



Alternative **Balance**  
Professional Group

## Sexual Abuse Liability: Protecting your work from the unthinkable

Talking about sexual abuse and molestation accusations can be difficult and often taboo. It's an unpleasant topic that is, unfortunately, very necessary to acknowledge. Regardless of your intent with a client, that client may at some point feel uncomfortable with a service you are providing or with interactions you feel were normal. Here we take a look at some specifics surrounding Sexual Abuse Liability insurance and how it can help protect you in such events.

### **What is Sexual Abuse Liability (SAB) Insurance?**

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Sexual Abuse Liability (SAB) insurance addresses the financial and reputation damages that happen as the result of a sexual abuse or molestation accusation. Going to court over anything is expensive, and sexual abuse cases are no exception. One can expect to spend between \$10,000 and several hundred thousand on defense (Berry Law, 2019).



In addition to lawyers, other fees involved in sexual abuse cases include investigators, witnesses, depositions, and more. The time spent preparing for hearings, trials, and filings can add up to more than just the cost of the trial itself. Hopefully, accusations would be able to settle before going to trial, but there's no guarantee.

## What Does SAB Insurance Cover?

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Most often, claims arising out of sexual abuse and/or molestation are excluded from general and professional liability policies by default. It is, however, relatively easy to [add SAB to an existing policy](#) or to purchase a stand-alone policy from your insurance broker. There are some key coverage points to remember when looking for SAB insurance:

- **Limits of Liability:** Make sure you have at least \$25,000 in coverage per claim or per occurrence, and an aggregate of at least double that amount.
- **Deductible:** Whether or not your policy has a deductible, make sure it's low enough that you could afford it in the event of a claim.
- **Exclusions and Conditions:** Make sure to review any specific exclusions to the coverage or conditions you must comply with - such as getting background checks on any employees or keeping specific types of records.

When in doubt, contact your insurance provider and ask about these three elements to ensure your coverage fits your needs.

## Who Needs SAB Coverage?

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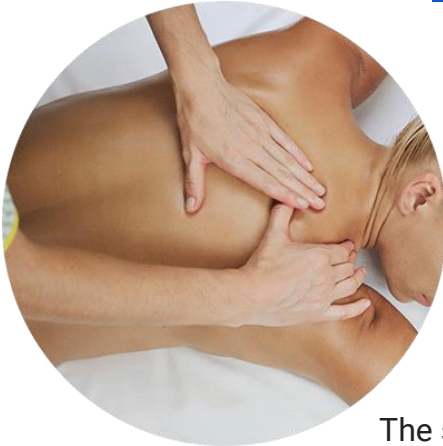
In general, any profession that involves touch or that regularly works with children or the elderly should have sexual abuse and molestation liability coverage. The health, beauty, and wellness industries benefit the most from this protection.



Some practitioners that should carry SAB insurance include:

- [Massage therapists](#)
- [Bodyworkers](#) providing services like myofascial release, rolfing, shiatsu, reflexology, etc.

- [Yoga instructors](#)
- [Pilates instructors](#)
- [Estheticians](#) providing body waxing services
- [Youth sports coaches](#)
- [Personal trainers](#)



Even if you are a yoga studio owner, gym owner, or salon owner, having this coverage can protect your business in the event an employee is accused of sexual abuse or molestation of a customer.

### **How to Avoid Sexual Abuse Claims & Lawsuits**

The simplest way to protect your business is to take measures that will prevent claims of sexual abuse or molestation to begin with. Whether you are an employer or a sole practitioner, these same principles apply.

First, make sure you have upfront and clear communication with your clients. From the moment they ask about your services, ensure that you outline all the details you can about what they will experience during the service. For example, a massage therapist should clearly state what type of massage they will provide and what it entails. Be clear that it is their choice how much clothing they feel comfortable wearing during the massage, and ensure that the coverings you use are appropriate for the customer's privacy and comfort.

Second, ensure you have proper documentation. Get liability waivers, consent forms, and medical history when appropriate. Also clearly document the dates and times the service was performed and where it was performed (if not at a central business location). For example, if you provide in-home personal training services, document the customer's requests and any signed agreements showing that they requested at-home services, along with documentation of payments made. It is recommended that you keep documentation for at least 2 years or for the statute of limitations for your state.

Third, pay attention to your customer's body language and what they are saying to you. If they appear uncomfortable or say that they are not ok with something, address it

immediately by stopping what you are doing and clarifying their needs. Never assume you know what your client is feeling - always ask.

Lastly, if you are an employer, ensure your employees have had proper training on the above and proper behavior between them and the client. They are representing you and your business, so investing in their training is worthwhile.



### **What to Do if You are Accused**

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In the unfortunate event you are accused of sexual abuse or molestation, what should you do? First, try not to panic. Resist the urge to reach out to the accuser. It seems counterintuitive, but you do not want to contact them and apologize without first talking with an attorney. This can unfortunately be considered an admission of guilt and can be used against you in court. Take a breath and follow a few simple steps to help your insurance company start putting together your defense.

- **Notify Your Insurance Company:** If you have SAB coverage, pull up your policy and contact the insurer using the contact information on your declarations page. Generally, you will want to provide your name (and business name, if applicable), phone number, email address, mailing address, and policy number. Explain the nature of the claim and the date and method by which you were first notified. The insurer will respond with any additional information they need to determine coverage. This may take a few days. If you were served with a legal notice that has a time limit, be sure to include that in your initial contact with the insurance company.
- **Gather Documentation:** While you are waiting for the insurance company to respond, gather up all the documentation you have relating to that client. Include information on service dates, consent forms and waivers, payments made, locations where services were provided, and anything else documenting your interactions with that client. Keep it on hand so that you can provide it to the insurance company or the attorney provided to you, should they ask for it.

- **Follow Insurer Instructions:** Your insurance company or the attorney they provide to you may give you a list of instructions. Be diligent in following those instructions, as they will make the process go a lot smoother for you. They know how to handle these types of situations efficiently and in your best interests.

## Conclusion

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Being accused of sexual abuse or molestation can be a devastating experience. With SAB insurance and using the tools discussed throughout this article, you can protect your work from erroneous claims of misbehavior. By taking a proactive approach to understanding your clients and proper industry behavior, you can prevent many of the more devastating effects of such accusations. Work with your insurance provider to discover more about how to manage risk in your business.

For more information on liability insurance and sexual abuse & molestation coverage as a practitioner in the health, beauty, and wellness industries, visit [AlternativeBalance.com](https://www.alternativebalance.com).

## References

Berry Law. (2019). *How much will a sex assault defense cost?* Retrieved from <https://jsberrylaw.com/blog/how-much-will-a-sex-assault-defense-cost/>

Alternative Balance Professional Group. (2019). *Sexual abuse liability*. Retrieved from <https://alternativebalance.net/sexual-abuse-liability-insurance>

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