

Professional Practice Corner

Should I have my own malpractice insurance?

This is largely a matter of personal preference. Many PAs have only the rider on their employer's policy, while some PAs have their own additional coverage. The AAPA feels that PAs should carry their own malpractice insurance. Following is an excerpt from the AAPA website:

1. *Each health provider is responsible for his or her own negligent acts.* Even though PAs are dependent practitioners and your supervising physician is responsible for your actions, this does not exonerate you from risk of individual liability. While in most cases you are covered under your employer's policy, you may still be liable for your own negligence and may still be liable for all or part of a plaintiff's award or settlement. You may have to compensate the employer who has paid damages to the claimant. You either assume that liability yourself or buy an insurance policy to transfer that risk. Insurance companies accept the transfer of risk in exchange for the payment of premiums.
2. *PAs are sued.* As more patients, their friends, and malpractice lawyers become aware of PAs, they see a potential malpractice target if they believe they've received a poor standard of care. Current legal theory of medical malpractice dictates that as many people as possible will be named in a suit. This can and does include PAs.
3. A policy of your own provides you with *separate limits of liability*. You select your limits of liability to meet your type of practice and needs.
4. The policy is *owned by you*, the named insured. No one else is listed on the policy. There is no conflict of interest between you and your employer in the event a claim is filed.
5. Your *own defense attorney* is provided in the event of a claim. The attorney looks after your interests alone.
6. If you decide you want to work at a *part-time position* (moonlighting) in addition to your full-time position, an individual policy covers you for your duties at both positions.
7. If you accept a position and then decide you want to take a position elsewhere, your individual coverage *follows you to your new position*, even if your previous employer paid the premiums for your coverage. (Note: Your previous employer may request reimbursement.)

As with any insurance policy, the most important reason to have professional liability insurance is for your own peace of mind. Just as you would not consider being without health or automobile insurance, you should not be without malpractice insurance.

-AAPA