

POLICIES & PROCEDURES

DATE APPROVED: May 31, 2023	CATEGORY: Registration
DATE FOR REVIEW: May 2026	AUTHORITY: OT Act 6(3)(n); Registration Regulations 27(e)(vi), 48

POLICY TITLE: 405.3 Liability Insurance

Purpose:

The College fulfills its public protection mandate by ensuring new applicants and registrants meet certain registration requirements for practice in the province. In keeping with the Fair Registration Practices Act, the College makes registration requirements publicly available. This policy outlines the process to verify that applicants and registrants have sufficient liability insurance for entry to practice.

Principles:

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 ensure adequate resources to protect the public.

Policies:

In keeping with the Registration Regulations section 48, every occupational therapist is required to have a minimum of \$5 million of professional liability insurance with a legal expenses endorsement for the investigations of complaints by a regulatory body.

1. Registrants must demonstrate continuous professional liability insurance coverage while registered with the College.
2. Applicants and registrants may meet the requirement by providing a copy of their certificate to the College, which confirms that they are the named insured on the policy, and includes the policy number and expiry date. The certificate shall be uploaded to the registrant or applicant's COTNS online profile or provided electronically as a PDF. The policy content must demonstrate

that it meets the College's minimum professional liability requirement and includes a legal expenses endorsement for the investigation of complaints by a regulatory body.

3. Where the insurance company has not yet issued a certificate, applicants may meet the requirement by providing the College with written confirmation directly from the institution through which the insurance has been purchased. The written confirmation must indicate that the insurance policy meets the College's minimum professional liability requirement, including the applicant/registant as the named insured, and includes a legal expenses endorsement for the investigation of complaints by a regulatory body. This confirmation may be uploaded to the applicant or registant's COTNS online profile or provided electronically as a PDF.
4. The College must receive confirmation of malpractice insurance for each area of practice in which services are provided including, regular employment, private practice, contract and volunteer positions.
5. Registrants must inform the College of any change to their professional liability insurance coverage, including insurer name, start date, expiry date and policy number, within thirty (30) days of the change occurring.
6. Additional evidence, satisfactory to the Registrar or the Credentials Committee, may be requested to ensure compliance with the professional liability insurance requirement.

Outcome:

1. The applicant satisfies the Registrar or the Credentials Committee that they have met this requirement by providing proof of professional liability insurance and legal expenses endorsement coverage that meets the College's requirements.
2. A registant's certificate of registration may be revoked for failure to maintain professional liability insurance as prescribed by the regulations or if the member fails to provide satisfactory evidence of maintaining such insurance within 30 days of a request in writing from the College.

Established: September 2013

Revised: February 2017

Revised: November 2020

Revised: May 2023