



General Assembly

January Session, 2005

**Amendment**

LCO No. 7936

**\*SB0105207936HDO\***

Offered by:

REP. O'CONNOR, 35<sup>th</sup> Dist.

REP. STONE, 9<sup>th</sup> Dist.

To: Subst. Senate Bill No. **1052**

File No. 554

Cal. No. 651

(As Amended)

**"AN ACT CONCERNING MEDICAL MALPRACTICE."**

1 Strike subparagraph (A) of subdivision (2) of subsection (b) of  
2 section 11 and substitute the following in lieu thereof:

3 "(2) (A) Each filing described in subsection (a) of this section for  
4 professional liability insurance for physicians and surgeons, hospitals,  
5 advanced practice registered nurses or physician assistants shall be  
6 subject to prior rate approval in accordance with this section. On and  
7 after the effective date of this section, each insurer or rating  
8 organization seeking to increase its rates over the rates in the insurer's  
9 previous filing for such insurance by fifteen per cent or more shall (i)  
10 file a request for such change with the Insurance Commissioner, and  
11 (ii) send written notice of any request for an increase in rates to  
12 insureds who would be subject to the increase on such form as the  
13 commissioner prescribes by certified mail, return receipt requested.  
14 Such request shall be filed and such notice shall be sent at least sixty

15 days prior to the proposed effective date of the increase. The notice to  
16 insureds of a request for an increase in rates shall indicate that the  
17 insured may request a public hearing by submitting a written request  
18 to the Insurance Commissioner not later than fifteen days after the date  
19 notice was sent. Any request for an increase in rates under this  
20 subdivision shall be filed after notice is sent to insureds and shall  
21 indicate the date such notice was sent. Not later than fifteen days after  
22 such notice is sent, the insurer shall submit a list to the commissioner  
23 indicating the name of each insured to whom notice was sent and  
24 whether a return receipt was received for the notice sent to the  
25 insured."

26       Strike section 14 in its entirety and renumber the remaining sections  
27 and internal references accordingly