



## CERTIFICATE OF LIABILITY PROTECTION

TO:

RE:

This certificate shall provide a summary of the liability protection of the Florida Board of Governors (FBOG) and/or the University of South Florida Board of Trustees (UBOT), as provided by law, for claims and actions which arise from the acts or omissions of health care faculty and other professional employees, residents and students of the University of South Florida Health Sciences Center and H. Lee Moffitt Cancer Center and Research Institute. A full description of the terms and conditions of the protections noted herein can be obtained from the USF Health Sciences Center Self-Insurance Program office.

The FBOG and/or UBOT as provided by law, is a State agency, and to the extent the State of Florida has partially waived its' immunity to tort claims as described in Section §768.28, Florida Statutes, the FBOG and/or UBOT as provided by law, is protected for a claim or judgment by any one person in a sum not exceeding ONE HUNDRED THOUSAND (\$100,000) and for total claims or judgments arising out of the same incident or occurrence in a total amount not exceeding TWO HUNDRED THOUSAND (\$200,000), such protection being provided on an occurrence basis by the University of South Florida Health Sciences Center Self-Insurance Program (USF SIP). Additional protection is provided for any loss in excess of the limits of liability described herein which is assigned to the FBOG and/or UBOT as provided by law, by action of the Legislature and Governor of the State of Florida. This additional protection is described as follows: SIR \$3,000,000/\$9,500,000, Limits of Liability \$10,000,000 Excess of \$5,000,000.

Medical, nursing, and physical therapy students participating in approved clinical activities are provided liability protection of \$100,000/\$200,000.

For individuals protected by USF SIP who are not subject to the immunity as described in §768.28, F. S. (outside the State of Florida), the USF SIP shall provide liability protection, including professional liability, with a per claim limit of liability of \$3,000,000/\$9,500,000.

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Externships are provided professional liability protection with limits not to exceed \$1,000,000/\$3,000,000.

Professional liability action filed against the FBOG and/or UBOT as provided by law, pursuant to Section §768.28 F. S., are subject to §766.112(2), F. S., which provides that any judgment shall be on the basis of comparative fault and not on the basis of the doctrine of joint and several liability and that the sole remedy available to a claimant to collect damages allocated to the FBOG and/or UBOT as provided by law, shall be pursuant to §768.28, F. S. Further, it is the opinion of the General Counsel of the USF that USF SIP is legally prohibited from adding as "insureds" or "protected entities" any individual or entity not described in §1004.24, or other statute specifically authorizing protection as indemnity or save-and-hold-harmless or similar agreements.

All liability protection described herein will respond to any claim or action arising from negligent acts or omissions attributable to FBOG and/or UBOT as provided by law, employee or agent without regard to when such incident becomes known to the FBOG and/or UBOT as provided by law, subject to applicable statutes of limitation and repose. USF SIP provides ongoing protection with no expiration date.

THIS CERTIFICATE CERTIFIES LIABILITY PROTECTION AFFORDED THE FBOG AND/OR UBOT AS PROVIDED BY LAW, FOR CLAIMS ARISING FROM THE ACTS OF ITS EMPLOYEES OR AGENTS.



James B. Anderson J.D., Director  
USF Health Sciences Center Self-Insurance Programs

07/01/06