



Indemnity Advices: COVID-19 (Coronavirus)

*This document should be read in conjunction with State Claims Agency document:
Risk Advisory Notice: COVID-19 (Coronavirus)*

These advices set out the scope of cover of the Clinical Indemnity Scheme (CIS) and the General Indemnity Scheme (GIS) having regard to the many scenarios anticipated in response to the COVID-19 Emergency.

The CIS and GIS provide indemnity to delegated healthcare enterprises, and, vicariously, to persons under their direction and control, in respect of claims for personal injury.

1. RETIRED CLINICAL PERSONNEL

Retired clinical personnel, whether Consultants, GPs, nurses or allied healthcare professionals, who provide their professional medical services to the public health system/HSE during the COVID-19 emergency, will be covered by the CIS. Clinical personnel must register, if not currently on the Register, with their respective regulatory bodies.

The HSE will provide a form of written agreement in each case.

2. SERVING CLINICAL PERSONNEL

2.1 Serving clinical personnel, whether GPs, nurses or allied healthcare professionals, who agree to provide their professional medical services to the public health system/HSE during the COVID-19 emergency, will be covered by the CIS. These indemnity arrangements extend also to cover clinical personnel who may be seconded to the HSE – by reference to a written agreement - and where they become subject to the HSE's clinical governance.

2.2 In respect of Consultants in whole-time private practice, to the extent that such Consultants have formally signed a locum contract with the HSE, CIS cover is confirmed in relation to the treatment of public patients in (a) public hospitals and (b) private hospitals which have signed up to the Heads of Terms between the HSE and the private hospitals. CIS cover is confirmed for the duration of the agreement.

2.3 For the avoidance of any doubt, Consultants, nurses and allied healthcare professionals, currently employed in a public hospital, will be covered by the CIS in respect of the treatment of public patients in (a) public hospitals and (b) private hospitals which have signed up to the Heads of Terms, referred to above. CIS cover in respect of (b) is confirmed for the duration of the agreement.

2.4 CIS cover is also confirmed, for the duration of the agreement, for nurses and allied healthcare professionals concerning the treatment of public patients in private hospitals which have signed up to the Heads of Terms, referred to above.

2.5 CIS cover is confined to the treatment of patients in a hospital setting or such other setting as may be authorised by the HSE.



3. SCOPE OF PRACTICE

Some doctors, nurses and allied healthcare professionals may be asked to act outside of their scope of practice / area of competence to assist with the COVID-19 response. For the avoidance of any doubt, and apart from any regulatory body implications, CIS cover will apply to these professionals where they are re-deployed outside their areas of competence.

4. CONTACT TRACING HUBS, HELPLINES AND OTHER SUPPORT SERVICES

Persons who man contact tracing hubs, helplines and/or other support services, under the direction of the HSE, and where such persons are HSE staff, re-deployed State and Public Service staff or other volunteers, will be covered by the GIS.

HSE staff and other volunteers should have a clear understanding of the duties they are required to undertake and should receive appropriate training / briefing, if necessary.

In relation to non-HSE volunteers, they should receive a document setting out the Terms and Conditions pertinent to their roles.

Where organisations hosting services are not located on HSE premises, the premises owners should ensure that they notify their public liability insurers. Premises owners will remain liable for their own public liability exposures such as state of the premises defects etc. The HSE, in relation to such premises, can only indemnify in respect of its negligence.

Normal risk controls should be applied where feasible.

QUERIES

For indemnity queries, please contact your local HSE insurance manager in the first instance.