

FEATURE



Benefits of Professional Liability Insurance Through CDHA—Understanding the Superior Benefits of Your CDHA Liability Insurance

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Helen is a dental hygienist working in a local clinic. After years of practice without any formal client complaints or allegations of professional liability, Helen has recently been notified of a College investigation stemming from a complaint alleging unprofessional treatment. Specifically, Helen's former client is alleging that she behaved unprofessionally and provided poor dental hygiene treatment, which resulted in increased pain to the client's lip.

Although Helen maintains that she did nothing wrong, anyone has the right to voice such concerns to a regulatory college. This is by far the most cost-effective way for a client to lodge a complaint against a healthcare provider, and clients are doing this. At least 60% of all dental hygienist liability claims are related to ethics violations, scope of practice concerns or complaints involving legislation (for instance, breaches of privacy). The legal expense costs for defence alone can be crippling for an individual. Adequate defence protection through

insurance will provide legal representation in the event of potential discipline such as suspension of practice.

Fortunately, Helen receives liability insurance coverage with her annual CDHA membership and is adequately covered. She has access to specialized legal representation protecting her interests throughout this process.

The CDHA program provides superior coverage for regulatory complaints when compared to any other policy available to dental hygienists in Canada. It is also the only professional liability insurance program with specialized, appointed legal counsel to ensure that members are protected most when they need it.

With the CDHA program, Helen has access to the expertise of the most highly recognized legal firm in medical defence and professional liability in the country. Much like the largest national insurance programs provided to physicians, occupational therapists, and physiotherapists, CDHA members now receive legal defence under the CDHA insurance program from Gowling Lafleur Henderson LLP. In addition, and unlike any other liability insurance program, the CDHA program gives members access to pro bono legal services from Gowlings for any potential claims.

Helen's legal representation is provided at no cost; she does not have to pay a deductible or any fees. She will also be able to recoup more in lost wages compared to any other policy through the loss of earnings provision within the CDHA insurance program, as she attends meetings and hearings pertaining to this claim. In this case, the total cost of defence was just over \$17,000, which was covered under Helen's CDHA insurance protection. She was cleared by the College of any wrongdoing. *cont...*

Superior legal defence and loss of earnings coverage are just two aspects of the CDHA program that contribute to making it the most secure and comprehensive coverage available to dental hygienists anywhere in Canada. After a review of the alternative insurance policies available in

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the marketplace, CDHA has identified several other key features and coverage that position the CDHA program above the rest:

CDHA offers coverage that follows you 24 hours a day, seven days a week, and is not limited by province or place of work. Your policy will cover you for a claim arising in the workplace, but will also cover you when teaching or participating in a course or when providing advice to someone outside of the employment setting.

The CDHA program is the only policy to provide an unlimited, extended reporting period. All other policies available to dental hygienists impose an additional fee and/or time limitation on the number of years that a policy will respond to a claim after you have retired from practice or left the profession. Coverage is written on a claims-made basis. Consequently, after you retire from practice, an extended reporting or tail period must be active to respond to any claim that is brought forth after your discontinuation of practice for an event occurring when you were practicing. Imagine being named in a lawsuit involving a young client six years after you retire. No other professional liability insurance policy will cover you for this—you would be fully responsible for all costs, expenses, and settlements. While some programs offer the option of purchasing further or unlimited extended coverage for a limited time, such as an additional 12 months, CDHA's is the only professional liability insurance plan that provides full coverage with no time limitation and at no additional cost. You can rest assured that you are covered today, tomorrow, and through your retirement.

Most importantly, no other liability insurance available for dental hygienists has the backing of over half of all practitioners across Canada and has the national association advocating on its behalf. As a result, it continues to be the most cost-effective and comprehensive coverage available. What this also means for you as a policy holder is that CDHA can negotiate for specific coverage changes based on recognized needs of dental hygienists. CDHA plays an important advocacy role to ensure that claims are managed and handled appropriately.

The purpose of insurance is to pay claims. With the CDHA program, participating dental hygienists can be confident that they will be properly protected and not caught in a policy loophole when coverage is actually needed.

This year CDHA joined several other Canadian associations in making the broker switch to BMS Group and the Healthcare Professionals Insurance Alliance. As a result, CDHA members now also have access to the following new services and programs:

- Increased practice risk resources, information tools, and educational seminars on practice risk, thereby aligning with CDHA's long-term strategy to help members manage risk
- Specialized legal protection
- Future program structures that are built for members by members, not by a for-profit driven model

As a CDHA member you can feel confident that you are covered by the best liability insurance policy available to dental hygienists in Canada.

We encourage you to share this article with friends and colleagues who may have chosen to purchase a cheaper policy and who may not be aware of their policy's pitfalls and resulting outcome in the event that protection is needed. Choosing a bargain-priced liability policy may be one of the worst decisions a person can ever make. Contact us to learn why staying the course and growing the CDHA insurance program is now more important than ever.

Our insurance program continues to offer the best coverage at the most competitive rates in the industry, and it remains the only program designed by and supported by over half the profession. Don't be fooled by increasing profit-driven products seeking an opportunity to cash in on the profession's development. We take member protection very seriously and appreciate your ongoing support.