



# Practice Risk Solutions

Healthcare Professionals Insurance Alliance

Do you keep electronic records or store confidential client information on your computer? Insured members of the Healthcare Professionals Insurance Alliance (HPIA) now have access to comprehensive Cyber Security and Privacy Liability coverage.

Cyber Liability is one of the fastest growing areas of risk for healthcare practitioners. Below are examples of how it might apply to your practice:

- A healthcare provider suffers a malware event and faces the possibility that patient health information was accessed
- A clinic discovers that a vengeful employee has been secretly removing files containing personally identifiable information

In each case we work closely with our insured to establish the best response that is tailored to their individual needs

Cyber Liability and Privacy Coverage	
Annual Aggregate	\$1,000,000
Information Security and Privacy Liability	\$1,000,000 per claim
Privacy Notification Costs	\$250,000 per claim
Regulatory Defense and Penalties	\$100,000 per claim
Website Media Content Liability	\$1,000,000 per claim
Extended Reporting Period	12 Months 36 Months
Deductible	\$1,000

## Summary of Coverage

### A. Information Security & Privacy Liability

- Liability for damages to third party, including cover for legal expenses
- Eg – violation of a Privacy Law
- Theft, loss or unauthorized disclosure of private information (non-public)

- Liability loss caused by inadequate computer security, causing a security breach – and ultimately damaging the private data by deletion of data, destruction, corruption or alteration of data
- Loss of private data caused by failure to prevent virus, loss caused by malware and internal/external hacking
- Loss of private data caused from paper records, rogue employees
- Liability loss caused by disclosing, sharing or selling private data or failure to correct one's private information after request to do so was made
- Liability loss caused by failure to administer an identity theft prevention program (as required by certain regulations – PIPEDA)

### B. Privacy Notification Costs

- Cost to hire computer security expert to determine cause of the electronic data breach
- Cost to hire forensic investigator in order to comply with Merchant Services Agreement involving compromised credit card data; including fees charged to determine the necessary actions required to comply with the Breach Notice Law applicable. Note: coverage does not include fees incurred in any legal proceeding or mediation involving the credit card system
- Costs involved with notifying individuals who's information may be breached, per the Breach Notice Law, or at Insurer's agreement – where the compromised data may pose a significant financial, reputation or other harm to individuals
- Mailing and other administrative costs
- Cost of a Call Centre Service
- \$100,000 – cost of public relations consultant to mitigate damage to the Insured's reputation. This is subject to 20% retention (deductible).

### C. Regulatory Defense and Penalties

- Costs involved with a regulatory proceeding per the Privacy Law, including penalties. No cover for Insured's internal salaries or overhead expenses

### D. Website Media Content Liability

- Damages and Legal expenses for claims made involving defamation of one's character, libel, slander, trade libel, and other disparaging reputational claims
- Violating one's individual right of privacy, including public disclosure of private facts
- Plagiarism, piracy, misappropriation of ideas, breach of copyright, trade name, logo, metatag, slogan, etc. and improper deep-linking (framing) within electronic content

### Conditions

- Loss/incident must occur after the retroactive date (date of policy inception)
- Claim must be made and reported during the policy period (or Extended Reporting Period when purchased by retirees)

### Exclusions

- Loss of private and confidential data stored on a portable device (USB stick) unless data is stored in encrypted format (eg – password protected)

## How to Apply

Please contact BMS. This insurance is available to all members of associations insured by BMS. Members may purchase coverage at anytime.

### BMS Group Specialty Risk

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