

# INDIVIDUAL AND BUSINESS LIABILITY INSURANCE APPLICATION

Name of Applicant: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ Province/Territory: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

\*Please advise BMS if your contact details change in order to continue to receive information pertaining to your insurance.

Note: This coverage is only available to members who are domiciled in Canada. Please confirm you understand and agree to the eligibility requirements:

Are you renewing this insurance policy?  Yes  No

If you are renewing your insurance policy after its expiry date and outside of the renewal period, please confirm that you understand the effective date of this policy will be set to the current date of application.

## Business Details

**Do not** complete this section for or on behalf of someone else's business or a business where you are employed.

Do you have your own business name which you operate under to provide professional services?  Yes  No  
(e.g. independent contractor or business owner)

If yes, please provide your primary entity / business name (please list all operating names related to the entity):

Location Address (if different from above): \_\_\_\_\_

City: \_\_\_\_\_ Province/Territory: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Do you operate more than one entity for which you require coverage?  Yes  No  
If yes, please provide details.

## Membership Information

In order to be eligible for this insurance, you must be a member in good standing with a regulatory body for opticians, where in place. If you do not meet the eligibility requirements, this policy is null and void.

Please confirm you understand and agree to the eligibility requirements.

## Applicant Details

Have you been the recipient of any allegations of professional negligence in writing or verbally in the past five years not already reported to BMS and/or the insurer?  Yes  No  
If yes, please provide details.

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Has any application for professional liability insurance ever been denied, cancelled, or not renewed by the insurer?  Yes  No  
If yes, please provide details.

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Are you aware of any facts, circumstances or situations which may reasonably give rise to a claim under this policy? Please only select 'Yes' if you have not already reported the claim to BMS/the insurer.  Yes  No  
If yes, please provide details.

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Do you treat non-Canadian residents?  Yes  No  
If yes, please provide details.

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## Professional Liability Insurance

Claims made policy, nil deductible.

Professional Liability Insurance (PLI) protects you against liability or allegations of liability for injury or damages that have resulted from a negligent act, error, omission, or malpractice that has arisen out of your professional capacity as an optician, or if a complaint is made against you to your regulatory body. PLI protects opticians by ensuring that your legal defence is coordinated and paid for if a claim is made against you. Your PLI also covers the cost of client compensation, or damages.

### Coverage Overview:

Disciplinary Expense	\$100,000 per claim/aggregate
Criminal Defence Reimbursement	\$150,000 per claim/aggregate
Defence Costs for Abuse	\$150,000 per claim/aggregate
Therapy & Counselling	\$25,000 per claim/aggregate
Loss of Documents	\$50,000 per claim/aggregate
Loss of Earnings	Up to \$750 per day
Privacy & Data Protection	\$50,000 per claim/aggregate
Libel & Slander	Included
Extended Reporting Period	5 years included

Option	Limits	Premium
Option 1	\$2,000,000 per claim / \$2,000,000 aggregate	<input type="checkbox"/> \$135
Option 2	\$5,000,000 per claim / \$5,000,000 per claim aggregate	<input type="checkbox"/> \$184

## Cyber Security & Privacy Liability

Cyber liability continues to be an ever-evolving area of risk. You have access to a comprehensive Cyber Security and Privacy Liability policy to protect against claims arising out of theft, loss, or unauthorized disclosure of a third party's personally identifiable information.

Coverage is designed to manage the risk of holding increasingly large quantities of personally identifiable data of clients, employees, and others, and to mitigate the reputational damage resulting from a data security breach.

### Breach Response

Legal, Forensic & Public Relations/Crisis Management \$250,000  
 Notified Individuals 5,000 (Individual), 100,000 (Business)

### Policy Aggregate Limit

\$1,000,000

### First Party Loss

Business Interruption \$25,000  
 Cyber Extortion Loss \$100,000  
 Data Recovery Costs \$100,000

### Liability

Data & Network Liability \$1,000,000  
 Regulatory Defense & Penalties \$250,000  
 Payment Card Liabilities & Costs \$1,000,000  
 Media Liability \$1,000,000

### eCrime\*

Fraudulent Instruction\* Available for additional premium  
 Funds Transfer Fraud Available for additional premium  
 Telephone Fraud \$100,000  
 Criminal Reward Cover \$25,000

### Deductibles

Each Incident \$1,000  
 Notified Individuals 100

Would you like to purchase Cyber Security & Privacy Liability coverage?

