



LIABILITY INSURANCE

Liability Insurance

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Established: July 1998

Revised: July 2001, January 2002, March 2003, May 2003, November 2007, May 2009

Most recent revision: October 2011

Applicable Categories of Registration:

1. General Practising Certificate
2. Provisional Practising Certificate
3. Temporary Certificate

Type of Requirement: Exemptible

Applicable Regulations:

36. (3) 2; 37 (3) 3; 38 (1) 4: The applicant must provide evidence satisfactory to the Registrar that he or she has professional liability insurance as prescribed by the by-laws.
36. (4)2.; 37. (4)12: The member must have professional liability insurance as prescribed by the by-laws and, upon request, provide evidence of such insurance to the Registrar.
40. Where an applicant states that he or she has obtained professional liability insurance but it is not practical to provide documentary evidence of coverage before the issuance of the certificate of registration, the Registrar may issue the certificate of registration on condition that such evidence be received by the College within 60 days of the issuance and, if it is not received in time, the certificate automatically expires.
42. A member's certificate of registration may be revoked by the Registrar if the member fails to maintain the professional liability insurance required under this Regulation and as prescribed in the by-laws or if the member fails to provide satisfactory evidence of maintaining such insurance within 60 days of a request in writing from the College.

Principles(s):

Registrants are responsible for their own actions and activities. In the event of committing a fault, error, omission or negligent act while practising occupational therapy, professional liability insurance must be in place to facilitate an appropriate level of accountability to the public.

Decision Criteria

1. An applicant may meet the requirement by providing a copy of their certificate to the College which confirms the purchase of the insurance and includes the policy number and expiry date. This should be provided as a hard-copy, a fax or a PDF. The policy content must demonstrate that it meets the College's requirement of including a sexual abuse therapy and counseling endorsement clause.



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2. Sometimes it is not practical to provide proof of insurance until after the Certificate of Registration has been issued as the insurer has not yet issued the appropriate proof of insurance. In this case the applicant may meet the requirement by certifying in writing that he/she has professional liability insurance coverage and undertaking to provide proof promptly after the Certificate of Registration is issued. This should be provided as a document signed by the applicant, sent to the College as an original hard-copy letter, a fax or a PDF.

Possible Outcomes

1. The applicant is deemed to have met the requirement, once satisfactory proof of appropriate insurance has been provided.
2. The applicant is deemed to have not met the requirement and a Certificate of Registration may not be issued until satisfactory proof of appropriate insurance is provided.
3. The applicant is issued a Certificate of Registration after certifying in writing that he/she has obtained professional liability coverage and on the condition that proof of professional liability insurance is provided within 60 days.
4. A Certificate of Registration already issued may expire or be revoked if satisfactory proof of appropriate insurance is not provided.