

Peace Of Mind For First Responders, Paramedics, and EMTs

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Industry research has found that as Canadians become increasingly litigious, paramedics have found they are not immune to legal action. According to a 2014 research report by the Professional Paramedic Association of Ottawa, there were more than 200 legal cases against paramedics with more taking place each year. (1) At that time in the country's capital, the study cited that lawyer fees averaged at \$350 per hour, and upon completion, the average court cases cost between \$16,000 and \$60,000 to defend. (1)

For many paramedics, a lawsuit could be career-jeopardizing, and many professionals can't afford to hire a lawyer in the event of a lawsuit. To make things more challenging, they also do not have adequate legal indemnification or legal protection. Meanwhile, paramedics face an increasing number of charges that fall under statutes such as the Highway Traffic Act, the Ambulance Act and the Criminal Code of Canada. (1)

This is an important opportunity for brokers to help paramedics, EMTs, and other first responders offer peace of mind. MedThree's expertise in this sector of healthcare can ensure brokers offer the best possible coverage to this sector.

Do Paramedics Need Professional Liability?

First responders have a duty, not just to patient care, but also to the patients' families, to coworkers and guests, and to the community in general. This makes them responsible for how they behave while driving the ambulance, how well this ambulance is maintained, how well stocked is the medical box, etc.

Paramedics are potentially liable in cases where the responsibility for harm done is unclear.

For example, suppose a person suffers a neck injury that restricts blood flow to the brain. The person's spouse calls 911 and paramedics arrive in an ambulance to transport the patient to hospital for emergency surgery. But suppose the ambulance takes an unusually long time to arrive, and as a result, surgery begins almost an hour after the onset of the problem and the patient survives but with severe brain damage. Medical experts estimate that had the surgery started within 20 minutes of the 911 call, the patient likely would have made a full recovery.

In such circumstances, the patient could potentially make a case that the paramedic breached their duty of care in a way that negatively impacted the patient's condition.

Alternatively, since the case involves not only the paramedics but also the ambulance service, the hospital, and the 911 response team, the patient could choose to file a lawsuit against all parties involved, and the paramedics would need to defend themselves in court.

Paramedics also have a duty to check every drug prior to administration. If, for example, they forget and administer a drug six months beyond the expiration date and the patient has a violent reaction that causes them to be hospitalized, the paramedic administering the drug could be held partially responsible. Damages here could include medical expenses and lost wages.

First responders can also be held liable in any instance in which their negligence in the rendering of care to a patient directly results in the patient's condition or injury worsening. Even if not fully responsible for the harm or damages, the paramedic could still wind up defending themselves in court against accusations.

The Best Way To Prevent A Negligence Claim

EMTs, paramedics, and first responders need to balance saving and protecting lives while acting within their scope of practice at all times. They are also required to act in accordance with local protocols and procedures.

Paramedics are bound to multiple statutes and regulations, both on-duty and off-duty. They need to be familiar with and act in accordance with a range of regulations, which may include but are not limited to the following:

- The Ambulance Act
- The Highway Traffic Act
- The Regulated Health Professions Act
- The Controlled Drugs and Substances Act
- The Coroners Act of Ontario
- The Vital Statistics Act
- The Personal Health Information Protection Act
- The Municipal Freedom of Information & Protection of Privacy Act
- The Nursing Homes Act (eg. healthcare continuum)
- And many more

A savvy broker can help paramedics and first responders know their duties and exposures, while providing them with an insurance policy designed to fit their unique requirements.

The MedThree Advantage

Brokers who work with MedThree benefit from our time-saving submission platform, an online tool that manages the entire policy from application to document issuance. This means brokers can efficiently administer high-volume, low-cost policies without any paperwork, so they can concentrate on more complex policies.

With our online platform, the insured can purchase insurance at any time to receive instant coverage and documentation straight to their inbox.

Visit our website for [more details](#).

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Sources:

1. [https://www.ontarioparamedic.ca/misc/Paramedic-Legal-Protection-\(Long-Version\).pdf](https://www.ontarioparamedic.ca/misc/Paramedic-Legal-Protection-(Long-Version).pdf)