Yes  No

If yes, please complete the fields below.

Individual Practitioners	<input type="checkbox"/> \$121 annual premium
Business & Employees – \$0 to \$500,000 gross revenue	<input type="checkbox"/> \$675 annual premium
Business & Employees – \$500,001 to \$1,000,000 gross revenue	<input type="checkbox"/> \$1,023 annual premium
Business & Employees – \$1,000,001 to \$1,500,000 gross revenue	<input type="checkbox"/> \$1,284 annual premium
Business & Employees – \$1,500,001 to \$2,000,000 gross revenue	<input type="checkbox"/> \$1,578 annual premium
Business & Employees – \$2,000,001 to \$2,500,000 gross revenue	<input type="checkbox"/> \$1,776 annual premium
Business & Employees – \$2,500,001 to \$3,000,000 gross revenue	<input type="checkbox"/> \$1,873 annual premium
Business & Employees - \$3,000,001 to 3,500,000 gross revenue	<input type="checkbox"/> \$2,017 annual premium
Business & Employees - \$3,500,001 to \$4,000,000 gross revenue	<input type="checkbox"/> \$2,159 annual premium
Business & Employees - \$4,000,001 to \$4,500,000 gross revenue	<input type="checkbox"/> \$2,298 annual premium
Business & Employees - \$4,500,001 to \$5,000,000 gross revenue	<input type="checkbox"/> \$2,434 annual premium
Business & Employees – Above \$5,000,001 gross revenue	<input type="checkbox"/> Referral

Has any Cyber claim or lawsuit been made against you/your business, or is any such claim now pending against you/your business? Please only select yes if not already reported to BMS/the insurer.  Yes  No  
 If yes, please provide details.

Are you aware of any facts, circumstances or situations, which may reasonably give rise to a claim against you/your business? Please only select yes if not already reported to BMS/the insurer.  Yes  No  
 If yes, please provide details.

Have you/your business ever had a cyber security / privacy breach and/or network security incident in the past or has such a claim been made against you/your business?  Yes  No  
 If yes, please provide details.

**Statement of Facts including condition precedent requirements**

**The following items are important risk mitigation strategies and are required by the insurer for coverage to be secured.**

**IT IS A CONDITION PRECEDENT FOR COVERAGE UNDER THIS POLICY THAT ALL THE BELOW ITEMS ARE SATISFIED. IF ANY OF THE BELOW STATEMENTS ARE NOT MET THEN NO COVERAGE SHALL BE PROVIDED UNDER THIS POLICY FOR ANY DAMAGES, CLAIMS EXPENSES, PENALTIES, PRIVACY BREACH RESPONSE SERVICES, PCI FINES EXPENSES AND COSTS, CYBER EXTORTION LOSS, DATA PROTECTION LOSS, BUSINESS INTERRUPTION LOSS.**

Please confirm the following is accurate:

**I/my business implements loss control measures such as: Antivirus software, a firewall, and/or regular software patch installations.**

**I/my business regularly back-up critical data to a separate location that would be unaffected by an issue with your live environment.**

**I/my business use multi-factor authentication (MFA) for cloud based services (Such as cloud based email account access) and for all remote access to your network; or if No, I/my business use Jane, Clinicmaster, owl practice or Practiceperfect.**

**For those systems which have an on-premises network only: I/my business only allow(s) remote access into our environment with a virtual private network (VPN). Note: This does not apply if your systems are entirely cloud based.**

I confirm the above statements are true and accurate.

I also confirm the following:

**I/my business take and/or provide cyber security awareness training at least once annually, including anti-phishing. For businesses, this includes training for all individuals who have access to your organization's network or confidential/personal data. Resources can be found at [www.getcybersafe.gc.ca](http://www.getcybersafe.gc.ca).**

I confirm the above statement is true and accurate.

#### **\*Additional Coverage Available**

If your business transfers funds, BMS recommends you consider adding Fraudulent Instruction/Funds Transfer Fraud coverage.

