

Dear SBOs and Divisions

With June 30 rapidly approaching, doctors are facing extremely important decisions about the future of their medical indemnity cover. Many GPs will be purchasing indemnity in the form of an insurance contract for the first time and many will also be seriously considering which medical defence organisation (MDO) to join. The decisions doctors make now will, to a large extent, lock them in to that organisation into the future, as the costs of changing MDOs will be prohibitive. It is therefore vital that GPs do not choose their MDO purely on price, past experience or loyalties to a particular organisation, but on the quality of the MDO and the product being offered.

To assist GPs in making this important decision, ADGP has prepared the attached list of recommended questions for GPs to ask MDOs when considering which organisation to join. Given that the financial year is almost at an end, I urge SBOs and Divisions to circulate these questions as widely as possible to their membership as a matter of urgency.

While these questions should assist GPs to obtain the information they need to make a decision about their indemnity options, they are intended as a general guide only. GPs should also be encouraged, if necessary, to seek independent professional advice on their individual situation.

Please do not hesitate to contact me at the ADGP Office if you would like any further information on this important issue.

Yours sincerely

Dr Rob Walters
Chair

QUESTIONS GPs SHOULD ASK WHEN CHOOSING THEIR MDO.

It is recommended that you get any answers to questions pertinent to your practice, in writing from the MDO.

This list is intended as a guide only and is not claimed to be comprehensive.

1. Is the MDO currently fully solvent and APRA compliant with regard to capital requirements?
2. Are the MDO's members going to be subject to the IBNR levy?
3. What is the cost of the policy and is that figure inclusive of all "add-ons" such as stamp duty, GST and membership fees?
4. Can I pay in installments and does this cost extra?
5. What is the limit of my indemnity?
6. Does that limit qualify me for the Government's "Blue Skies" cover?
7. How long will the Government's Blue Skies cover and High Cost Claims scheme apply for?
8. Do I have to pay any excesses on my policy?
9. Am I required to attend risk management or similar training?
10. Can I be refused cover in the future or can any new conditions or excesses be applied to me?
11. Does this policy cover me for practice in other states or outside Australia? If not how do I get cover in those places, even for Good Samaritan acts?
12. Is it easier and cheaper to change MDOs now rather than later?
13. What happens if I want to change MDOs later and how do I get cover for my past experience?
14. Can I be guaranteed access to cheap run-off and retirement cover in the future and are there any conditions on this, such as age or length of membership of the MDO?
15. Is there a guaranteed premium for this run-off cover into the future?
16. What happens if I temporarily retire from practice through choice, pregnancy or factors beyond my control?
17. Is there provision for refunds in this case?
18. What happens if I change my style of practice or become part-time?
19. What happens if I want to provide locum services, full or part-time?
20. Are my staff covered by this policy and are there any provisos such as numbers of staff covered, a requirement to name them individually, whether they be casual, fulltime or locum staff?
21. Is there any discretion applicable should I inadvertently fail to notify of claims or changes in circumstances or practice?
22. What happens if I am joined in an action with other doctors / partners or bodies and does it matter who those other persons / organizations are indemnified with?
23. Does my policy cover all aspects of my medical practice both in and out of my consulting rooms / place of work?
24. Am I covered if I treat a patient in a public or private hospital?
25. If I work occasional sessions in an After Hours or Accident and Emergency Department, do I need to take out a procedural category of indemnity?
26. Does my policy include the provision of phone and legal advice?
27. Are there any exclusions to my policy and if so what specifically are they?

28. Does my policy include such things as defamation, tax audits, employer disputes, HIC inquiries and investigations, criminal investigations and proceedings, coronal enquiries, and complaints to Commissions, Tribunals or Medical Boards?
29. Am I covered for Good Samaritan acts, gratuitous advice and the treatment of patients when acting in an honorary capacity eg. treating injuries for schools sports teams?
30. If I earn fees as a surgical assistant do I need to take out specific cover for this?

QUESTIONS FOR CERTAIN PRACTITIONER GROUPS

Rural GP or GP Registrar:

1. If I practice obstetrics, as a GP, do I get the Government's premium subsidy?
2. If I practice obstetrics or do procedures, as a GP, but only in a public hospital, do I need to take out the procedural /obstetrics category?
3. If I treat a fee paying patient in a public rural hospital am I indemnified?

GP Registrars:

1. Do I have a special category of insurance and does it provide full indemnity?
2. If I undertake procedural training as a Registrar do I get the premium subsidy offered by the Government to procedural GPs?

Procedural GPs:

1. What is the definition of a procedural general practitioner?