



What you must know about ... professional liability insurance

Professional liability insurance

Professional liability insurance (PLI), also known as malpractice insurance, provides coverage to medical radiation and imaging technologists (MRITs) for claims related to their practice in the profession. The CMRITO Registration Regulation made under the *Medical Radiation and Imaging Technology Act, 2017* requires all practising registrants to hold professional liability insurance.

The regulatory requirement for PLI protects both patients and registrants. By having PLI, a registrant is protected professionally and financially from claims made against them as a result of rendering professional services. PLI similarly provides protection to patients through compensation in the event that harm or damages occur as a result of MRIT error, omission, or negligence.

Who needs PLI coverage?

All registrants of the CMRITO who are practising the profession of medical radiation and imaging technology, whether in direct patient care or in another role, must hold PLI that meets the requirements set out in CMRITO By-law No. 60. The checklist at the end of this publication can help you determine whether you are practising the profession and require PLI coverage.

What are CMRITO's PLI requirements?

Practising MRITs must ensure that their insurance coverage meets the requirements of CMRITO By-law No. 60.

Section 27 of By-law No. 60 requires that:

- a registrant who engages in the practice of the profession of medical radiation and imaging technology must hold, or otherwise be covered by, PLI that provides them with coverage for the practice of the profession in each place in which they practise
- the PLI must have a minimum amount of \$1,000,000 per occurrence for each insured individual
- if the PLI has a deductible, it cannot be greater than \$1,000
- a registrant must provide confirmation of their insurance coverage within 30 days of any request by the CMRITO Registrar & CEO
- the PLI must be provided by an insurer licensed under the Financial Services Commission of Ontario

Where can I get PLI?

MRITs may obtain PLI through:

- membership with national or provincial professional associations
- their employer
- a union
- a private insurance provider

The CMRITO cannot endorse one insurance provider over another or advise individual MRITs about where to get PLI coverage. We recommend evaluating coverage details to make an informed choice.

The Healthcare Insurance Reciprocal of Canada (HIROC) provides insurance to most hospitals in Ontario. MRITs who practise in hospitals should ask their employer whether the hospital's insurance provides them with PLI coverage that meets the requirements set out in CMRITO By-law No. 60.

MRITs who practise in independent health facilities, clinics, or physician offices should ask their employer or the facility owner whether their insurance provides PLI coverage for MRITs and whether that insurance meets the requirements set out in CMRITO By-law No. 60.

MRITs who work in multiple practice locations should ensure that they have insurance coverage at each of the locations where they practise. Employer-based PLI only covers MRITs at that workplace, not at multiple sites. As a result, it is the MRIT's responsibility to confirm with each employer that they are covered under their PLI policy.

There are risks for registrants who rely solely on their employer's PLI. For example, employer policies do not always cover expenses such as legal defence in professional disciplinary matters, and the employer may seek reimbursement for any money paid out as a result of the registrant's actions.

Will I have to provide evidence of PLI coverage to the CMRITO?

At the time of their annual renewal of registration each year, practising registrants must declare that they hold PLI that meets the requirements of By-law No. 60.

The by-law also requires registrants to provide confirmation that their PLI coverage complies with the requirements within 30 days of a request by the Registrar & CEO. A certificate or letter from the registrant's insurance provider, association, or employer would provide satisfactory confirmation of PLI coverage. If you have any questions regarding PLI coverage, please contact registration@cmrito.org.

How do I know if I need PLI?

It is important to note that practising the profession of medical radiation and imaging technology is not necessarily the same as being employed as a medical radiation and imaging technologist. Even if you do not perform procedures or treatments on patients and are not involved directly in patient services, you may still be engaging in the practice of medical radiation and imaging technology.

Answer the following questions to determine whether you are practising the profession and therefore require PLI:

1. Am I practising within the Scope of Practice of the profession?

Do I:

- apply the knowledge, skills and judgement of a medical radiation and imaging technologist (e.g., registered MRTs and DMSs with direct patient contact)
- support others who apply the knowledge, skills and judgement of a medical radiation and imaging technologist (e.g., managers)
- interact with others who expect that I have and use the knowledge, skills and judgement of a medical radiation and imaging technologist (e.g., applications specialists)

2. Does my role include activities related to the Standards of Practice?

Do I:

- apply the knowledge, skills and judgement that relate to any of the eight Standards of Practice (e.g., registered MRTs and DMSs with direct patient contact)
- support others who apply the knowledge, skills and judgement that relate to the eight Standards of Practice (e.g., PACS administrators and managers)

3. Do I practise in one or more of these locations?

- a hospital, cancer centre, independent health facility (clinic) or other health service organization, or provide mobile medical radiation and imaging technology services
- a long-term care facility, nursing home, home for the aged, or retirement home
- the office of a physician, surgeon, cardiologist, chiropractor, dentist, or chiropodist
- a health care education institution, medical radiation and imaging technology education program, or research organization
- a medical radiation and imaging technology professional organization (association or regulatory body)

If you checked at least one box in each of the above questions, you are practising the profession of medical radiation and imaging technology and must hold PLI that meets the requirements set out in CMRITO By-law No. 60.