**Fraudulent Instruction** means the transfer, payment or delivery of Money or Securities by an Insured as a result of fraudulent written, electronic, telegraphic, cable, teletype or telephone instructions provided by a third party, that is intended to mislead an Insured through the misrepresentation of a material fact which is relied upon in good faith by such Insured.

**Funds Transfer Fraud** means the loss of Money or Securities contained in a Transfer Account at a Financial Institution resulting from fraudulent written, electronic, telegraphic, cable, teletype or telephone instructions by a third party issued to a Financial Institution directing such institution to transfer, pay or deliver Money or Securities from any account maintained by the Insured Organization at such institution, without the Insured Organization's knowledge or consent.

\$25,000 limit for **\$230 / year**

\$100,000 limit starting from **\$335 / year**

Would you like BMS to contact you to provide an application for Fraudulent instruction/Funds Transfer Fraud coverage?  Yes  No

## Legal Services Package

Members can access a comprehensive Legal Services Package, which includes:

### Unlimited Legal Helpline

Unlimited access to the Legal Helpline. Helpline Lawyers provide general legal information and assistance for any legal question. Please note: the lawyer will not advise on coverage, make a claim decision, or review documents.

### Legal Document Centre

Unlimited access to an online library of legal documents, all of which have been drafted by lawyers, and are in the form of guided, customizable templates. Examples of templates include wills and power of attorney documents, employment contracts, service agreements, and more. Documents are based on Canadian laws and legal best practices. They can be downloaded and saved securely for future reference or reuse.

### Legal Document Review

Access to lawyers to review a simple legal document and provide you with an annotated copy of the document with their notes. This will assist you in understanding the general impacts that the document may have for you.

### Simple Legal Letter Drafting

Access to lawyers who will draft a simple legal letter for you to send. This service is intended to assist you with drafting simple documents, such as a demand letter, a complaint letter, a travel consent letter for a child, a resignation letter, or a warning letter to an employee.

### Emotional Support Assistance

Access to Emotional Support Assistance through which you can confidentially speak with a professional counsellor about any work or personal issues which may be affecting you. For small business customers, this service is also available to employees.

### Identity Theft Protection Assistance

Identity theft experts will provide you with general assistance and prevention tips about identity theft and how to protect yourself. If you believe you have been the victim of identity theft, this service can also provide you with direct assistance by an Identity Restoration Expert to help restore your identity.

### HR Assistance

Access to HR Assistance where you can speak to a Human Resources professional, who can provide you with information regarding HR issues that are impacting your business.

### Annual Cost \$35

Would you like to purchase the Legal Services Package?

Yes  No

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**Note, if you are purchasing Legal Expense insurance (below), the Legal Services Package is automatically included in the Personal and Business Legal Solutions.**

## Legal Expense Insurance Solutions

Personal and/or business-related legal matters can arise at any time and can be costly.

**Personal Legal Solutions** provides:

- Legal Services Package (as detailed above except HR Assistance)
- Insurance to coverage the legal costs for resolving a range of disputes, including:
  - Pursuit or defence of Contract Disputes
  - Pursuit or defence of Tenancy Disputes (90 day waiting period applies from the inception of the first policy held)
  - Total Loss Valuation Disputes (motor vehicle)
  - Defence of Driver's Licence Protection
  - Pursuit for Bodily Injury
  - Pursuit for Property Protection
  - Defence for Tax Protection

Each claim/aggregate limit	Premium
\$25,000/\$125,000	<input type="checkbox"/> \$80
\$50,000/\$250,000	<input type="checkbox"/> \$93

Would you like to purchase Personal Legal Solutions?  Yes  No  
If yes, please answer the questions below.

In the last 3 years, have you, your spouse, or any adult children living in your home:

- Pursued a consumer contract dispute?  Yes  No
- Pursued a dispute with a neighbour or had to take action following a legal nuisance or trespass on your land?  Yes  No
- Pursued legal action against a negligent third party following an injury to yourself?  Yes  No
- Pursued legal action against a medical practitioner following an incident of clinical negligence which caused you an injury?  Yes  No
- Been audited by the CRA?  Yes  No
- Been interviewed by the police or arrested in connection with an alleged criminal offence?  Yes  No
- Been sued for alleged discrimination?  Yes  No
- Been the victim of identity theft?  Yes  No

If yes, please provide details.

