

STUDENT MALPRACTICE COVERAGE

Policy Information:

Idaho State University is covered through Liberty Insurance Underwriters. The policy period is from August to August of each year for all programs.

Student Malpractice is a mandatory professional liability and general liability coverage for students accepted into programs which require clinical internships and field instruction. The policy provides **\$1,000,000 per occurrence and \$3,000,000 aggregate**. Students accepted into health related programs are required to purchase this coverage for the entire period they are in a health program. Students should verify that they have been billed for this coverage at the time of registration; the billing should happen automatically whenever a student registers. The coverage is restricted to school-related, for-credit activities involving clinical internships and field instruction. Students are insured under this policy while participating in activities which are part of and required by the ISU programs' curricula, subject to having paid the premium and enrollment in a program approved by the insurance company.

Malpractice is a specialized form of negligence requiring certain characteristics in order for there to be a legal basis for action. These are as follows:

- A duty or obligation, recognized by law, requiring the actor to conform to a certain standard or conduct;
- A failure on his/her part to conform to the standards required;
- A reasonably close causal connection between the conduct and the resulting injury;
- Actual loss or damage resulting to the interests of another. (Prosser 1971)

Even though malpractice charges against students are relatively uncommon, it's important to be aware of some student-patient situations that could lead to criminal or civil action. They may include, but are not limited to, the following:

- Failure to inform a patient of student status;
- Providing treatment without obtaining proper consent
- Keeping inaccurate or inadequate records;
- Administering inappropriate or radical treatment
- Failing to consult with or refer to a specialist;
- Failing to seek proper supervision;
- Failing to take action to prevent a client's suicide; and
- Patient privacy and data security violations.

***Faculty:** Faculty who are supervising student interns have separate liability coverage as ISU employees.