



# MEDICAL BOARD OF WESTERN AUSTRALIA

Unit 1, 8 Alvan Street, Subiaco, Western Australia 6008  
PO Box 1437, Subiaco, Western Australia 6904  
Telephone: + 61 8 6380 3500 Facsimile: + 61 8 9321 1744  
Email : [registrations@wa.medicalboard.com.au](mailto:registrations@wa.medicalboard.com.au)  
Website: [www.wa.medicalboard.com.au](http://www.wa.medicalboard.com.au)

## Mandatory Professional Indemnity Insurance (PII)

Pursuant to the new *Medical Practitioners Act 2008* ("the Act"), the Board considered the imposition of a condition on registration of Professional Indemnity Insurance ("PII"). It resolved to adopt mandatory PII taking into account the following grounds and reasons:

*Registered medical practitioners may either inadvertently or due to negligent treatment cause damage to patients that will lead to hospital and medical costs for the patients beyond what they would normally incur. Accordingly, it is in the public interest for practitioners to hold PII in the event that a court awards damages to an injured patient or the practitioner him/herself acknowledges the damage suffered (court order, judgement or by consent). If a practitioner does not hold PII cover, then the practitioner may need to cover damages awarded personally.*

1. **It is a condition of your registration to hold PII cover if you are registered as a practising (including occasional practise) medical practitioner.**
2. PII will be a condition of registration for **all medical practitioners** registered under the following sections of the Act in Western Australia:
  - Section 30 – General Registration;
  - Section 31 – Conditional Registration for Internship or Supervised Clinical Practise;
  - Section 32 – Provisional Registration;
  - Section 33 – Conditional Registration for General Practise in Remote and Rural WA;
  - Section 34 – Special Purpose Conditional Registration; or
  - Section 38 – Specialist Registration
3. The condition will apply from **1 October 2009 indefinitely**
4. Under the following sections of the Act:
  - section 40 (2) of the Act, applying to medical practitioners who are registered under sections 30, 32, 33, 34 or 38 of the Act; and
  - section 31 (3) of the Act, applying to medical practitioners who are registered under section 31 (1) or (2) of the Act;

the Board resolved to place the following condition on all medical practitioners registered in Western Australia:

- The medical practitioner must hold professional indemnity insurance; or
  - The medical care provided by the medical practitioner must be covered by professional indemnity insurance; or
  - The medical practitioner must be specified or referred to in professional indemnity insurance, whether by name or otherwise, as a person to whom the professional indemnity insurance extends even though the medical practitioner is not a party to the professional indemnity insurance.
5. The minimum terms and conditions approved by the Board for professional indemnity insurance are that:
    - all practitioners must hold a current policy of insurance ("Policy") for their current registration period;
    - the Policy must cover all medical practise undertaken by the practitioner;

- the level of cover in the Policy is as defined in the *Medical Indemnity (Prudential Supervision and Product Standards) Act 2003*; and
  - all exclusions to practise under the current policy of insurance must be notified to the Board.
6. You will need to provide the following when presenting at the Board to register if you work in the private sector:
- the name of your PII insurer;
  - policy number (if available);
  - confirmation that you will be covered by PII from 1 October 2009; and
  - agreement that you will provide proof of your PII arrangements no later than 28 days after receiving your Certificate of Registration.
7. The following is acceptable as proof of your PII arrangements if you work in the private sector:
- a copy of your current insurance policy schedule provided by your insurer; or
  - written advice from your insurer as to acceptance by the insurer that it will issue you with a PII policy.
8. You will need to provide the following when presenting at the Board to register if you are a Salaried Medical Officer (e.g. intern, resident, registrar, consultant) in the Western Australian public health system:
- confirmation that you will be covered for PII for all medical practise undertaken by yourself in the public health system, by reason of your employment at a public hospital/health service.
9. The following is acceptable as proof of your PII arrangements if you are a Non-salaried Medical Practitioner (e.g. visiting medical practitioner) in the Western Australian public health system:
- an executed copy of your "Application for the Non-Salaried Medical Practitioners' Indemnity" form no later than 2 months after receiving your Certificate of Registration.
10. Random audits will be undertaken by the Board on a regular basis to determine that all required documents have been received.