



The Nursing and Midwifery Board Australia (the Board) is seeking the views of stakeholders with regards to the possible inclusion of a minimum dollar value of *quantum of cover* for midwives in the draft **Professional indemnity insurance for midwives** Guideline.

The Board is seeking feedback on the following two approaches:

Approach 1:

The Board specifies a minimum amount of cover for professional indemnity based on advice from the insurance industry.

Approach 2:

The Board does not specify a minimum amount of cover for professional indemnity.

Two approaches are outlined because the Board has received some feedback that the draft Guideline should include advice about the minimum dollar value of *quantum of cover* for midwives wishing to practise independently. The Board realises however that there are potential drawbacks to both approaches, and is therefore keen to provide the most useful advice to practitioners seeking PII cover.

To assist in the process, the Board is interested in which of these two approaches you and/or your organisation support and, most importantly, the reasons for your position. The Board acknowledges that the question of how much insurance cover is sufficient is a risk management issue and will vary according to the nature and size of a midwife's professional practice and the context within which her or his activities are carried out. In considering your position and rationale, you are reminded that in both approaches a self-assessment by the midwife using the objective criteria listed below will be recommended by the Board.

The self-assessment criteria include the following:

- the practice setting and the type of midwifery services and care delivered;
- the client group;
- the volume of clients to whom treatment, advice, guidance or care is provided by the midwife;
- the health status of the women and their infants that make up the midwives' client group;
- previous history of insurance claims and the type of claim made against the midwife in the past, if any;
- the age of the midwife;
- any advice from professional indemnity insurers, professional associations and industrial organisations, including advice regarding the history and volume of professional liability claims experience by other members of the profession, provided by a relevant professional association;

- any advice of an insurance broker;
- the midwives' current employment status; that is whether they are:
 - employees working exclusively in public or private health services, or in private medical practices; or
 - working as sole practitioners (either on a full-time or part-time basis) working in businesses owned solely by the midwife, or in a partnership or collective; or where a midwife is employed (full-time or part-time) by a company that is owned solely by the midwife, or that is owned solely by practising midwives, where the only directors of that company are practising midwives; or
 - working for part of their time as employees and for other parts of their time as midwives in private practice; or
 - providing midwifery services in a voluntary, subsidised or otherwise unpaid capacity.

Once you have considered the two approaches and the criteria above please provide feedback as follows:

1. Which approach (1 or 2 above) do you and/or your organisation believe the Board should adopt with regards quantum of cover; and
2. The reasons (rationale) why you believe the Board should adopt your and/or your organisation's preferred approach.

10 March 2011

Please provide feedback to the Board by email to nmba-consultations@ahpra.gov.au by close of business 6 May 2011.