



Disciplinary Policy for Non-Compliance Regarding Maintaining Valid Professional Liability Insurance

Purpose:

- To establish Disciplinary Policy for non-compliance regarding Membership Requirement to maintain valid Professional Liability Insurance in accordance with CMMOTA's *Membership Requirement – Maintenance of Valid Professional Liability Insurance* policy and CMMOTA Bylaw 3.5.1.1.6., 3.5.1.2.6., 3.5.1.3.4., 3.5.1.4.3., 3.5.1.5.3., 3.5.1.6.6., and 3.5.1.7.6..

Policy:

1. The Board of Directors grants its authority to Administration to suspend, and if necessary, to cancel a Member following the steps outlined below regarding non-compliance regarding maintaining valid Professional Liability Insurance.
2. Members, unless Inactive, are responsible to maintain valid Professional Liability Insurance.
3. The Association's Insurance Broker shall supply a list of all members who have renewed their Professional Liability Insurance Policies to CMMOTA on the first business day following January 1st. If a Member's name is not on the list, and they were required to renew through the Associations Insurance Broker, then on the next business day of the Association following January 1st, their Membership shall be immediately suspended retroactively to January 1st, and the Member, and any appropriate third parties, shall be notified of the suspension to their last known email address. Administration shall be responsible to fulfill this policy point. If the suspension has not been lifted within 5 business days of the notice of suspension, the member's number is permanently retired. If a suspension is lifted after a member's number has been permanently retired, a new member number will be issued.
4. Where circumstances created by geographical or other restrictions, a Member is required to obtain their Professional Liability Insurance through another broker, if proof of maintenance of valid Professional Liability Insurance cannot be provided to Administration on or before the day of expiry of the Member's current policy, then on the next business day of the Association, their Membership shall be immediately suspended retroactively to the day after the insurance certificate expired, and the Member, and any appropriate third parties, shall be notified of the suspension to their last known email address. Administration shall be responsible to fulfill this policy point. If the suspension has not been lifted within 5 business days of the notice of suspension, the member's number is permanently retired. If a suspension is lifted after a member's number has been permanently retired, a new member number will be issued.
5. Proof of Professional Liability Insurance shall be a certificate of insurance, or until a certificate has been provided to the member, a copy of receipt of payment for insurance purchased.
6. If a Member has been suspended, they shall have 14 days from the date of expiry of their Professional Liability Insurance policy to provide proof of Valid Professional



Liability Insurance to the Association. They must not practice Massage Therapy, or Manual Osteopathic Therapy until their suspension has been lifted.

7. If a Member still does not provide proof of valid Professional Liability Insurance within 14 days from the date of expiry of their Professional Liability Insurance Policy, then the next business day of the Association, their Membership shall be immediately cancelled retroactively to the day after their insurance certificate expired, and the Member shall be notified of the cancellation to their last known email address and to their last known physical address. Administration shall be responsible to fulfill this policy point.
8. For a cancelled Member to be eligible for reinstatement into the Association proof of valid Professional Liability Insurance would be required before reinstatement in accordance with CMMOTA Bylaw 4.7.1. would be considered.
9. If a Member is suspected of practicing Massage Therapy, or Manual Osteopathic Therapy without Professional Liability Insurance, the matter is to be referred to the Executive Director, who shall file a Complaint against the member in accordance with CMMOTA's *Disciplinary Policy for Complaints*.

Administrative Procedure:

1. If a Member is required to renew their Professional Liability Insurance through the Associations broker, and their name is not on the list of completed renewals provided by the broker to the Association on the first business day of the Association following January 1st, then Administration shall suspend the Member immediately retroactively to January 1st and shall notify the Member of the suspension to their last known email address. Administration shall also notify the appropriate third parties of the suspension.
2. If a Member is required to obtain their Professional Liability Insurance through another broker, and proof of maintenance of valid Professional Liability Insurance has not been provided to Administration on or before the day of expiry of the Member's current policy, then on the next business day of the Association, their Membership shall be immediately suspended retroactively to the day after the insurance certificate expired, and the Member shall be notified of the suspension to their last known email address. Administration shall also notify the appropriate third parties of the suspension.
3. If a suspended Member fails to provide proof of valid Professional Liability Insurance within 14 days from the date of expiry of their Professional Liability Insurance Policy, then the next business day of the Association, their Membership shall be immediately cancelled retroactively to the day after their insurance certificate expired, and the Member shall be notified of the cancellation to their last known email address and to their last known physical address. Administration shall also notify the appropriate third parties of the cancellation.
4. Administration shall track any outstanding requirements for proof of valid Professional Liability Insurance, attaching the information to the cancelled Members file, so that in the case of requested reinstatement into the Association, Administration will have a record of all outstanding requirements that need to be



obtained by the cancelled Member before reinstatement of Membership will be considered in accordance with CMMOTA Bylaw 4.7.1..

5. If Administration suspects that a Member has been practicing Massage Therapy or Manual Osteopathic Therapy knowingly without Professional Liability Insurance, they shall refer the matter to the Executive Director to file a Complaint against the Member in accordance with CMMOTA's *Disciplinary Policy for Complaints*.

Member Procedure:

1. If a Member who is required to renew their Professional Liability Insurance through the Associations broker and fails to do so by the renewal deadline shall accept the responsibility of having their Membership suspended and subsequently having their Membership cancelled for non-compliance.
2. If a Member who is required to obtain their Professional Liability Insurance through an alternate broker chooses not to renew their Professional Liability Insurance, or fails to provide a copy of that insurance certificate, or a receipt for payment for the Professional Liability Insurance before the date of expiry of their previous Professional Liability Insurance, they accept the responsibility of having their Membership suspended and subsequently having their Membership cancelled for non-compliance.
3. A Member who has had their membership suspended is responsible to cease practice of Massage Therapy and/or Manual Osteopathic Therapy until their membership suspension has been lifted.

Original Date of Policy Adoption: October 19, 2020

Date of Last Policy Revision: September 12, 2022