

UCF/HCA Florida Healthcare GME Professional Liability Coverage Policy

Purpose/Intent: GME sponsors must provide physician learners with information concerning professional liability coverage, including a summary of pertinent information regarding coverage

Policy summary: UCF/HCA Healthcare GME trainees are UCF employees and are covered as detailed below. They are covered under the Federal Tort Claims Act while at the VAMC.

Because physician learners are employees of the University of Central Florida (“University”), physician learners cannot be held personally liable nor named as a party defendant in any action for injury or damage suffered as a result of any negligent act or omission within the course and scope of the physician learners’ employment, pursuant to Section 768.28, Florida Statutes. The exclusive remedy for any injury or damage resulting from any such negligent act or omission of a resident is by an action against the University of Central Florida Board of Trustees (“UCFBOT”). The University, as a state agency, is afforded the protection of the state’s sovereign immunity, subject to the limited waiver set forth in Section 768.28, Florida Statutes, and any action against the University shall be filed in accordance with and subject to the limitations contained therein. To the extent that the State of Florida, on behalf of the Board of Governors and the University, has partially waived its immunity to tort claims and is vicariously responsible for the negligent acts and omissions of its employees and agents, including physician learners, as prescribed by Section 768.28, Florida Statutes, the University is currently protected for a claim or judgment by any one person in a sum not exceeding Two Hundred Thousand Dollars (\$200,000.00) and for the total claims or judgments arising out of the same incident or occurrence in a total amount not exceeding Three Hundred Thousand Dollars (\$300,000.00), such protection being provided by the University of Central Florida College of Medicine Self-Insurance Program, a self-insurance program created pursuant to Section 1004.24 of the Florida Statutes. These limits may be adjusted from time to time by Florida statute. All liability protection described herein is on an “occurrence” basis. In light of the benefits of immunity provided by law, physician learners, while performing their duties must identify themselves at all times as a University employee and must wear the UCFCOM ID badge at all times while participating in the GME Program.

Professional liability coverage for rotations at the Orlando Veterans Administration Medical Center facilities will be provided under the Federal Tort Claims Act.