



General Assembly

February Session, 2004

Amendment

LCO No. 4412

SB0056904412SD0

Offered by:

SEN. CRISCO, 17th Dist.
SEN. MURPHY, 16th Dist.
SEN. PETERS, 20th Dist.

To: Subst. Senate Bill No. 569

File No. 458

Cal. No. 337

"AN ACT CONCERNING REVISIONS TO THE PUBLIC HEALTH STATUTES."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 20-11b of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective October 1, 2004*):

5 (a) [Each] Except as provided in subsection (c) of this section, each
6 person licensed to practice medicine and surgery under the provisions
7 of section 20-13 who provides direct patient care services shall
8 maintain professional liability insurance or other indemnity against
9 liability for professional malpractice. The amount of insurance which
10 each such person shall carry as insurance or indemnity against claims
11 for injury or death for professional malpractice shall not be less than
12 five hundred thousand dollars for one person, per occurrence, with an
13 aggregate of not less than one million five hundred thousand dollars.

14 (b) Each insurance company which issues professional liability
15 insurance, as defined in subdivisions (1), (6), (7), (8) and (9) of
16 subsection (b) of section 38a-393, shall on and after January 1, 1995,
17 render to the Commissioner of Public Health a true record of the
18 names and addresses, according to classification, of cancellations of
19 and refusals to renew professional liability insurance policies and the
20 reasons for such cancellation or refusal to renew said policies for the
21 year ending on the thirty-first day of December next preceding.

22 (c) Any person licensed to practice medicine and surgery under the
23 provisions of section 20-13 shall be deemed to be in compliance with
24 subsection (a) of this section when providing primary health care
25 services at a clinic licensed by the Department of Public Health that is
26 exempt from taxation pursuant to Section 501(c)(3) of the Internal
27 Revenue Code of 1986, or any subsequent corresponding internal
28 revenue code of the United States, as from time to time amended,
29 provided: (1) The physician is not compensated for such services; (2)
30 the clinic does not charge patients for such services; (3) the clinic
31 maintains professional liability insurance coverage in the amounts
32 required in subsection (a) of this section for each aggregated forty
33 hours of service, or fraction thereof, for such physicians subject to this
34 subsection; (4) the clinic carries additional professional liability
35 coverage on behalf of the clinic and its employees in the amount of five
36 hundred thousand dollars for one person, per occurrence, with an
37 aggregate of not less than one million five hundred thousand dollars,
38 and (5) the clinic maintains total professional liability coverage of not
39 less than one million dollars for one person, per occurrence, with an
40 aggregate of not less than three million dollars. Such physician shall be
41 subject to the provisions of subsection (a) of this section when
42 providing direct patient care services in any setting other than such
43 clinic.

44 (d) No physician subject to this section who is covered by a claims-
45 made professional liability insurance may lose the right to obtain
46 unlimited additional extended reporting period coverage upon
47 permanent retirement from practice if the person solely provides

48 professional services without charge at a clinic that is exempt from
49 taxation pursuant to Section 501(c)(3) of the Internal Revenue Code of
50 1986, or any subsequent corresponding internal revenue code of the
51 United States, as from time to time amended."