

## NIH Office of Intramural Research (OIR)

### Policy on Professional Liability Insurance for Non-FTE Trainees

#### **Overview**

In partnership with FAES, the new Professional Liability Insurance Policy for Non-FTE Trainees became available July 1, 2023. Non-FTE trainees, when acting within the scope of their role, may face allegations of misconduct and wrongdoing, and NIH, per HHS decision, may not cover the costs of their defense or pay any damages. Thus, at their June 29, 2022 meeting, finalizing it at their April 5, 2023 meeting, the SDs/CDs concurred with the proposal to cover the cost of professional liability insurance for all their non-FTE trainees (IRTA, CRTA and Visiting Fellows) akin to the required IC coverage for health insurance. This program will provide both legal defense and financial liability coverage, through a network of legal experts across the country who specialize in federal employment matters. This includes up to 4 hours of pre-claim legal consultation. Coverage is offered through Starr Wright, USA. Information on the program can be found on the FAES website, <https://faes.org/content/explore-insurance-plans>.

The program shall have current liability limits up to \$500,000 per person, with a master policy maximum is \$5,000,000.

#### **Responsibilities**

FAES will purchase and administer this professional liability insurance based on the average number of non-FTE trainees at all NIH ICs, as determined each year by OITE/OIR. OITE/OIR will be responsible for payment of the full premium from the mandatory collection from all IC intramural programs.

It is not necessary to report new or departing non-FTE trainees to FAES or the insurance carrier or broker. When a claim is made, OITE/OIR will validate to FAES whether the trainee was active during the period of the claim.

#### **Additional Information**

For more information, you may contact the FAES Insurance Department either by email at [faesinsurance@mail.nih.gov](mailto:faesinsurance@mail.nih.gov) or by telephone at 301-496-8063. Additional support is also available through Starr Wright at [support@wrightusa.com](mailto:support@wrightusa.com) or 1-800-424-9801.