

By: Gallegos

S.B. No. 1684

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

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

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

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

(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.