

PAAs and AAs: Insurance and indemnity

Introduction

1. This document sets out our policy on the considering evidence of insurance and indemnity required from Physician Associates (PAs) and Anaesthesia Associates (AAs) at the point of registration.
2. It is a statutory requirement for PAs and AAs applying for registration, to have, or to have in place by the time they begin to practise as a PA or AA in the UK, an appropriate indemnity arrangement and/or insurance policy¹.
3. This is also highlighted as an expected standard of care and behaviour, at paragraph 101 of *Good medical practice*: ‘You must make sure that you have appropriate and adequate insurance or indemnity that covers the full scope of your practice. You should keep your level of cover under regular review.’
4. In line with good practice, we’ll regularly review this policy to ensure it remains up to date, fair, proportionate, and effective.

What are the registration requirements for insurance and indemnity?

5. Under the AAPAO, applicants for registration must provide ‘evidence to demonstrate that the applicant has in force, or will have in force by the date on which the applicant begins to practise in the United Kingdom an indemnity arrangement, an insurance policy, or a combination thereof, which provides appropriate and adequate cover in respect of the applicant’s practice as an associate.’²
6. In the General Medical Council (Registration) (Anaesthesia Associates and Physician Associates) Rules (‘the registration rules’) we state that evidence in this case will take the form of a declaration that all applicants must provide when applying for registration.
7. PAs and AAs are not required to have these arrangements in place at the point they apply, but must have this in force by the time they begin to practise as a PA or AA in the UK. This position provides fairness and flexibility for applicants who may have a delay between gaining registration and beginning to practise in the UK. It also acknowledges that fact that indemnity and insurance (I&I) cover must be appropriate and adequate in respect of their practice in the UK, and therefore requires an applicant to understand what their UK practice will be before determining the level of cover required.

¹ Under part3, article 9 (2)(c)(ii)(cc) of the Anaesthesia Associates and Physician Associates Order (AAPAO), we may remove an associate’s entry from the register if they do not have appropriate and adequate I&I cover in place in respect of their practice as an associate.

² Under part3, article 6(4)(b).

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8. We do not keep a record of applicant's I&I arrangements.
 9. Our guidance for applicants is clear that failure to fulfil the requirement to hold appropriate and adequate I&I cover in respect of their UK practice may put their registration at risk.

What does 'adequate and appropriate' indemnity and insurance mean?

10. The rules define 'appropriate and adequate cover' to mean: 'cover against liabilities that may be incurred by an individual when practising as an associate, which is appropriate and adequate, having regard to the nature and extent of risks of their individual practice'³. As the cover each PA or AA requires is dependent on their individual circumstances, we do not provide advice to individual PAs and AAs on the cover they require.
11. Our [guidance on insurance and indemnity for PAs and AAs](#) recommends applicants seek individual advice from:
 - a medical defence organisation or another professional indemnity or insurance provider,
 - their employer or the organisation they are contracted to work for.

How will applicants demonstrate that they meet the requirements?

12. Applicants will generally satisfy us of the requirement to provide evidence of their I&I through:
 - their agreement with the I&I declaration in their registration application, and,
 - an absence of concerns raised with us, or identified by us, through the processing of their registration application.
13. We will not routinely seek evidence that PAs and AAs I&I cover is in place, and/or appropriate and adequate, but where we are not satisfied we may request further information from the applicant, and/or make enquiries⁴.

What further evidence requests or enquiries might we make?

14. We might request an applicant provides further information relating to their I&I arrangements. This could include but is not limited to:
 - details of their scope of practice in the UK
 - evidence and full details of the I&I that they have in place, or plan to put in place.
15. We might make enquiries, and/or seek advice from other organisations, including:
 - the applicant's employer(s),
 - any other regulatory body who the applicant is or has been registered with,

³ Under Part1, rule 2.

⁴ Under part 2, rule 6(1).

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- medico legal defence organisations.

16. Examples of circumstances in which we might request further evidence include where:

- we have evidence or information which suggests that the PA or AA's I&I arrangements, or planned arrangements, may not be appropriate and adequate for their practise as a PA or AA in the UK, or,
- concerns have previously been raised about the applicant holding appropriate and adequate I&I in their role as a PA or AA, or in their role in another healthcare profession, in the UK or overseas.

How will we assess the evidence?

17. In all cases the burden of proof is on the applicant to satisfy the Registrar, and evidence will be assessed on the basis of robustness, objectivity, and independence, and be subject to verification.
18. Where any information, or verification checks about an applicant's I&I are relevant to the consideration of whether their fitness to practise as a PA or AA may be impaired, we will share this information with the applicant⁵, and they will have the opportunity to respond to this information in writing.
19. If after appropriate enquiries, an authorised decision maker (ADM) is not satisfied that a declaration of I&I provided by an applicant is appropriate and adequate for their practise as a PA or AA in the UK, they must refuse registration⁶.
20. Where we have a concern that an applicant has been dishonest or misleading in the declaration of I&I in their application, this may also raise a concern under the standards of conduct and ethics⁷. Our [assessment of conduct and ethics policy](#) explains our responsibilities for, and approach to, considering whether applicants meet the standards of conduct and ethics when they apply to join the register of PAs and AAs. It also explains how issues are identified and considered, and how we make our decisions.

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⁵ Under part 2, rule 6(6).

⁶ Under part 2, rule 9(b)(iii).

⁷ On the basis the applicant's fitness to practice may be impaired by reason of misconduct.