

Nursing Profession Liability Insurance Program

PROFESSIONAL LIABILITY INSURANCE APPLICATION

Broker ID# _____ (internal use only)

HOW TO APPLY:

1. Complete application below.
2. Note the premium below for the policy you selected.
All premiums are annual.
3. Return your completed application, along with your annual premium, to the address provided.

All coverages elected must be under the same policy limits. Coverage is effective the date your application is approved and payment is received. Please allow three to four weeks for delivery of your certificate. **Please print all information.** Visit www.proliability.com for more information and to view available professions for applying online.

RESIDENTS OF FLORIDA

NOTE: Nurse anesthetists and nurse midwives are not eligible for coverage. If you own a home health care or temporary staffing agency, you are not eligible for this program; please contact administrator for proper application.

1. APPLICANT INFORMATION (Applicant Must Complete)

BUSINESS/CORPORATE NAME/DBA/YOUR NAME, IF NOT INCORPORATED

FEDERAL TAX I.D. #

NAME OF OWNERS, PARTNERS AND CORPORATE OFFICERS WHO ARE ACTIVE IN THE BUSINESS AND THEIR PROFESSIONAL OCCUPATION

ADDRESS

CITY

STATE

ZIP

BUSINESS PHONE

FAX #

HOME PHONE#

E-MAIL ADDRESS

DATE OF BIRTH

SOCIAL SECURITY #

2. DEFINITIONS

Employed means you receive a W-2 and are not an owner of the legal entity that issues your W-2. Individual Employed coverage is not available if you have employees or independent contractors working on your behalf.

Self-Employed is a professional who functions full or part-time as an independent agent with private patients, or as the owner of a business, paid on a fee-for-service basis. If Self-Employed, please call the administrator for the correct application.



3. EMPLOYED INDIVIDUALS

Individual Employed coverage is not available if you have employees or independent contractors working on your behalf.

Professional Designation

- ☐ First Year Graduate RN
☐ LPN, ☐ LVN, ☐ Aides or ☐ Assistants

No Labor or Delivery

- ☐ RN
☐ CNS (without prescriptive or medical diagnostic authority)

Obstetrical Labor & Delivery

- ☐ RN
☐ CNS (without prescriptive or medical diagnostic authority)
Full-time (more than 20 hrs/week)
Part-time (20 hrs/week or less)

ANNUAL LIMITS AND PREMIUMS

\$1,000,000 per incident/occurrence	\$2,000,000 per incident/occurrence
\$6,000,000 annual aggregate	\$4,000,000 annual aggregate
<input type="checkbox"/> \$82	<input type="checkbox"/> \$96
<input type="checkbox"/> \$107	<input type="checkbox"/> \$125
<input type="checkbox"/> \$107	<input type="checkbox"/> \$125
<input type="checkbox"/> \$462	<input type="checkbox"/> \$541
<input type="checkbox"/> \$231	<input type="checkbox"/> \$271

4. CALCULATE YOUR PREMIUM

TOTAL LIABILITY PREMIUM DUE _____

5. UNDERWRITING DATA

All applicants must complete questions 1–3. (Attach an explanation for all “YES” responses on a separate sheet of letterhead.)

- Have you ever had the following: revoked, suspended, refused, denied renewal, placed on probation, cancelled or voluntarily surrendered or is such an action pending? (If Yes, explain on a separate sheet of letterhead, please include dates, allegations and amounts.)
State License or Certification ☐ YES ☐ NO
Malpractice Insurance ☐ YES ☐ NO
- Has any claim or suit ever been brought against you or are you aware of any incident that might reasonably lead to a claim or suit? (If Yes, explain on a separate sheet of letterhead, please include dates, allegations and amounts.)
☐ YES ☐ NO
- What are the professional liability limits of your employer? _____



BE SURE TO COMPLETE ALL PAGES AND SIGN 

I understand that I am not covered by this insurance if I render or fail to render any professional services as the following: physician, surgeon, dentist, sonographer, colon therapist, nurse midwife, nurse anesthetist, perfusionist, electroneurodiagnostic technologist, cytotechnologist, radiation therapist, chiropractor, podiatrist, osteopath or psychiatrist. I understand that these professional occupations are excluded from coverage. I understand that this insurance will not apply to any partner, principal or owner of a residential/overnight facility. The insurance described herein is subject to the terms, conditions and exclusions of the insurance certificate. This insurance is excess when other insurance applies to a loss.