**Business Legal Solutions** provides:

- Legal Services Package (as detailed above)
- Insurance to cover for legal costs for resolving a range of disputes, including:
  - Employee's Extra Protection
  - Auto Legal Defence
  - Defence of Contract Disputes & Debt Recovery (90 day waiting period applies from the inception of the first policy held)
  - Defence for Statutory Licence Appeals
  - Pursuit for Property Protection
  - Pursuit for Bodily Injury
  - Tax Protection

**\$50,000 per claim / \$250,000 aggregate**

Revenue band	Premium
\$0 to \$150,000	<input type="checkbox"/> \$145
\$150,001 to \$250,000	<input type="checkbox"/> \$230
\$250,001 to \$500,000	<input type="checkbox"/> \$375
\$500,001 to \$1,000,000	<input type="checkbox"/> \$480
\$1,000,001 to \$2,000,000	<input type="checkbox"/> \$845
\$2,000,000 +	<input type="checkbox"/> Referral Required

Would you like to purchase Business Legal Solutions?  Yes  No  
If yes, please answer the questions below.

Total number of employees (full time & part time):

What is your estimated revenues for the next 12 months?:

In the last 3 years has your business, you or any employee, director or partner of the business been:

Subject to a tax audit?  Yes  No

Involved in a dispute regarding compliance with GST, Income Tax, PST or HST or payroll tax deductions?  Yes  No

Involved in any dispute regarding any damage, trespass or nuisance in relation to property that you are responsible for?  Yes  No

Prosecuted in a criminal court (excluding vehicle-related offences)?  Yes  No

Subject to a civil action alleging theft or breach of privacy?  Yes  No



The recipient of a notice to alter, suspend, revoke or refusal to renew any statutory licence?  Yes  No

Involved in any contractual dispute?  Yes  No

If yes, please provide details.

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Have you pursued an undisputed debt in the last 12 months, after you had exhausted your normal aged receivable procedures?  Yes  No

If yes, please provide details.

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### Additional Business Products

If you are an independent contractor or business owner a Professional Liability policy may not be sufficient, please contact a BMS broker at 1-844-200-7159 or at [opticians.insurance@bmsgroup.com](mailto:opticians.insurance@bmsgroup.com) to discuss additional insurance products.

### Declarations and Warranty

The undersigned declares:

I declare that during the last five years no insurer has cancelled, declined or refused to issue me/us any form of liability insurance and that this application discloses the hazards known to exist at the date of this application. I declare that the statements made herein are in every respect true and correct and hereby apply for a contract of insurance to be based upon the truth of the said statements.

Submitting this form does not bind the Applicant or company to complete the insurance but is agreed that this form shall be the basis of the contract should a policy be issued.

The insurance premium is fully retained and not refundable.

Signed by:

Position:

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Date:

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## Fee Disclosure

Line of Coverage	Premium	Commission (included within premium)	Fee
Professional Liability Insurance	Per application	25%	Nil
Cyber Security & Privacy Liability	Per application	25%	Nil
Legal Services Package	Per application	N/A	\$13
Personal Legal Expense	Per application	20%	Nil
Business Legal Expense	Per application	20%	Nil

## Payment Information

Alberta is not subject to provincial sales tax.  
GST is not applicable to insurance premiums.

All cheques payable to BMS Canada Risk Services Ltd, or complete credit card authorization below.

### Legal Service Package Tax:

Cost includes broker fee and is subject to the applicable HST Tax: Add 5%

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Sub-total      \$

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Service Fee\*    \$10.00

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Tax                \$

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Total Enclosed \$

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\*The Service Fee does not apply if you ONLY purchase PLI.

## Authorization for Credit Card Charge

VISA, AMEX or M/C Account No:

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Expiry Date:

CVV:

Cardholder Name:

Signature:

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### BMS Canada Risk Services Ltd. (BMS)

825 Exhibition Way, Suite 209  
Ottawa, ON K1S 5J3

Toll Free: 1-844-200-7159

Fax: 613-701-4234

Email: [opticians.insurance@bmsgroup.com](mailto:opticians.insurance@bmsgroup.com)