

By: Eiland

H.B. No. 1463

A BILL TO BE ENTITLED

AN ACT

relating to underwriting and rating guidelines for medical professional liability insurance.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article 5.15-1, Insurance Code, is amended by adding Section 11 to read as follows:

Sec. 11. CERTAIN UNDERWRITING AND RATING GUIDELINES PROHIBITED. An insurer may not consider a notice of claim letter received by an insured or applicant for insurance under Section 4.01, Medical Liability and Insurance Improvement Act of Texas (Article 4590i, Vernon's Texas Civil Statutes), to be a claim for the purposes of underwriting or rating.

SECTION 2. The change in law made by this Act applies only to a policy of medical professional liability insurance issued or renewed on or after January 1, 2004. A policy of medical professional liability insurance issued before January 1, 2004, is governed by the law in effect immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2003.