

## COVID 19 Vaccination Programme: Important information on State Indemnity

We confirm that on foot of correspondence and representations to the HSE and State Claims Agency (SCA), an indemnity for the administration of the COVID-19 vaccine has been secured for registered medical practitioners in the terms set out below. We strongly recommend that you carefully review all information set out below to ensure that you are familiar with the extent of the indemnity and your obligations thereunder. This agreed form of indemnity supersedes the indemnity published by the HSE on 6 January 2020:

*“Registered medical practitioners (including GPs); nurses (including nurses employed by GPs or GP practices); and pharmacists in receipt of and adhering to relevant training with regard to the administration of the vaccine and acting on the direction of, or on behalf of, the HSE, will be indemnified with regard to any adverse events arising from or related to the vaccine or their administration of the vaccine; provided always that each of them does not act negligently or in breach of the recommended guidelines concerning the storage, handling, use and administration of the vaccine product; and provided also that each of them fully co-operates with the State Claims Agency in defending any claim and provides all reasonable assistance requested of them including the making of any claim against any third parties (subject to being indemnified in respect of the same) for an indemnity or contribution.”*

Medisec members can participate in the HSE run vaccination programme and will have professional indemnity insurance in place per their existing policy terms and conditions. **Members must be aware of the conditions and provisos of the State Indemnity.** If you have paused your cover for any reason e.g a lifestyle break or maternity leave, you will need to reactivate your cover before participating in the vaccination programme.

It is important to note:

- The State will indemnify GPs with regard to any adverse events arising from or related to the vaccine or their administration of the vaccine subject to a number of exclusions. The State is not, therefore, providing a blanket indemnity.
- The State indemnity will not cover GPs for their own negligence e.g wrong site administration; or not following administration instructions. This will be a matter for a GP's private professional indemnity.
- Subject to policy terms and conditions, Medisec members will be insured in respect of alleged negligence. Note: Negligence is covered under Medisec members' professional indemnity insurance policies, but cover for wilful or deliberate misconduct is excluded.
- The SCA will manage all Covid-19 vaccine administration claims involving an allegation of personal injury and will only involve the relevant medical defence organisation (e.g. Medisec) if there is a negligence issue for the doctor concerned.
- Full cooperation with the SCA in its management of the claim is a condition of the State indemnity.
- GPs are competent by virtue of their GP training, qualifications, and experience to administer the Covid-19 vaccine.
- GPs must complete the relevant HSE online training course on HSEland and adhere to HSE clinical guidelines in relation to Covid-19 vaccination.

### **Private vaccinations**

The State indemnity is limited to the government / HSE roll out of COVID-19 vaccines. If there is a private source of COVID-19 vaccines at a later stage, GPs would need to discuss coverage with Medisec to ensure they have appropriate cover in place prior to offering or administering such vaccines on a private basis.

### **Doctors without active insurance**

Doctors without an active insurance policy, including retired doctors, those on a career break or on maternity leave, who wish to partake in the vaccination programme will need to be fully indemnified by the State under the Clinical Indemnity Scheme for COVID-19 vaccination work. We strongly recommend seeking such confirmation in writing from the HSE prior to commencing any work. Any such doctors must first be on the Medical Register.

### **Medisec advisory and IMC support**

As the Clinical Indemnity Scheme does not include additional benefits such as advisory services or assistance with Medical Council complaints, Medisec is very happy to offer those services for matters arising out of COVID-19 vaccinations to our current members, and on a discretionary basis to our retired or inactive members (i.e. those on a lifestyle break).

### **Do you need to get in touch?**

Medisec appreciates the challenges to GP practices associated with the rollout of the vaccine, adding to an already significant workload. Please do not hesitate to contact us if you require advice or clarification on any of the above.

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