

Indemnification of Board of Directors, Appointees, Staff



BOD Y06-20-02-01 [Amended: BOD Y03-92-19-58; BOD 11-78-26-73] [Policy]

The American Physical Therapy Association indemnifies and holds harmless its "Indemnified Party(ies)" (as defined below) for any and all "Losses" (as defined below), liabilities, and expenses (including all fees and charges of internal or external counsel) any Indemnified Party may incur, or that (1) may be asserted against any Indemnified Party by any person, entity, or governmental authority, pending or threatened, in connection with or arising out of or relating to the matters that such Indemnified Party sustains or incurs as a consequence of the discharge of their duties individually or collectively; or (2) is in any way related to a claim against them solely by reason of their being, having been, or possibly becoming a director, officer, employee, or appointee of APTA.

"Indemnified Party(ies)" include any persons who were, now are, or shall be members of the Board of Directors, officers, employees, volunteers, or "Appointees" (as defined below) of APTA.

"Appointees" include individual appointees of the Board of Directors, the CEO, on-site evaluators for accreditation purposes, and committee and task force members, whether in a paid or volunteer capacity, and APTA members engaged in activities authorized by the Disciplinary Action Procedural Document.

"Losses" shall include, but not be limited to: damages, judgments, settlements and costs; cost of investigation; amounts incurred in the defense of legal actions, claims, or proceedings and appeals therefrom; and cost of attachment or similar bonds. Losses also include fees-on-fees that an Indemnified Party incurs individually because of the Indemnified Party's suit against APTA to enforce this indemnification policy.

This policy shall not apply to, and APTA will not indemnify, members of its Board of Directors, officers, staff, or Appointees for any claim arising out of any dishonest, fraudulent, criminal, or knowingly wrongful act.

Explanation of Reference Numbers:

HOD P00-00-00-00 stands for House of Delegates/month/year/page/vote in the House of Delegates minutes; the "P" indicates that it is a position (see below). For example, HOD P06-17-05-04 means that this position can be found in the June 2017 House of Delegates minutes on Page 5 and that it was Vote 4.

P: Position | S: Standard | G: Guideline | Y: Policy | R: Procedure

Last Updated: 12/15/2020

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