In order to enhance the stability of this professional liability insurance program, coverage has been organized through a purchasing group, pursuant to legislation, known as the Federal Liability Risk Retention Act of 1986, enacted by Congress. Coverage is provided to the purchasing group by the Chicago Insurance Company, one of The Fireman's Fund Insurance Companies. Once the completed application has been approved and the premium has been received, you will automatically become a member of the American Health Care Professionals Purchasing Group, located and domiciled in Illinois and obtain the insurance coverage afforded through the Group Policy on an annual term.

This application is subject to the underwriter's approval. Your completion of this application and premium payment does not bind coverage or obligate the insurance company to issue you insurance coverage. Coverage will become effective following the receipt of your acceptable application and premium payment. Your application cannot be processed unless it is completed in its entirety. The application is subject to the company's underwriting rules.

I declare the information contained in the application is true and that no material facts have been suppressed or misstated. I understand that incorrect information could void the protection. Any person who knowingly and with intent to defraud any insurance company or other person files an application for insurance containing any false information, or conceals, for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act.

YOU MUST SIGN AND DATE THIS APPLICATION

Signature _____ Date _____

Enclosed is my check for \$ _____ Effective Date Desired* _____

Make check payable to Seabury & Smith/Marsh and return your check and this application in the envelope provided.

*May not be earlier than the date the administrator receives and approves this application

I authorize Seabury & Smith/Marsh to charge my: ☐ VISA ☐ MasterCard Amount \$ _____

Credit Card Number _____ Expiration Date _____

Print name exactly as it appears on card _____

Administrator:

MARSH

Affinity Group Services

a service of Seabury & Smith

Joan F. O'Sullivan, Licensed Agent

75 Remittance Drive, Suite 1788

Chicago, IL 60675-1788

1-800-503-9230

www.proliability.com

CA-0633005

Nursing Profession Liability Insurance Program

Underwritten by:

Chicago Insurance Company

One of the Fireman's Fund Insurance Companies®

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S.C. WWW



Transparency and Disclosure

Thank you for expressing your interest in the professional liability plans administered through Marsh Affinity. In order to place insurance with insurers, Marsh typically enters into agreements commonly called "agency agreements" which authorize Marsh Affinity to solicit the sale of the insurers' products and sets forth the terms of trade between Marsh Affinity and the insurers.

As part of Marsh Affinity's best practice we are disclosing the following information regarding our compensation on your professional liability policy.

If you elected to complete your application and the application is approved by underwriting and issued by the carrier, Marsh Affinity will be compensated 27.5% based on your total premium. The base rate filed by the carrier with the applicable state agencies is the same rate provided to you.

2/27/06



Professional Liability Insurance Program for Nurse Professionals ...

Protect Your Nursing Career

You care for others day and night, 7 days a week ...

Do you carry enough professional liability coverage to protect yourself?

Whether you're an RN First Assistant in the OR; providing care from a mobile lithotripsy unit; managing patient care in post-anesthesia units ... nurses work in a wide range of practice settings.

Nurses deliver timely, cost-effective, safe and quality health care, especially to chronically underserved populations such as the poor, the elderly and the rural population. Studies have shown that nurses may perform 60-80% of primary and preventive care traditionally performed by doctors. Many insurers and employers have identified nurses as an important managed care cost containment tool and are looking at ways to utilize more nurses for primary preventive care, as well as in some areas of specialization.

We recognize the malpractice risks associated with the expanding role of nursing. Accordingly, they recommend that you purchase your own professional liability coverage, even if you have limited coverage through your employer. If you are self-employed or a solo practitioner without professional liability coverage, you risk losing your practice if you are named in a malpractice suit. As a nurse professional, you can purchase a personal professional liability program which was designed specifically to meet your needs.

Your licensing board just contacted you about a complaint. You have only 15 days to respond. Will your professional liability policy cover the cost of a lawyer?

During a shift change, there was a mix-up in two of your patients' medications. You told your supervisor, but is that enough?

You were just served with papers naming you in a malpractice suit. What should your first steps be to prepare yourself?

You work part-time in the evening as a private duty nurse. Does your employer's policy at your full-time job cover you at your evening job?

Nursing Profession Liability Insurance Program

Your friend is implicated in a lawsuit involving a claim from her previous job. She is no longer covered by her previous employer's policy. You may want to change jobs someday too. Don't you want a policy that will follow you from job to job?

