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## GRADUATE MEDICAL EDUCATION

### TRAINEE POLICIES AND PROCEDURES

#### **POLICY: PROFESSIONAL LIABILITY INSURANCE COVERAGE FOR MEDICAL STUDENTS AND TRAINEES**

**Policy Number: 6.3**

**Chapter: Liability Coverage**

#### **Purpose:**

To ensure a consistent application of professional liability insurance coverage for University and non-University medical students and trainees.

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#### **Definitions:**

1. **Affiliated Program** – A formal program where University of Utah Hospitals and Clinics or School of Medicine (“University”) has a specific written agreement with an outside facility or practice which outlines responsibility for providing professional liability coverage and identifies who will be providing supervision of medical students and trainees.
2. **Visiting Medical Student and Trainees**– Any medical student, resident, or fellow enrolled in any program other than the University.
3. **University Trust Funds** – The University of Utah Hospitals and Clinics professional liability trust fund and the University of Utah School of Medicine professional liability self-insurance trust fund which provide professional liability coverage for University of Utah Hospitals and Clinics employees, including but not limited to trainees, University of Utah School of Medicine faculty and employees, University of Utah School of Medicine medical students, University of Utah School of Dentistry faculty, and University of Utah College of Nursing midwifery faculty.

**Academic Leave of Absence** – a period when a medical student or trainee is participating in an approved University of Utah joint degree program (i.e., MD/PhD or MD/MBA) at the University of Utah during a leave of absence from the medical student or trainee’s medical education curriculum.

#### **Owner:**

Risk Management

#### **Liaison(s):**

Graduate Medical Education

#### **Approval Body:**

Graduate Medical Education Committee

#### **Current Approval Date:**

January 2018

#### **Current Revision Date:**

January 2018

#### **Origin Date:**

Historical Information:

**Approval body:** Graduate Medical Education Committee

**Approval date:** 9/2009

**Policy Owner:** Risk Management

Review Dates:10/10

Revision Dates:10/10, 2-2016

**Policy:**

I. Medical Students

- A. University medical students will be provided professional liability insurance through the University Trust Funds as follows:
  - 1. In the State of Utah at University facilities
  - 2. In the State of Utah at University of Utah facilities when on an Academic Leave of Absence and in an approved University of Utah program
  - 3. In the State of Utah at non-University facilities with an Affiliated Program or with Deans Office approval
  - 4. In the State of Utah at charitable health clinics or community health sites with Deans Office approval and supervised by University faculty or adjunct faculty.
  - 5. Outside the State of Utah with Deans Office approval and when supervised by University of Utah Faculty
  - 6. Outside of the United States at sites approved by the office of the Assistant Dean of Global Health Education and when supervised by University faculty
  - 7. Outside the United States at sites approved by the office of the Assistant Dean of Global Health Education and supervised by non-University of Utah faculty who have been credentialed and approved by the Assistant Dean of Global Health Education.
- B. Non-University (visiting) medical students participating in clinical rotations at University facilities:
  - 1. Are not covered for professional liability by the University
  - 2. Each visiting student must provide proof of professional liability coverage with minimal limits of \$1 Million per occurrence and \$3 Million aggregate, and if it is a claims made policy, the student will provide proof of continued coverage (tail coverage) for a period of two years following the visiting rotation

II. Trainees

- A. University trainees will be provided professional liability insurance through the University Trust Funds as follows:
  - 1. In the State of University of Utah at University facilities
  - 2. In the state of Utah at non-University facilities with an Affiliated Program or with specific GME Office or Departmental approval
  - 3. In the State of Utah at charitable health clinics or community health sites with Dean's Office approval and supervised by University faculty or adjunct faculty.

4. Outside the State of Utah at ACGME accredited programs and, only if, the program/rotation is required for Board Certification and not available in Utah.
5. Outside the State of Utah at sites approved by the GME Office and the trainees Department and when supervised by University Faculty.
6. Outside the United States at sites approved by the GME Office and the trainees Department and when supervised by University Faculty.
7. Outside the United States at sites approved by the GME Office and the trainees Department and when supervised by non—University faculty who have been credentialed and approved by the trainees Department.

B. Moonlighting

1. A University trainee will be provided professional liability insurance through the University Trust Fund when moonlighting as a Trainee for the University with appropriate supervision.
2. A University trainee will be provided professional liability insurance through the University Trust Fund when moonlighting as Faculty for the University.
3. A University trainee will not be provided professional liability insurance through the University Trust Fund when moonlighting at Non-University facilities and not for the University of Utah.

C. Non-University (visiting) trainees participating in clinical rotations at University facilities:

1. Are not covered for professional liability by the University
2. Each visiting trainee must provide proof of professional liability coverage with minimal limits of \$1 Million per occurrence and \$3 Million aggregate and if it is a claims made policy, the trainee will provide proof of continued coverage (tail coverage) for a period of two years following the visiting rotation

III. Military Trainees

- A. Trainees participating in a military residency or fellowship will be provided professional liability insurance through the University Trust funds as follows:
1. In Utah at University facilities
  2. In Utah at non-University facilities with an Affiliated Program or with specific GME Office or Departmental Approval.

IV. Exceptions

- A. Exceptions to this Policy or specific instances not addressed by this Policy must be presented to the Risk Management Committee for approval on a case by case basis.