



## **IOS PROTECT**

### **THE PROFESSIONAL INDEMNITY SCHEME**

#### **1. PREAMBLE**

*Indian Orthodontic Society was started in the year 1965 with an important objective to promote and safeguard the interests of the orthodontists in India. The management Committee of IOS over the years had put in a lot of thought and effort towards that direction and established a separate program for the members called the Member Benefit program of IOS (MBP-IOS). The Committee on behalf of IOS had proposed few schemes for the members and one of the most important among these is the **'IOS PROTECT'**, the Professional Indemnity Scheme for IOS Life members.*

#### **Why Professional Indemnity insurance?**

*Orthodontic practitioners are increasingly becoming targets of civil suits for claims against unwary professional errors and negligent acts. To fight this malady effectively, "**IOS- Protect**" prescribes a potent antidote to members enrolling for Medical/Dental indemnity insurance (Also known as Professional Indemnity Insurance for Dentists). With "**IOS-Protect**" policy you are protected against acts that can go wrong during medical/dental care (including Orthodontic) as a result of which your patient is inadvertently harmed or perceived as harmed. It is a **NECESSARY** tool to financially safeguard dental practitioners against legal costs and claims for compensation by the patients in case of a legal row.*

## **What does it cover?**

*What it covers are the following: In general\**

- *Extent of financial damage or loss to the patient which is not a result of wilful neglect / professional misconduct.*
- *Unintentional errors and omissions of the act leading to the complaint.*
- *Cost of defending oneself in the court of law/tribunals/alternate legal authority for the said purpose.*

*\*To know the specific coverage of this particular policy refer the CLAUSES under IOS PROTECT from IOS website.*

## **2. AIMS AND OBJECTIVES**

- To protect the members and assist them in facing legal liabilities arising due to mishap or injury to a patient during Professional practice.*
- To educate the members about the legal ramifications involved, appraise them on latest developments and educate them to run a safe dental clinical practice with appropriate documentations.*

## **3. ELIGIBILITY**

*All IOS Life Members of Good standing are eligible to enroll for the scheme.*

## **4. ASSOCIATED SERVICE PROVIDER**

*IOS has tied up with 'The New India Assurance Company' for the above said 'Professional Indemnity Scheme'.*

## **5. MEMBERSHIP**

*All Eligible Members (refer point 3) can apply for membership*

### **Steps for Enrollment**

- 1. Visit IOS website([www.iosweb.net](http://www.iosweb.net))*
- 2. Download the Application form of IOS PROTECT*
- 3. Transfer the premium amount online to the account mentioned in the application form.*
- 4. Fill the application form completely and sign it.*
- 5. Scan/photo (Color) of the duly filled application FORM should be sent in PDF FORMAT to [mbpofios@gmail.com](mailto:mbpofios@gmail.com) to complete the registration process*
- 6. It takes 3 working days to process the application. The coverage starts only after the issuance of the master policy which will be intimated to the member. The coverage will be valid up to 12 months from the date of issuance of the master policy.*

### **Membership fees**

*This scheme involves an annual membership and need to be renewed every year. The Membership fees will be Rs.1077/year/member(subject to revision every year). Renewal shall be facilitated by the executive Committee with notifications and follow up at the appropriate time.*

## **6. SALIENT FEATURES OF THE POLICY**

*It is a **master Indemnity policy** issued in the name of **Indian orthodontic society** and covers all members registered under the scheme.*

## **Sum assured**

*Rs.20 lakhs/year/member divided in to 4 incidents\* of Rs.5 lakhs each (AOA: AOY =1:4) i.e at a time the claim can be up to a maximum limit of 5 lakhs*

*Number of incidents\* covered in a year- To a maximum of 4 incidents.*

*The maximum limit of Rs.5 lakhs/incident\* is inclusive of the 'Cost of Litigation' and 'compensation' if any.*

*\*Incident mentioned above and hereafter refers to an act of Professional negligence in a clinic or a hospital by the member leading to death /injury of a patient.*

## **Range of coverage**

*a. Scheme covers only the Cost of Litigation and Compensation ( to a limit of Rs.5 lakh/ incident to a maximum of four incidents in a year) arising due to Death/Injury caused to a patient due to professional negligence/lapses.*