Why You Need Your Own Professional Liability Coverage

The most responsible, skilled and experienced nurses can innocently become involved in malpractice claims. Consider this real-life claim made against Nurses:

A registered nurse works as an independent contractor at a medical center as a circulating nurse in the OR. The patient had an abdominal colectomy and temporary ileostomy. The RN was in charge of the sponge count. She told the surgeon and the operating team that all sponges were accounted for.

During a second surgical procedure to reverse the temporary ileostomy, the surgeon found a sponge from the first surgery. Due to risk of infection, the surgery was terminated, necessitating a third surgery, during which the plaintiff suffered complications.

The patient sued the medical center for damages caused by the missed sponge. In turn, the medical center sued the RN since an accurate sponge count was her responsibility.

Protection to supplement inadequate employer-provided professional liability coverage

If you are employed and your employer provides professional liability insurance, the questions you need to ask yourself are: "If I am sued, would the attorneys be my advocate or my employer's?," "Could a suit be settled without my written consent?," "Would I be protected from a liability suit filed after I left this job?," "If my employer was sued as a result of something I did, could I be sued by my employer?," "Will my employer's policy pay for all legal expenses and damages up front?"

The coverage offered by your employer may have been chosen for considerations other than just your best interest. Your employer's coverage may be a

group policy that gives your employer priority protection by setting blanket limits to be spread among all employees. You may be excluded from coverage if an incident occurs while you are not at work or you perform a task outside your job, even if it is within the scope of current nursing practice. If you are no longer employed where the care took place and your coverage was provided solely by your employer, you may not be covered in the event of a lawsuit. You may have to pay all attorney fees, court costs and judgment fees out of your own pocket. This professional liability coverage will protect you from inadequate employer programs.

Occurrence Policy Form

The Marsh Affinity Group Services Professional Liability Program provides coverage on the much preferred Occurrence policy form. The Occurrence policy form is preferred because it is simple to understand. This policy form protects you from lawsuits filed as a result of professional services you rendered or should have rendered during the policy period, even if a lawsuit is first filed years later. Unlike the Claims-Made policy form, with an Occurrence policy there are no confusing rules to remember about how or when you must report a claim. Best of all, with an Occurrence policy form, there is no expensive "Tail" endorsement to buy when you retire or change jobs.

If you rely 100% on your employer for Professional Liability coverage, and your employer is a Hospital or Medical Group, it is a virtual certainty their coverage is on a Claims-Made policy form. With so many financial pressures influencing Hospitals and Medical Groups, can you afford to be completely dependent on your employer's coverage? As medical malpractice premiums have skyrocketed, many Hospitals and Medical Groups have turned to Self-Insurance. If your employer is Self-Insured, are they financially secure enough to be around years later when a lawsuit involving you is finally settled? Why take any chances, when you can purchase your own Occurrence policy and lock in your legal protection no matter what happens to your employer's coverage.

A Trusted Name in Nursing...

You won't find a program with better benefits. And Marsh Affinity Group Services, **a trusted name in nursing**, is the oldest and most experienced administrator of nurses' professional liability insurance. You'll want that expertise behind you if you're sued.

All professional liability policies are not alike. Even if two policies have the same coverage limits, there are important differences.

While some other companies reimburse you for your expenses if you are sued, with the Marsh Affinity Group Services program, you won't have to pay a penny up front-not for legal fees or other expenses.

COVERAGE FEATURES

Your Choice of Professional Liability Coverage Limits

With defense costs and settlement amounts higher than ever, up to \$2,000,000 per incident/\$4,000,000 annual aggregate coverage can help protect you from the severe financial consequences of a lawsuit. This protection is yours whether you are employed full-time or part-time.

Supplemental Liability Coverage Limits (Individuals only)

You may be covered up to \$2,000,000 per occurrence/\$4,000,000 annual aggregate for certain bodily injury, property damage and personal injury occurrences not covered by your professional liability coverage, yet related to your professional duties.

Receive a 10% Premium Credit

Employment in a unit that has received the Bacon Award for Critical Care Excellence.

Example: Premium selected x 90% = payment due (round to the nearest whole dollar).

Part-Time Premium Credit

A part-time premium credit of 50% is available to qualified nurses and advanced practice nurses who work less than 20 hours per week.(Not available to OB APNs.)

Managed Care Contracts

If you assume liability in a managed care contract, you will be covered for negligent acts, for which you are solely responsible.

