

Policy Change Guide

September 2022



Medical Malpractice Civil Liability Insurance Policy

We have prepared this guide to help compare the current Medical Malpractice Civil Liability Insurance Policy (V7363 05/11 A) with a new policy known as Medical Malpractice Civil Liability Insurance Policy (V7363 01/09/22 A). Please read the new policy for full details of the terms, conditions, limitations and exclusions.

This comparison does not constitute advice and should not be used by a potential insured for any purposes, including making a decision about a financial product or class of products. It is intended to be a summary of key changes only and does not represent an exact or full outline of the policy wording or scope of cover.

This comparison is current as at 1 September 2022. The cover offered to an insured may vary from that described.

Summary table – key changes to the policy wording

Item	Medical Malpractice Civil Liability Insurance Policy (V7363 05/11 A)	Medical Malpractice Civil Liability Insurance Policy (V7363 01/09/22 A)
Extensions		
Inquiry costs	Included	Excludes cover for Inquiry Costs associated with a Privacy Breach that is notifiable under the Privacy Act.
Lost documents	Included	Amended the provision relating to the entrusting of Documents to a third party so that it refers to reasonability in the Insured's professional position, rather than referring to the normal conduct of the Healthcare Services. Amended the electronic Document security requirements to set out specific minimum IT security measures. Amended the electronic Document back-up requirement to be weekly, instead of daily. Amended to make cover contingent on proof of loss or damage, rather than proof of costs incurred. Excludes cover where loss or damage to Documents is the result of a Cyber Act.
Statutory liability	Included	Amended to exclude cover for privacy related fines and penalties.
Exclusions		
Mental or psychological injury arising from privacy or data breach	Not included	Excludes claims for mental anguish arising from a privacy breach or data incident.

Item	Medical Malpractice Civil Liability Insurance Policy (V7363 05/11 A)	Medical Malpractice Civil Liability Insurance Policy (V7363 01/09/22 A)	
General Conditions			
Goods and Services Tax	Included	Included	Changes to the Insured's obligations with respect to GST registration and Input Tax Credits.
Definitions			
Computer System	Not included	Included	New definition to support silent cyber changes.
Cyber Act	Not included	Included	New definition to support silent cyber changes.
Data	Not included	Included	New definition to support silent cyber changes.
Fidelity Claim	Included	Included	Amended to set out that Fidelity Claim does not include loss of Data, wages or damages.
Privacy Breach	Not included	Included	New definition to support silent cyber changes.