

School of Nursing Policy FP-07

Liability Coverage

Effective Date

Spring 2009

Last Revision Date

4/1/2022

Responsible Party

All faculty members.

Scope and Audience

School of Nursing faculty who are full time, part time, temporary (adjuncts) or administrative.

Additional Authority

Boise State University Policy #9040 (University Vehicles), Idaho Code 6-901 (Idaho Tort Claims Act)

1. Policy Purpose

This policy describes the terms and conditions of liability coverage extended to faculty.

2. Policy Statement

Application of Coverage

If a faculty member is providing university classroom instruction, conducting research, and/or participating in community service within the course and scope of his/her Boise State University employment, the individual(s) are covered by the State's General Liability

Coverage or the State's Medical Malpractice Liability Coverage if working within a clinical medical setting via the Idaho Tort Claims Act. No additional insurance is required for State (or Boise State University) employees working within the course and scope of their employment.

Determination of whether a specific community service or volunteer activity qualifies to be within the course and scope of the faculty member's employment (for liability coverage) is subject to the pre-approval of the School of Nursing Divisional Dean and Associate Divisional Dean/Chief Nurse Administrator.

Coverage does not extend to those individuals who are practicing their profession outside (private role) of their normal course and scope of employment for Boise State University. In that case, the individual would need to provide their own private liability coverage at their own cost.

General Liability Coverage

As provided by the Idaho Tort Claims Act there is a \$500,000 per occurrence for claims made within the Idaho State jurisdiction. For example, if an occurrence involved 5 third parties, the maximum allowable claim recovery would be \$500,000, not 5 x \$500,000 or \$2,500,000, unless separate occurrences.

Medical Malpractice Coverage

The State of Idaho (Boise State University) Medical Malpractice Coverage – “provides coverage for the rendering of (or failure to render) medical services by a licensed medical professional. This includes doctors, dentists, nurses, etc., including furnishing drugs and medical supplies.”

This medical malpractice liability insurance coverage protects all licensed nursing and University medical employees up to \$500,000 per occurrence (Idaho Tort Claims Act) while they are working within the course and scope of their employment for Boise State University.

Faculty members, while teaching in these clinical medical settings, are also covered by the medical Malpractice Coverage under the Idaho Tort Claims Act.

Automotive Liability

Coverage is provided for all Boise State University (State)-owned or leased vehicles licensed for road use by university employees on university business. When a Boise State University

employee drives their own personal vehicle on approved university business under Idaho law their own personal automobile insurance (liability and physical damage) is primary. Boise State University's (State) auto insurance would only apply on an excess or secondary basis, if needed.

Certification indicating the possession of a valid driver's license and current proof of insurance is required to be on file with the School of Nursing Administration Office for every faculty member who operates a State-owned or leased vehicle or who drives their personal vehicles on approved University business, regardless of frequency.

Office of Risk Management

For further details on the University's insurance program, visit the department of Risk Management and Insurance's website.

3. Forms

N/A

4. Related Information

[Idaho Code 6-901 \(Idaho Tort Claims Act\)](#)

BSU: [Policy #9040 \(University Vehicles\)](#)

CHS: None

SON: Faculty and Staff Expectations (Policy FSP-02)

Last Review Date

4/1/2022

Revision History

Spring 2009, July 2020 (legal review), 4/1/2022