*b. Coverage/ protection starts from the date of issuance of the master policy and is valid for 12 months from the date of issuance. Members enrolling after the issuance of master policy shall enjoy the protection for the remaining period and fees will be levied accordingly.*

*c. The coverage and protection is only for the **IOS Member** registered under the scheme and does not include any other professional other than him/her.*

*d. The Coverage does not include liabilities arising out of General Anesthetic / Sedation complications.*

*e. The Scheme will not give protection to institutions or management of hospitals for its lapses even if the Institution or management is headed by a member of the scheme. Case against the individual members for their alleged professional lapses leading to death /injury of a patient alone will be taken up by the scheme.*

*f. The Excess if any in the operation of the scheme shall not in anyway be distributed as dividend or profit to the members enrolled in the scheme.*

### **Jurisdiction**

*Coverage shall be only for incidents\* within Indian jurisdiction*

### **Legal assistance**

*The legal advisor/advocate shall be allotted by the company preferably from that particular region of clinical practice of the member involved in the case. The choice of advocate will be from the panel of Expert Advocates of The New India Assurance Company and is under the discretion of the company.*

## **7. MEMBERS DUTIES**

*a. The Concerned member shall inform the Chairman of the MBP and or the Hon. Secretary IOS as soon as he/she receives any legal notice from an advocate on behalf of a patient, or an intimation whereby the member gets an information that a patient has registered a case with the Police against him. Failing which the member will forfeit the right to enjoy the benefit of the scheme.*

- b. *The Member shall consult the MBP Committee before responding to law enforcement authorities. The Member should submit a copy of the legal notice, Case sheet of the patient, other records if any and a brief description of the incident in English to the Chairman MBP by Email ([mbpofios@gmail.com](mailto:mbpofios@gmail.com)) immediately .*
- c. *The decision to represent the member in a particular case shall depend on the nature of the incident and subjected to clauses mentioned in Terms and conditions (refer separate attachment).*
- d. *Counter petition by the Member against the patient for monetary damages and defamation does not come under the purview of the scheme. It is a separate case and does not include the MBP nor the Insurance Company as parties to it.*

*For any further details / clarification*

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**FAQS**

**1. Why Professional Indemnity insurance?**

*Orthodontic practitioners are increasingly becoming targets of civil suits for claims against unwary professional errors and negligent acts. To fight this malady effectively, "IOS- Protect" prescribes a potent antidote to members enrolling for Medical indemnity insurance (Also known as Professional Indemnity Insurance for Doctors). With "IOS- Protect" policy you are protected against acts that can go wrong during medical/dental care (including Orthodontic) as a result of which your patient is*

*inadvertently harmed or perceived as harmed. It is a NECESSARY tool to financially safeguard medical practitioners against legal costs and claims for compensation by the patients in case of a legal row.*

**2. What does it cover?**

*In general*

- *Extent of financial damage or loss to the victim (patient) which is not a result of wilful neglect*
- *Unintentional errors and omissions*
- *Cost of defending oneself in the court of law*

*\*To know the specific coverage of this particular policy refer the CLAUSES under IOS PROTECT from IOS website*

**3. Does the company provide legal assistance?**

*Yes. The insured members need to sign a vakalat for the same and the company will fight the case through an affiliated expert lawyer in this field in that particular region.*

**4. Will the legal expenses get covered under this Insurance?**

*Yes. The overall limit will be one 5 lakhs (per incident) which covers the legal expenses and compensation **put together***

**5. How many incidents will be covered in a year?**

*To a maximum of 4 incidents*

**6. What is the type of policy issued?**

*It is a group Indemnity master policy.*

**7. If I already have an Indemnity Insurance, can I use this as an additional policy?**

*Yes. It can be used as an additional policy, the details of the previous existing policy need to be declared at the time of enrolment*

**8. Does the policy cover all the doctors in the clinic?**

*This insurance covers only one person, and in our case it is the IOS member who has registered for the scheme.*

**9. Does the Policy cover litigations arising out of general anaesthetic/ sedative complications during a dental Procedure?**

*No. It is not covered.*