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| Policy Title | Professional Liability and Insurance |
| ACGME Number | Institutional - IV.E Common – N/A |
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| POLICY | |
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| PURPOSE | <p>This policy defines professional liability insurance coverage for residents in accordance with ACGME Institutional Requirements. Professional liability and general liability insurance coverage will be provided to MHS-employed residents enrolled in MHS-sponsored training programs for patient care–related activities during the term of appointment.</p> <p><i>NOTE:</i> In addition to being subject to specific policies and procedures required by ACGME, residents are also subject to policies and procedures applicable to MHS employees generally and enjoy those benefits of employment applicable to MHS employees of comparable classification.</p> |
| SCOPE | <p>The policy applies to all MHS-sponsored GME residency training programs, both accredited and non accredited. The term "resident" refers to all medical graduate trainees (interns, residents, fellows) in all postgraduate GME training programs sponsored by MHS.</p> <p><i>Note:</i> In addition to being subject to specific policies and procedures required by all applicable accrediting bodies, GME Residents are also subject to policies and procedures applicable to MHS employees generally and enjoy those benefits of employment applicable to MHS employees of comparable classification.</p> |
| ACRONYMS | <p>ACGME — Accreditation Council for Graduate Medical Education CAO — Chief Academic Officer CMO (H) – Chief Medical Officer of individual hospitals in MHS CMO (S) –Chief Medical Officer of MHS CPME – Council of Podiatric Medical Education DIO — Designated Institutional Official GMEC — Graduate Medical Education Committee MHS — Memorial Healthcare System OAA – Office of Academic Affairs PD — Program Director RRC — Resident Review Committee</p> |
| DEFINITIONS | N/A |
| PROCEDURES | <ol style="list-style-type: none"> 1. MHS will provide professional liability coverage, which includes legal defense and protection against awards from claims reported or filed during participation in each of its sponsored training programs or after the completion of the program(s) if the alleged acts or omissions of a resident were within the scope of the program(s). Insurance and professional liability coverage may be provided by MHS through a program of self-insurance under Florida Statute 768.28. 2. MHS shall provide professional liability insurance on behalf of all residents. As this coverage will be afforded via the master MHS institutional liability program, no individual policies will be issued to the residents for this coverage by MHS. Such |

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| | <p>professional liability insurance shall be in amounts no less than those required by law and any applicable MHS internal policy and shall be provided in accordance with the requirements of the ACGME.</p> <ol style="list-style-type: none"> 3. MHS must provide official documentation of the details of liability coverage upon request of a resident. Such requests should be directed to the MHS Risk Management Department. 4. The resident employment contract/agreement of appointment must directly contain or provide a reference to professional liability insurance, including a summary of pertinent information regarding coverage. 5. Residents will be responsible for promptly providing to the MHS Risk Management Department notice of incidents that may give rise to claims, as well as copies of all writings giving notice of a claim, suit, or other circumstances which may give rise to a claim. 6. Residents will be required through their employment contract to fully cooperate with MHS and its counsel in defending any claims. Such cooperation includes but is not limited to attendance at hearings, depositions, trials, and conferences. |
| REFERENCES | <p>ACGME Institutional Requirements, effective July 2018 ACGME Common Program Requirement, effective July 2020 ACGME Program Specific Requirements – most recent as per RRC specialty CPME Standards, Requirements, and Procedures for Approved Podiatric Medicine and Surgery Residencies</p> |
| ORIGINAL ISSUE DATE | May 5, 2015 |
| REVIEW/REVISION DATES | July 2020 |
| POLICY OWNER | <p>Office of Academic Affairs</p> <p>If any of the statements contained in this policy conflict with any verbal statements or agreements made by any representatives of MHS, then the statements contained in this policy shall control the outcome of any such conflict.</p> <p>Memorial reserves the right to modify this policy in whole or in part, at any time, at the discretion of the Healthcare System or as required by applicable law, regulation, or governing/accrediting body.</p> <p>Employees who have questions regarding information contained in this policy should contact the Office of Academic Affairs.</p> |

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| | This policy is intended to supplement standard MHS Human Resources (“HR”) policies. To the extent that this policy conflicts with any MHS HR policy, the standard HR policy shall govern and control. |
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