



PHARMACIST

FORM 1: Certificate of Acceptable Malpractice Insurance

ANSWER ALL QUESTIONS

Member to check off and sign declaration at the end of FORM 1.

Ensure all requirements of Regulatory Bylaw E.9.4 (see reverse) are met.

Note: Minimum liability required is Two (2) Million Dollars.

1. I have current acceptable malpractice insurance within the meaning of Part E.9.4 of the Bylaws of the College through _____ (insurer name)
 2. I declare that said malpractice insurance has been renewed for the forthcoming membership year and is valid effective:
FROM: MM____/DD____/YY____ TO: MM____/DD____/YY____
 3. If at any time:
 - (a) I fail to continuously maintain acceptable malpractice insurance or otherwise cease to be insured pursuant to a policy providing acceptable malpractice insurance; or
 - (b) being a member of the Pharmacy Association of Saskatchewan (PAS), I cease to be a member of the PAS; I will immediately report that fact to the Registrar.
 4. I understand that it is professional misconduct for a member to:
 - (a) provide false or misleading information to the Registrar in connection with the matters contemplated in Part E.9.4 of the Regulatory Bylaws;
 - (b) practice, or continue to practice pharmacy, without first obtaining and continuously maintaining acceptable malpractice insurance; or
 - (c) fail to immediately notify the Registrar if for any reason the member, being a practicing member, fails to continuously maintain acceptable malpractice insurance or otherwise ceases to be insured pursuant to a policy providing acceptable malpractice insurance.
 5. I hereby authorize my insurance carrier to provide a 30-day notice of cancellation or amendment of coverage to the Saskatchewan College of Pharmacy Professionals (the "College") should such cancellation be requested or any change in coverage be incorporated.
- I acknowledge that I have read and that I understand the above statements, and that I have met the Saskatchewan College of Pharmacy Professionals' Bylaw requirements regarding Malpractice Insurance.

Dated on MM____/DD____/YY____ at the City/Town of _____

in the Province of _____

Print Name

Signature

PLEASE ENSURE THAT YOU HAVE COMPLETED THE ENTIRE FORM

Malpractice Insurance for Licensed Pharmacists (section 4 of Part E.9)

4(1) In this section:

- (a) "acceptable malpractice insurance" means personal insurance that:
 - (i) insures a practicing member against liability claims relating to the performance, or alleged performance, of professional services;
 - (ii) provides a limit for each claim of a minimum of two million dollars;
 - (iii) is either:
 - (A) of an occurrence type provided through membership in the Pharmacy Association of Saskatchewan (formerly the Pharmacists' Association of Saskatchewan or Representative Board of Saskatchewan Pharmacists) from time to time or is reasonably comparable to the insurance provided through membership in the Pharmacists' Association of Saskatchewan (formerly the Representative Board of Saskatchewan Pharmacists); or
 - (B) of a claims made type, in which case it also provides for an extended reporting period providing liability protection for claims made within a minimum period of not less than two years after the practicing member ceases to be a practicing member; and
 - (iv) has a maximum deductible of \$5,000.00 per claim;
 - (v) includes as a term that the College will be notified by the insurer in the event of any cancellation or amendment to the coverage afforded to the insured; and
 - (vi) is underwritten by an insurer registered to do business in Saskatchewan;
- (b) "claims made" means the malpractice insurance policy responds if it is in place at the time in which a claim for damages or other relief is made against a member;
- (c) "occurrence" means that the malpractice insurance policy responds if it was in place at the time in which the incident that is the subject of the professional liability claim occurred;
- (d) "personal" means insurance held by the individual member or in respect to which the individual member is a named insured.

(2) Subject to the provisions of subsection 4(3) of Part E.9, every member must hold and continuously maintain acceptable malpractice insurance.

(3) Notwithstanding subsection 4(2) of Part E.9, a member who is a Crown servant, within the meaning of the Treasury Board Policy on the Indemnification of and Legal Assistance for Crown Servants, is not obligated to hold and continuously maintain acceptable malpractice insurance, provided that the member:

- (a) at all times restricts his practice to the scope of duties and employment as a Crown servant; and
- (b) completes a declaration in a form approved by the Registrar:
 - (i) declaring that he will limit his professional pharmacy practice to the scope of duties and employment as a Crown servant;
 - (ii) confirming the continuing applicability of the Treasury Board Policy on the Indemnification of and Legal Assistance for Crown Servants; and
 - (iii) undertaking to advise the College of any change in the scope of his practice, or the status or terms and conditions of Treasury Board Policy on the Indemnification of and Legal Assistance for Crown Servants;

(4) The Registrar shall not grant or renew a licence to practice as a licensed pharmacist until he receives either:

- (a) a certificate in the form of Form 1 from the applicant for the licence that the applicant has in place acceptable malpractice insurance; or
- (b) an undertaking from the applicant in a form satisfactory to the Registrar, as well as such evidence of the compliance therewith that the Registrar may request, that satisfies the Registrar that the applicant holds and will continuously maintain acceptable malpractice insurance.

(5) If at any time a licensed pharmacist fails to continuously maintain acceptable malpractice insurance or otherwise ceases to be insured pursuant to a policy providing acceptable malpractice insurance the licensed pharmacist shall immediately report that fact to the Registrar.

(6) Where a licensed pharmacist fails to continuously maintain acceptable malpractice insurance or otherwise ceases to be insured pursuant to a policy providing acceptable malpractice insurance as specified in this bylaw, the Registrar shall suspend the licensed pharmacist's licence until such time as the Registrar receives satisfactory evidence that he has obtained and maintains such insurance.

(7) It is professional misconduct for a licensed pharmacist to:

- (a) provide false or misleading information to the Registrar in connection with the matters contemplated in this bylaw;
- (b) except in the circumstances described in subsection 4(3) of Part E.9, practice, or continue to practice, pharmacy without first obtaining, and continuously maintaining, acceptable malpractice insurance;
- (c) breach an undertaking given to the Registrar pursuant to subsection 4(4) of Part E.9; or
- (d) fail to immediately notify the Registrar if for any reason the licensed pharmacist fails to continuously maintain acceptable malpractice insurance or otherwise ceases to be insured pursuant to a policy providing acceptable malpractice insurance or indemnified pursuant to Treasury Board Policy on the Indemnification of and Legal Assistance for Crown Servants.