

## **Notice to Supervisory Athletic Therapists (SAT) and Certification Candidates: Statement regarding Certification Candidate Insurance Coverage**

Notice to Supervisory Athletic Therapists (SAT): All students who you have designated as Candidates in your profile are your responsibility, under both direct and indirect supervision. The term for this is vicarious liability.

The doctrine and legal principle of vicarious liability applies to hold one person responsible for the actions of another when engaged in some form of joint or collective action. This can often be applicable to cases where supervision and instruction is provided and consequently that professional can be held vicariously liable for the actions of those they are supervising, such as students.

To address this risk exposure, Certified Athletic Therapists (CAT(C)) insured under the CATA insurance program have the policy limits extended to include students while under the supervision and/or guidance of that insured member. This implies that the insurance coverage of the SAT is automatically extended to all students with whom they supervise. Certification candidates do not have full rights to a CAT(C)'s policy, they are simply added as additional insured, in the event that they are brought into litigation that pertains to the services provided for the and under the CAT(C)'s direction. The ability to add a Certification Candidate to a CAT(C)'s policy as additional insured is not intended to penalize the CAT(C).

The CATA and AON have created a new Certification Candidate policy that allows students (who are not fully certified athletic therapists) to purchase professional liability coverage directly through the CATA program, to protect them while they are working during a placement or in the summer months, under the following conditions:

- Coverage is for nonacademic periods only
- Certification candidates must be under the supervision of a Certified Athletic Therapist
- \$1,000,000 per claim/ \$2,000,000 aggregate limit option available only
- Ideal for candidates who will be working under various Athletic Therapists and/or wish to have their own coverage without sharing limit.
- This coverage is optional to Certification Candidates.
- Coverage is subject to all other policy terms and conditions
- CAT(C)s who elect to supervise candidates should maintain record of student names, scope of work and hours, as this information will be needed and documented to be provided in the event of a claim

For clarification:

- During academic periods, the student would typically be covered via the educational institution. Certification Candidate coverage is intended for nonacademic periods.
- The Certification Candidate must be operating under the supervision of a Certified Athletic Therapist, when practicing, as they are not qualified to practice on their own.
- Insurance for Certification Candidates allows these individuals to have their own insurance and is the named insured.
- If the Certification Candidate has individual insurance and is named under a CAT(C)'s policy, it will depend on the circumstances of the claim in order to determine which policy will respond.

Please ensure that Certification Candidates working with you are aware of the above details and that there is now specific Certification Candidate coverage available to them.

## **Frequently Asked Questions:**

### **How do I purchase this? How much does it cost?**

You can purchase this through the CATA head office or directly through AON (see below)

The policy costs \$30 per year.

### **Does this policy cover me during the school year?**

No. This policy provides coverage during nonacademic periods during the year only when you are not enrolled in any classes (i.e. summer months). If you are enrolled in a “practicum course”, you are technically a student, even though you may not be in a traditional face-to-face class; therefore, this policy does not cover you during this period while you are enrolled.

### **Does it matter if the event I provide services for pays me or not?**

No. The policy does not specify whether or not you would be covered by this insurance for paid events. Typically, an enrolled student may not be paid for the hours collected during a program-related placement. Again, this insurance covers a Candidate during nonacademic periods only.

### **While enrolled in classes, and litigation ensues, how are the different insurance policies affected?**

During academic periods, you are covered by your institution’s policy and your SAT’s insurance. Certification Candidate insurance only provides coverage during nonacademic periods. During nonacademic periods, if you have the Certification Candidate insurance, you will be covered under your insurance, and your SAT’s insurance.

If you choose not to purchase Certification Candidate insurance, you are still covered by your SAT’s insurance. In non-academic periods, it is your responsibility to consult event personnel to determine if the event/organization you are working for provides insurance for health care staff.

In the event of a claim, it will depend on the circumstances of the claim in order to determine which policy will respond in any case.

## **SAT Frequently Asked Questions:**

### **If my candidate has his or her own insurance, how is my policy affected?**

If both policies are present and the Candidate is brought into litigation, due to their professional activities under your supervision, determining if and how both policies will respond will depend on the circumstances of the incident. This does not consider any policies provided by the event or organization. It is the responsibility of you and or your Candidate to determine the extent of coverage by the event/organization.

### **Should I require candidates to purchase this insurance?**

Candidates are not required to purchase this insurance. Whether you require potential candidates you supervise to purchase this insurance or not is completely up to you.

**When I officially become a candidate's supervisor, are they automatically covered under my insurance?**

When you agree to become a supervisor, the Candidate is listed on the CATA website under your name. By having the Candidate's name on this list indicates that you are assuming the responsibility of becoming a Candidate's Supervisory Athletic Therapist.

"... Certified Athletic Therapists insured under the CATA insurance program have the policy limits extended to include students while under the supervision and/or guidance of that insured member. This implies that the insurance coverage of the SAT extends to all students with whom they supervise ..."

However,

"...Candidates do not automatically have full rights to their SAT's insurance even if added to this list. A SAT's policy will only provide coverage to a Candidate if they are brought into litigation that pertains to the services provided by the Candidate while under the SAT's direction.."

If you have any other questions regarding this policy, contact AON:

**Chelsea M. Howard, RIBO, CIP |**

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