

Professional Indemnity Insurance Position Statement



Importance/Issue

In Australia, AHPRA registration standards require all health care professionals to have Professional Indemnity Insurance (PII) for all aspects of their practice, and for Privately Practising Midwives (PPM's) this includes intrapartum (labour and birth) care, which is often provided at the woman's home. There is currently no such PII product available for PPM's in Australia.

To combat this, an exemption was put in place in 2009, which was extended in 2013 and has continued to be extended over and over, with the most recent extension due to expire in June 2025.

In the latest federal budget in May 2024, it was announced that there would be "prioritised access to homebirth" with the government proposing a solution to the longstanding PII exemption, which would see the government covering 100% of claims costs for privately practicing midwives providing "low-risk homebirth and intrapartum care", with legislation to come and plans to commence as of July 1, 2025.

It is the view of Homebirth NSW that a suitable insurance product is needed to protect midwives and women and to legitimise homebirth in the public view as a safe birth option, but that this product needs to provide cover for ALL women for homebirth to remain accessible and safe.

As more information about the definition of 'low-risk' being used has been released, the urgency of the situation has increased.

Our aims

Homebirth NSW aims to help find a suitable insurance product that the majority of PPMs and consumers are satisfied with.

How will we do this?

We will continue discussions with consumers and midwives to determine their wants and needs for an insurance product.

We want to ensure that the insurance product meets everyone's needs, is not too expensive and restrictive to prevent women being 'risked out' of homebirth more than they already are now, which is the greatest fear in light of these announcements.

We will continue to engage with the relevant politicians to ensure consumers are being consulted throughout this process, and fight to secure government subsidies for any overlapping costs involved with transitioning from one insurer to another, to reduce the financial impact to midwives and women.

Where are we now?

As of May 2024, we have reached out to the Australian College of Midwives alongside our sisters at Homebirth Australia, Maternity Choices Australia, and Better Births Illawarra, to attempt to gain further insight about what discussions have taken place about how this proposed solution will work and the impact of the "low risk" language on the bigger picture of access to homebirth. Unfortunately, ACM had no further information to share.

In senate estimates on the 5th of June 2024, Senator Larissa Waters questioned the Chief Nursing and Midwifery Officer (CNMO), Alison McMillan, about the definition of 'low risk', the involvement of the insurance company in this decision and whether women deemed 'high risk' would still be able to access homebirth with a midwife. The CNMO made reference to publicly funded homebirth programs (which are typically reserved for the healthiest, most 'low risk' women and are incredibly restrictive) when answering the question about definition of 'low risk'. She also mentioned the [ACM's National Midwifery Guidelines for Consultation and Referral](#), indicating that Category A women would be eligible under the new insurance product for homebirth with a midwife. The CNMO commented that the government intends to conduct consultation with the ACM and Consumer Health Forum, with the aim of having all details finalised by the end of December 2024. The changes to legislation would come into effect on the 1st of July 2025.

Following this, Homebirth Australia immediately contacted the CNMO requesting invitation to the consultation process, and then developed and circulated a survey for homebirthing women and privately practising midwives that received nearly 6000 completed submissions. This survey is informing the feedback being provided as part of the consultation process, endorsed by all the organisation who have currently been campaigning together, and Homebirth NSW is also submitting their own feedback response.

We then made a request for birthing women and families to make submissions during the last few days that the consultation stage was open. The consultation stage has now closed and received hundreds of submissions.

Since this stage of the consultation closed, we have been attending meetings with Federal MPs as part of the alliance working on this campaign. We have met with a number of crossbenchers and government MPs, including staff from the Health Minister and Assistant Health Minister's teams. We don't believe that they have any intentions of extending the exemption to allow for a thorough and adequate consultation process, and so we have stepped up our request for this as priority.

Our sisters at Homebirth Australia have spearheaded an email campaign asking for women and families, advocates and birthworkers, to contact their local MPs in a very easy to use tool that sends the email on your behalf. We are asking that you also request a meeting with your MP, which we are very happy to coach you through, and try to bring as many local homebirthing mums as possible. Over a thousand emails have been sent to MPs, but we know nearly 6000 people completed the survey earlier in this campaign so there are many more of you out there who can send an email! [Head here and follow the prompts to send yours](#), and reach out to us at president@homebirthnsw.org.au or the team at Homebirth Australia for support in organising and attending a meeting.