
Are health practitioners covered for indemnity insurance re the Covid jabs?

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To: minister.butler@health.gov.au

Cc: "Rennick Gerard (Senator)" <senator.rennick@aph.gov.au>, senator.antic@aph.gov.au, Malcolm Roberts <senator.roberts@aph.gov.au>, Emma McArthur <ejminoz@gmail.com>

For the attention of:

Mark Butler
Minister for Health and Aged Care
Australian Government Department of Health and Aged Care

Mark Butler, **are health practitioners covered by indemnity insurance if they fail to obtain valid informed consent before administering Covid jabs?**

I have raised this matter previously with you in my emails dated **4 October 2022** and **7 October 2022**, copies attached.

Emma McArthur has also previously sought clarification on this matter in her email dated **11 November 2021** to Greg Hunt, then Minister for Health and Aged Care, in which she asked:

Please could you advise to what extent the Commonwealth Covid-19 vaccine claims scheme provides insurance and indemnity for the civil and criminal liability that would arise where battery and clinical negligence occur due to a failure to obtain valid informed consent?
Please could you also provide the terms and conditions for this scheme.

Emma McArthur received **a response to her queries** from Louise Morgan, Acting Assistant Secretary, COVID-19 Vaccine Claims Scheme Taskforce, Medical Benefits Division, dated 21 December 2021.

The response from Louise Morgan notes the COVID-19 Vaccine Claims Scheme opened to potential claimants on 13 December 2021, and **"has been established as a fit-for-purpose, time-limited claims scheme to respond to the unprecedented circumstances of the COVID-19 pandemic"**.

Louise Morgan also notes:

The Scheme does not provide an indemnity for practitioners or insurers, it does however provide patients who have suffered one of the eligible clinical conditions or an administration injury as a direct result of a COVID-19 vaccine, with faster access to compensation rather than a costly and complex court process.

I can advise that informed consent should be obtained for every COVID-19 vaccination, as per usual consent procedures for other vaccinations.

(My emphasis.)

Mark Butler, according to Louise Morgan, **it appears there is no indemnity for practitioners or insurers...and that informed consent should be obtained for every COVID-19 vaccination, as per usual consent procedures for other vaccinations.** In her response, Louise Morgan also referred to the Australian Immunisation Handbook, **"which has information about 'valid consent', including criteria for consent to be legally valid..."**

This is a very interesting response from Louise Morgan, because in July 2021, Greg Hunt announced that the Morrison Government was establishing a **"fit-for-purpose COVID-19 vaccine medical indemnity scheme"** to **"support increased vaccination uptake by assuring Australians that health professionals, including GPs, nurses and pharmacists administering COVID vaccines as part of the Commonwealth vaccination program have appropriate indemnity coverage"**. (Media release: **COVID-19 indemnity scheme to protect health professionals and patients**, see copy attached.)

The media release notes **"The scheme will support claims made against privately practising health professionals who administer a COVID-19 vaccine approved for use by the Therapeutic Goods Administration (TGA)"**.

A further media release published on 28 August 2021 states: **"The Morrison Government has finalised the details of the no fault COVID-19 Vaccine Claim Scheme following extensive consultation with the peak medical, healthcare, business and insurance sectors to ensure a comprehensive National Scheme"**.

The media release notes "It also ensure [sic] that health professionals administering vaccines will be able to continue with their crucial role in the vaccine roll out with assurance that the claims scheme will offer them protection." (See: [No Fault COVID-19 Indemnity Scheme](#), copy attached.)

To summarise, in July 2021, **Greg Hunt announced health professionals, including GPs, nurses and pharmacists administering COVID vaccines as part of the Commonwealth vaccination program would have appropriate indemnity coverage**, and the media release published in August 2021 appears to confirm this.

But the letter to Emma McArthur from Louise Morgan dated 21 December 2021 clearly states there is **no indemnity for practitioners or insurers...and that informed consent should be obtained for every COVID-19 vaccination, as per usual consent procedures for other vaccinations.**

So far, I haven't found a media release refuting the announcements of indemnity protection for health practitioners.

Again Mark Butler, I ask you to clarify this matter - **are health practitioners such as GPs, nurses and pharmacists covered by indemnity insurance if they fail to obtain informed consent before the Covid jabs?**

I request your early response.

Sincerely

Elizabeth Hart

Independent researcher investigating vaccine products and conflicts of interest in vaccination policy
vaccinationispolitical.net

6 attachments

-  [Mandated Covid jabs - are health practitioners indemnified without 'voluntary informed consent'.pdf](#)
160K
-  [Is there an Albanese Government COVID-19 jab medical indemnity insurance scheme for health practitioners.pdf](#)
91K
-  [11-november-2022-covid-19-vaccine-claims-scheme.pdf](#)
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-  [doh-reply-21-12-2021.pdf](#)
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-  [COVID-19 indemnity scheme to protect health professionals and patients _ Health and Aged Care Portfolio Ministers.pdf](#)
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