

Authority

This standard has been approved by the Australian Health Workforce Ministerial Council on 31 March 2010 pursuant to the *Health Practitioner Regulation National Law (2009)* (the National Law) with approval taking effect from 1 July 2010.

Summary

When practising dentistry in Australia, practitioners must be covered by professional indemnity insurance that meets the minimum terms and conditions outlined in this standard.

Scope of application

This standard applies to all applicants and all registered practitioners. It does not apply to students and practitioners who have nonpractising registration.

Requirements

Practitioners must be covered by professional indemnity insurance that meets the following minimum terms and conditions:

1. The insurance policy must include:
 - civil liability cover for all aspects of practice, in each context and location of practice, whether practising full or part-time, paid or unpaid [s129 (1)]. If for any reason the policy is amended (eg conditions or restrictions are placed on the policy) or contains exclusions, the registrant must not practise outside the scope of the policy.
 - retroactivity of cover; and
 - 'run-off' cover for retirement or death.
2. Practitioners who are in an employee relationship must be either covered by the employer's indemnity insurance or maintain their own insurance. Cover provided to employees must satisfy the standard minimum requirements.
3. Practitioners must disclose to the Board any conditions or restrictions that are placed on their policy or any change in the basis of their cover.
4. Practitioners must declare their compliance with PII requirements when applying for registration or annual renewal.
5. Practitioners must produce evidence of their PII policy when requested to do so by the Board. The Board may require a registrant to provide evidence that they were not practising during any period where they were not covered by PII.

Definitions

Professional indemnity insurance arrangements means arrangements that secure for the practitioner insurance against civil liability incurred by, or loss arising from, a claim that is made as a result of a negligent act, error or omission in the conduct of the practitioner. This type of insurance is available to practitioners and organisations across a range of industries and covers the costs and expenses of defending a legal claim, as well as any damages payable. Some government organisations under policies of the owning government are self-insured for the same range of matters.

Run-off cover means insurance that protects a practitioner who has ceased a particular practice or business against claims that arise out of activities which occurred when he or she was conducting that practice or business. This type of cover may be included in a PII policy or may need to be purchased separately.

Review

This standard will commence on 1 July 2010. The Board will review this standard at least every three years.