



HEALTHCARE ASSOCIATION LIABILITY

DELIVERING A HIGH QUALITY
INSURANCE PRODUCT AT AN
AFFORDABLE COST.

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Specialists Underwriter in Health, Wellness and Lifestyle

call us on (07) 3184 5300

Medisure Indemnity Australia Pty Ltd (AFSL 412681 ABN 29 116 319 567)

Melbourne Office Level 2, 476 St Kilda Rd, Melbourne VIC 3004

Brisbane Office Level 8, 145 Eagle St, Brisbane QLD 4000

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Despite their good intentions, many Healthcare Associations and Not-for-Profits and their Officers have found themselves at risk of expensive litigation arising from the provision of services to their members or the public. Key risks include:

- Employees - Alleging discrimination, harassment, wrongful dismissal or discipline, breach of employment contract, defamation and committing internal fraud (Fidelity)
- Government Authorities & Legislation - Directors & Officers may be personally liable for breaches of hundreds of statutes (e.g. ATO, ASIC, Australian Competition and Consumer commission)
- Competitors - Claims brought against a Director for misleading & deceptive conduct (Competition and Consumer Act 2010)
- Creditors - Allegations a Director allowed the company to trade whilst knowing it could not pay its debts

Our Healthcare Association Liability policy is designed to protect both the assets of the Association or Not-for-Profit and their Officers.

WHO DO WE COVER?

We provide cover to Not-for-Profits and Associations in the following sectors:

- Community Service Organisations (Youth / Aged / Disability / Medical / Respite)
- Healthcare Education Providers and Colleges
- Outreach Program Providers
- Indigenous Healthcare and Support Services
- Mental Health Support Services
- Healthcare / Medical Institutes or Councils

KEY POLICY BENEFITS

- Advanced payment of defence costs - \$100,000 sub-limit
- Court Attendance Costs
- Fidelity
- Fraud & Dishonesty
- Molestation Legal Costs - \$100,000 sub-limit
- Not-for-Profit Organisation Crisis Cover - \$100,000 sub-limit
- Official Investigations & enquiries - costs and expenses - \$250,000 sub-limit
- Pecuniary Penalties - \$100,000 sub-limit
- Spousal Liability
- Students
- Volunteers
- Vicarious Liability

OPTIONAL EXTENSIONS

- Cyber liability - \$100,000 sub-limit
- Employment Practices Liability - sub-limit of \$1,000,000 (higher limits available)
- Not-for-Profit Organisation fines and penalties
- Outside directorship - blanket cover & run-off cover
- Trusteeship - blanket cover & run-off cover

CLAIMS CASE STUDY

A Not-for-Profit health organisation (the Insured) that provides access for people to health and community services received a claim from the Fair Work Commission for unfair dismissal of an

employee. The Insured restructured its business and as a result an employee was to be made redundant. During the consultation process the employee submitted a workers compensation claim for stress and engaged a lawyer claiming the dismissal for redundancy was not genuine. The employee sought a settlement via their lawyer, which was rejected by the Insured, and the employee lodged a Fair Work Commission claim.

The Healthcare Association Liability policy responded by providing indemnity to the Insured for the Fair Work Proceedings and the engagement of external counsel. The matter was ultimately settled for a much lower figure than requested by the employee.

POLICY LIMITS & DEDUCTIBLES

- Limits from \$1,000,000 (inclusive of costs and expenses) through to \$20,000,000 (inclusive of costs and expenses), all with one reinstatement included. Higher limits may be available on request.
- Minimum deductibles of \$2,000 each and every claim (Inclusive of costs and expenses) and \$500 each and every claim (inclusive of costs and expenses) in respect of Cyber and Data Security claims

CYBER EXTENSION

Our Association Liability policy also includes an optional policy extension for \$100,000 Cyber Liability. The main components of the cover include:

- Third Party Liability Cover - covers third party liabilities arising from a data breach or security breach
- First Party Hacker Damage - covers repair or replacement of affected website or computer system as a result of hacking
- Cyber Extortion - covers expenses (e.g. ransom) arising from a cyber extortion threat (i.e. damage or destroying information, attacking information & communication assets, divulging information etc)
- Public Relations Expense - covers expenses incurred for public relations and crisis management consultants

SECURITY

Medisure underwrites our Healthcare Associational Liability product on behalf of QBE Insurance (Australia) Limited (ABN 78 003 191 035).

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