

By: Pena

H.B. No. 2246

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to rating guidelines for medical professional liability  
3 insurance.

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

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

7 Sec. 11. CERTAIN RATING GUIDELINES PROHIBITED. An insurer  
8 may not consider a notice of claim letter received by an insured or  
9 applicant for insurance under Section 4.01, Medical Liability and  
10 Insurance Improvement Act of Texas (Article 4590i, Vernon's Texas  
11 Civil Statutes), for the purposes of determining the rate that will  
12 be charged for the insurance.

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

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