abuse, improper behavior or rudeness, and allegations of humiliation.

What do I do if I am involved in a complaint or claim?

Contact the insurer as soon as possible and provide the following information (as available):

- A copy of the Statement of Claim, summons or other legal process.
- The demand letter from a client’s solicitor and the details surrounding receipt of the letter and a copy of your reply.
- Any written notice with allegations of professional malpractice.

- Any verbal complaints or oral threats from clients.
- Any circumstance you become aware of where a third party may hold you responsible for your actions.

Your report should contain copies of all written documents as well as names of potential claimants, the specific date and the nature of the alleged wrongful act, the alleged injury or damage and the details of how you became aware of the circumstances. Documentation is critical in helping resolve disputes and claims.

How to Report

Send all the required information and your written report directly to Encon Insurance Managers or to Lloyd Sadd Insurance Brokers Ltd. Keep copies of everything you send.

When should you report?

As soon as practicable after being made aware of a claim. Prompt notification is required to provide you with early advice and to protect your rights and interests. Delays in notification could prejudice the insurer's position and impair their ability to defend you.

Encon

Toll Free: 1-800-267-6684

Email: newclaims@encon.ca

Lloyd Sadd

Toll Free: 1-800-665-5243

Email: jtrosko@lloydsadd.com

My job requires me to accompany clients to different provinces. Does my liability protection apply out of province? The liability protection applies as long *as long as* you are working in Canada, within the context of your scope of employment and in the scope of practice of an LPN. If your employer requires you to travel to the outside of Canada while caring for clients, notify the College for further direction ***before your travel.***

If you are self-employed and working as a contracted employee, you will need to carry Commercial General Liability insurance in addition to what your LPN registration and licence provides. [Click for here more information about Self-Employment.](#)

Can I volunteer as an LPN? If so, do these hours count towards my annual hourly requirement?

You may volunteer as an LPN in a structured or formal capacity with an agency where there is a volunteer position description noting the expected 'scope of the volunteer.'

Volunteer hours may apply to your annual hourly requirement *if* they were accumulated while working with a recognized agency (e.g., Canada Games, Girl Guides, United Way) in an official capacity as a volunteer (the scope of the volunteer is outlined in a position description) and if LPN (or healthcare) licensure is required by anyone in the volunteer position. Generally, volunteer hours may not be the sole source of practice hours required for licence renewal.

Do I need additional insurance if I am self-employed?

Yes. Commercial General Liability (CGL) is imperative if you are self-employed and/or contract your professional services to hospitals, clinics, other community care providers or render services to clients in their home or other locations including your own home or workplace. You may obtain CGL from any licensed insurance broker, however Lloyd Sadd insurance brokers, can provide CGL insurance for your business. Lloyd Sadd may be contacted at 1-800-665-5243 or www.lloydsadd.com.