

**Draft Proposed Amendments to
By-law 16: Professional Liability Insurance
Approved by Council for Distribution and Feedback: June 19, 2019**

By-law 16 – Professional Liability Protection Insurance

By-law	Current By-law	Proposed By-laws (changes underlined)	Rationale for Proposed Change
By-law 16.1	Each member holding a general or temporary certificate of registration must provide evidence satisfactory to the registrar of carrying professional liability insurance in the applicable minimum amount per occurrence and minimum aggregate amount per year, including coverage for claims after the member ceases to hold a certificate relating to occurrences while holding a certificate, or membership in a protective association that provides equivalent protection. A member who is or will be when registered, an employee of a member, a health facility or other body that has equivalent professional liability insurance coverage or membership in a protective association that provides equivalent protection is deemed to comply with this section.	Each member holding a general or temporary certificate of registration must provide evidence satisfactory to the registrar of carrying <u>carry and provide evidence satisfactory to the registrar of carrying</u> professional liability insurance <u>protection</u> in the applicable minimum amount per occurrence and minimum aggregate amount per year, including coverage for claims after the member ceases to hold a certificate relating to occurrences while holding a certificate, or membership in a protective association that provides equivalent protection. A member who is or will be when registered, an employee of a member, a health facility or other body that has equivalent professional liability insurance coverage or membership in a protective association that provides equivalent protection is deemed to comply with this section.	Members must carry professional liability protection in addition to providing evidence.

By-law	Current By-law	Proposed By-laws (changes underlined)	Rationale for Proposed Change
By-law 16.2	The professional liability insurance referred to in By-law 16.1 must have: (a) a minimum amount of \$1,000,000 per occurrence, and (b) a minimum aggregate amount of \$3,000,000 per year.	The professional liability <u>protection</u> insurance referred to in By-law 16.1 must have: (a) a minimum amount of <u>\$5,000,000</u> per occurrence, and (b) a minimum aggregate amount of <u>\$5,000,000</u> per year.	An increase in professional liability protection requirements is consistent with what is required of members by malpractice insurance providers.

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