

HB 1943 -- Medical Malpractice Insurance

Sponsor: Witte

This bill changes the laws regarding medical malpractice insurance. The bill:

- (1) Authorizes a tax credit to Missouri health care providers that is equal to 15% of the increase in premiums paid for medical malpractice insurance from one policy period to the next up to \$15,000;
- (2) Excludes medical malpractice liability insurance from the rating requirements of Sections 379.316 - 379.361, RSMo;
- (3) Subjects medical malpractice insurers to the provisions of Section 374.215 for failure to timely report claims information;
- (4) Establishes a competitive bidding process for medical malpractice insurance if the Director of the Department of Insurance determines that the insurance is not reasonably available in the voluntary market;
- (5) Establishes premium rate requirements for medical malpractice insurance;
- (6) Requires the ratio between the base rate of the highest- and lowest-rated specialty to be no more than six to one;
- (7) Allows insurers, when determining a provider's insurance premium, to apply credits or debits based on the provider's loss experience;
- (8) Requires insurers to annually submit claims, premium, and investment performance information to the department director;
- (9) Requires the director, on or before July 1, 2007, to establish an Internet site that allows providers to receive an insurance quote from all insurers writing medical malpractice insurance;
- (10) Requires insurers to file information with the director reflecting any savings attributable to the provisions of the bill;
- (11) Requires insurers to provide 90 days' written notice of any increase in premium rates; and
- (12) Requires all parties involved in tort actions based upon improper health care to make a good faith effort to engage in

mediation.

The bill contains an emergency clause.