Worldwide Protection

You are covered anywhere in the world, as long as the claim is made or suit is brought in the U.S., its territories or possessions, or Canada.

Damage To Property of Others Coverage (Individuals only)

You will receive up to \$500 per incident \$10,000 annual aggregate for damage you unintentionally



inflict on the property of others during any non-business pursuit, yet related to your professional duties.

Medical Payments Coverage (Individuals only)

Medical payments coverage for non-business pursuits if someone is injured in or around your home—up to \$2,000 per person, \$100,000 annual aggregate for all persons. Your policy pays medical expenses incurred up to 4 years after the injury occurs.

Claims Settlement

The policy contains the important qualified "consent to settle" clause which requires your consent to settle claims, subject to federal and state regulations and laws.

First Aid Reimbursement

The policy will reimburse you up to a maximum of \$2,500 for all medical supplies you purchase and use in order to render first aid to another as covered by the certificate.

Assault Coverage

The certificate pays up to \$10,000 per assault/\$25,000 annual aggregate for medical expenses resulting from bodily injury to you or damage to your personal property if you are assaulted at work. You are also covered when traveling to and from the workplace.

Additional Coverage:

Self-Employed Nurses & Group Practices

Locum Tenens Provides coverage when another professional temporarily assumes your duties and provides services on your behalf for a specific period of time. The locum tenens shares in your limits of coverage.

"Products Hazard" coverage for equipment specifically designed, made or altered by you for a patient or client.

Coverage for volunteers and employees.

General Liability

Includes bodily injury and property damage associated with your business, but not your professional services, personal injury and advertising injury liability for your own business or practice, and fire legal liability.

Group Premium Credit

Depending on the number of professionals in the group practice, credits range from 4% to 12%.

Separate Annual Aggregates

Each professional member of an insured group will have a separate annual aggregate limit.

Entity Coverage

Separate limits of liability coverage are applied to the professional staff. A separate set of limits are available to the entity for an additional premium.

Defense Costs

Legal fees and court costs incurred by the insurer on your behalf are paid, for covered claims, in addition to the liability limits, even if the suit is groundless, false or fraudulent, up to the limit of liability of the policy.

Licensing Board Hearings

Up to \$10,000 per hearing/\$25,000 annual aggregate for the investigation or defense of all covered proceedings before most entities responsible for regulating your professional conduct (i.e. licensing board). As always, this coverage is offered at no additional cost to you.

Loss of Earnings

Payment for loss of earnings for your attendance at a trial, hearing or arbitration proceeding at the Company's request, subject to a maximum limit of \$10,000 per incident. "Reasonable expenses" are included.

Deposition Reimbursement

The coverage provides you with expense reimbursement, up to \$5,000, for legal representation for depositions related to your professional duties. This coverage applies when you are not named in a suit but are required to be deposed, i.e., as a witness to the event. This coverage does not apply to any services you provide as an "expert witness."

Application Procedure

1. Complete and sign the enclosed application or go online at www.proliability.com.
2. Determine your premium.
3. Return your completed application along with your check or credit card authorization in the enclosed envelope.

Marsh Affinity Group Services

Marsh Affinity Group Services has been a leader in providing insurance protection to health care professionals since 1949. The Marsh Affinity Group Services Professional Liability Insurance Program is endorsed by over 200 professional state and national organizations.

Coverage is underwritten by:

Chicago Insurance Company,
one of The Fireman's Fund Insurance Companies.

This brochure contains a summary of the insurance certificate provisions. In the instance of conflict between this brochure and the actual certificate, the insurance certificate language will prevail and control.

For more information, contact us:

Marsh Affinity Group Services
a service of Seabury & Smith

75 Remittance Drive, Suite 1788
Chicago, IL 60675-1788
1-800-503-9230
www.proliability.com

CA-0633005

Restrictions

This program is designed to provide professional liability insurance protection. You are not covered while operating a motor-driven vehicle, when engaged in any other business outside your professional duties, when engaged in an unlawful action, or when acting as a proprietor, owner, partner, manager, superintendent or officer of any hospital, sanitarium, medical clinic, health maintenance organization, managed care facility, foster care agency, adoption agency or any other facility not specified in the Declarations. You are not covered when acting as a physician, surgeon, dentist, nurse midwife, chiropractor, podiatrist, osteopath, psychiatrist, cytotechnologist, or perfusionist or any other medical specialist not named in the declarations. See insurance certificate for complete list of exclusions.

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