

Q. Who is required to have malpractice insurance?

- A.** 1. All practicing dentists.
2. Retired dentists who maintain an active license to practice dentistry.
3. Retired dentists who teach dentistry at a university may require malpractice coverage if the university does not extend their malpractice insurance to you. Please confirm your malpractice coverage requirements with your licensing body.
4. Postgraduate students in residency program are required to purchase malpractice insurance if the hospital/university does not offer the coverage to the students.

Q. Are my employees covered under my policy?

A. Employees **who are not required to carry their own malpractice coverage** (e.g. dental assistants) will be covered under your malpractice policy if they are named in a lawsuit along with the dentist, subject to the terms and conditions of the policy.

Q. What do I do if a claim is made against me?

A. If you suspect a malpractice claim may be made against you, you must contact your malpractice insurance provider immediately.

If your malpractice coverage is through CDSPI, you must notify us as soon as you become aware of a claim or a potential claim whether the allegation is verbal or written.

CDSPI will notify the insurer and a claim file will be opened. An adjuster will then contact you and explain the process, which could include contacting the patient, their lawyer, or asking an opinion from a dental expert. This may take some time so use the opportunity to gather all documentation that could potentially relate to the claim, including electronic correspondence and/or documents. Never alter or destroy documents.

Once that process is completed, the adjuster will make a recommendation to the insurer about how to proceed.

If a claim does proceed to litigation, it's taken over by the insurer's legal counsel.

Q. Is there any difference in my malpractice coverage if I am hired as an employee or as a self-employed contractor (not an employee or an associate)?

A. There is no difference in the coverage whether you are an employee or self-employed contractor.

Q. Does my status as a corporation affect my malpractice in any way?

A. The coverage provided is the same for individuals and corporations with CDSPI Malpractice Insurance.

Q. What is CDSPI Excess Malpractice Insurance coverage?

A. CDSPI Excess Malpractice Insurance is **only available to dentists licensed to practice in the province of Alberta or Ontario**. It provides coverage in excess of your mandatory primary policy limit in the event a patient makes a claim against you that arises from your professional services.

Q. If I move out of the province, will I still be covered by my CDSPI Malpractice Insurance?

A. Your CDSPI Malpractice Insurance will cover you across Canada except for Alberta, Ontario and Quebec, **provided you are licensed in the province**.

For example, if you purchase malpractice coverage while practicing in Nova Scotia and move to Saskatchewan, you must be licensed in Saskatchewan. You just need to let CDSPI know once you have your new license since your malpractice coverage goes with you wherever you go if you are licensed in the province or territory.

MALPRACTICE Q & A FOR RETIREMENT

If you are getting close to retirement, or have just recently retired, there is a long list of business, personal and financial details that you need to address — it can be a bit daunting. But there are resources available: as a benefit of membership in your dental association, you have exclusive access to a professional team of advisors at CDSPI Advisory Services Inc. who are there to provide stress-free, expert advice especially when it comes to planning your retirement.

Q. What do I need to know about my CDSPI Malpractice Insurance coverage when I retire?

For as long as you have an **active license** you must have malpractice insurance and continue to pay the premium.

Example 1:

Dr. Ali lives in PEI and decides to retire on December 31. She has sold her practice but decided that she will **not renew** her license with DAPEI when it comes due on April 1. If you retire but still hold a valid license, you must have malpractice insurance and pay the premium. In this case, Dr. Ali would still be considered a practising dentist from January through March and would be required to have malpractice coverage.

Example 2:

Dr. Kolpacki has sold his practice and considers himself retired. He has not given up his license. During the transition with the new dentist, he works two days a week. In this case Dr. Kolpacki would be required to have malpractice coverage.

Example 3:

Dr. Yu retired and gave up his license on September 30, 2021. He immediately informed CDSPI he was no longer practising. Dr. Yu is then considered non-practising (NP) status. This means he is no longer required to pay the premium for his malpractice insurance, but the coverage remains in force for any claims that may arise from when he was licensed/practising. This feature is important because claims can certainly arise week, months, or even years after a dentist transitions to non-practising.

Please ensure you notify your Association and/or Regulatory Body of your plans for retirement.

Q. If a claim is made against me after I retire for an error that occurred when I worked, will my CDSPI Malpractice Insurance still cover me?

A. Retirement doesn't mean the coverages offered by your policy cease upon retirement. Even when you've stopped practicing, CDSPI Malpractice Insurance continues to apply for any work done while you were licensed and covered by the policy.

Our insurer will respond to claims made against dentists for the work they did while they were licensed provided their CDSPI Malpractice Insurance is on a non-practising status, subject to the terms and conditions of the policy.

Q. If I'm retiring but not giving up my license, can I give up just my CDSPI Excess Malpractice Insurance (in Ontario and Alberta)?

A. Yes, CDSPI Excess Malpractice Insurance is not a mandatory insurance. However, if you continue to practice dentistry you remain at risk of claims and the added coverage from CDSPI Excess Malpractice Insurance should be carefully considered.

If you keep your CDSPI Excess Malpractice Insurance until retirement and upon the surrender of your license, then as long as you continue under non-practising status with your primary provider, you will continue to be covered by the plan, subject to the terms and conditions of the policy.

CDSPI Malpractice Insurance and Excess Malpractice Insurance are not available in the province of Quebec.

CDSPI Malpractice Insurance and CDSPI Excess Malpractice Insurance are underwritten by Zurich Insurance Company Ltd (Canadian Branch).

CDSPI Malpractice Insurance is offered in all provinces and territories except Alberta, Ontario and Quebec. CDSPI Excess Malpractice Insurance is offered to dentists licensed to practice in the provinces of Alberta or Ontario, who are a member of their provincial dental association and have their primary mandatory malpractice insurance directly from their provincial regulatory body.

Disclaimer: The general information contained herein, including coverage information, is a summary and is offered as a matter of information only. A full description of coverage and eligibility, including exclusions, restrictions and limitations can be found in the Policy Terms and Conditions governing each plan. The general information provided does not amend, alter or supersede in any way the Policy Terms and Conditions governing each plan.