

By: Coleman

H.B. No. 3405

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to reporting of claims information by insurers writing  
3 professional liability insurance for physicians and health care  
4 providers.

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

6 SECTION 1. Subchapter B, Chapter 5, Insurance Code, is  
7 amended by adding Article 5.15-6 to read as follows:

8 Art. 5.15-6. REPORT OF CLAIMS UNDER PROFESSIONAL LIABILITY  
9 INSURANCE POLICIES FOR PHYSICIANS AND HEALTH CARE PROVIDERS. (a)  
10 On or before November 1 of each year, an insurer that writes  
11 professional liability insurance for physicians and health care  
12 providers shall provide to the commissioner a report that specifies  
13 for the preceding year:

14 (1) the number of notice of claim letters under  
15 Section 4.01, Medical Liability and Insurance Improvement Act of  
16 Texas (Article 4590i, Vernon's Texas Civil Statutes), received by  
17 physicians insured by the insurer;

18 (2) the number of notice of claim letters under  
19 Section 4.01, Medical Liability and Insurance Improvement Act of  
20 Texas (Article 4590i, Vernon's Texas Civil Statutes), received by  
21 nonphysician health care providers insured by the insurer;

22 (3) the number of claims for which a suit is filed  
23 against an insured physician;

24 (4) the number of claims for which a suit is filed

1 against an insured nonphysician health care provider;

2 (5) the number of claims against insured physicians  
3 for which payment is made to the claimant under a judgment or  
4 settlement agreement;

5 (6) the number of claims against insured nonphysician  
6 health care providers for which payment is made to the claimant  
7 under a judgment or settlement agreement;

8 (7) the total amount paid to claimants under judgments  
9 and settlement agreements in claims against insured physicians;

10 (8) the total amount paid to claimants under judgments  
11 and settlement agreements in claims against insured nonphysician  
12 health care providers; and

13 (9) any other information regarding claims required by  
14 the commissioner.

15 (b) At the same time an insurer provides information to the  
16 commissioner under Subsection (a) of this article, the insurer  
17 shall report to the Texas State Board of Medical Examiners:

18 (1) the information described by Subsections (a)(1),  
19 (3), (5), and (7) of this article; and

20 (2) any other information regarding claims required by  
21 the board.

22 (c) On or before January 1 of each year, the commissioner  
23 and the Texas State Board of Medical Examiners shall submit a report  
24 to the legislature that includes all information provided to the  
25 board and the commissioner under this article for the preceding  
26 year.

27 SECTION 2. This Act takes effect September 1, 2003.