



## LIABILITY AND INSURANCE GUIDELINES

### IOWA DENTAL FOUNDATION

### IOWA MISSION OF MERCY (IMOM)

**October 13-14, 2023**

The following guidelines and information are provided for the various liability and insurance issues relating to the volunteers involved in the IMOM event. This includes all dentists, hygienists, dental assistants, other medical professionals, and lay volunteers.

The 2023 IMOM event is not part of the Volunteer Health Care Provider Program (“VHCPP”) and thus, the immunity provided under the VHCPP is not applicable.

### **VOLUNTEER PROTECTION ACT**

Under the federal Volunteer Protection Act, individuals performing volunteer services for a nonprofit organization, such as the Iowa Dental Foundation, have immunity from federal and state tort liability for ordinary negligence. This immunity protection covers volunteers who are acting within the scope of their volunteer activity, and so long as the harm is not caused by willful or criminal misconduct, gross negligence, reckless misconduct, or a conscious, flagrant indifference to the rights and safety of others. If a volunteer is a professional who is required to be licensed or registered, then the volunteer can only obtain the protection of this law if he/she is properly licensed or registered. The law does not protect volunteers who commit a crime of violence, a hate crime, a sexual offense under Iowa law, a civil rights violation, or if the volunteer is under the influence of drugs or alcohol at the time of the incident.

### **PROFESSIONAL LIABILITY (MALPRACTICE) INSURANCE**

**DENTISTS:** It is the responsibility of EACH dentist to have a current malpractice policy in force. You should confirm with your provider that your professional liability coverage extends to the performance of volunteer services. **A current copy of the declaration page from your policy evidencing your Professional Liability Coverage (Malpractice) or a current Certificate of Insurance must be faxed to McFadden Insurance Services, 515.266.4526, or emailed to sue@mcfadden-ins.com, on or before October 9, 2023. This is not necessary if your current insurance coverage is through McFadden Insurance Services.**

**OTHER DENTAL PROFESSIONALS, NURSES, NURSE’S AIDES:** The Iowa Dental Foundation has purchased a policy from AAIC which provides professional liability coverage to dental hygienists and dental assistants, nurses, and nurse’s aides. This policy provides \$1,000,000 for each claim with a \$3,000,000 aggregate limit.

**OTHER MEDICAL PROFESSIONALS (I.E. PHYSICIANS, PHYSICIAN ASSISTANTS, PHARMACISTS, EMT’S, ETC.):** It will be the responsibility of each other medical professional to have a current malpractice policy in force. You should confirm with your provider that your professional liability coverage extends to the performance of volunteer services. **A current copy of the declaration page from your policy evidencing your Professional Liability Coverage (Malpractice) or a current Certificate of Insurance must be faxed to McFadden Insurance Services, 515.266.4526, or emailed to sue@mcfadden-ins.com, on or before October 9, 2023**

If you have any questions regarding these liability and insurance guidelines, please contact Sue McFadden at 515.266.4570 or sue@mcfadden-ins.com or Laurie Traetow at 515.331.2298 or via laurie@iowadental.org.