

FAQ

UNIVERSITY OF TEXAS SYSTEM PROFESSIONAL MEDICAL LIABILITY BENEFIT PLAN EXPANSION: COVERAGE FOR OTHER HEALTH CARE PROFESSIONALS

1. Which employees are newly covered under the expansion of the University of Texas System Professional Medical Liability Benefit Plan?

Health care professional staff members and faculty who are licensed, certified or registered to provide patient care.

2. Do I need to apply for coverage?

Coverage is provided based upon your employment by a UT institution for patient services provided on or after July 1, 2020. You do not need to apply.

Note: Previously enrolled physicians and residents are covered for services prior to July 1, 2020 and the services covered are based on their enrollment date.

3. If I leave employment, am I still covered for patient services provided during my employment on or after July 1, 2020?

Yes, you are still covered for patient services provided while an employee even after leaving your employment. This is known as “occurrence coverage”.

4. What are the amounts of liability coverage?

Coverage limits are \$500,000 per claim/\$1,500,000 per enrollment year aggregate, the same coverage limits as provided to physicians, including residents and fellows, and dentists.

5. What is the amount of disciplinary board coverage?

Costs and expenses in connection with investigation and defense of a disciplinary and licensing board action are limited to \$25,000 for a single proceeding, although at the discretion of the Plan Administrator this limitation may be exceeded up to \$35,000.

6. What about liability coverage for patient services provided before July 1, 2020?

The Plan cannot provide coverage for health care professionals providing patient services before July 1, 2020.

You remain entitled to immunity and indemnification as a state employee under Chapter 104 of the *Civil Practice and Remedies Code* which provides indemnity to individual state employees up to \$100,000 per claim and defense by the Office of the Attorney General.

7. *Is University of Texas System Professional Medical Liability Benefit Plan coverage automatic or required and am I charged for the coverage?*

This coverage is automatic, and your institution will be billed for your coverage annually. You are not charged for the coverage.

8. *What are my responsibilities to ensure coverage?*

You are required to give notice to your institution's legal office as soon as practicable of any patient care claim made against you and to cooperate as needed. You are also required to give notice as soon as practicable of any disciplinary or licensing board actions against you for which you seek coverage.

9. *Who will represent me if there is a lawsuit or claim?*

If you are named as a defendant in a lawsuit, private counsel will be appointed to represent you as part of team of attorneys from U.T. System Office of General Counsel (OGC) and your institution's legal office. You may also be represented by the Office of Attorney General. Usually, representation at the claims stage is provided by OGC and institution attorneys and not by private counsel.

10. *Are students and trainees covered under the Plan?*

Medical and dental students are covered under the Plan, all other allied health students enrolled in a training program providing direct patient care are covered under a commercial insurance policy administered by UT System Office of Risk Management.

11. *What are the geographic limits of my liability coverage?*

Claims, lawsuits and causes of action based upon treatment or lack of treatment within the United States, its territories or possessions, or Canada are covered.

International coverage may be purchased with the approval of your institution and UT System.

12. *Am I covered for telemedicine services?*

You are covered for telemedicine services as assigned by your institution. Both Texas law and the law of the state where the patient is located apply to telemedicine services. Please check with your supervisor or Plan Liaison for answers to specific questions.

13. *Will I receive a certificate of coverage?*

Certificates of coverage will be provided by your institution on an as-needed basis.

14. *Will my credentialing process change?*

Your credentialing process will not change.

15. *If I have private insurance, should I cancel my coverage?*

Your private insurance may need to remain in effect to provide coverage for patient services before July 1, 2020 or you may want to consider “tail coverage”. We cannot give you individual advice on this question and suggest you talk with your agent or broker.