



General Assembly

Amendment

February Session, 2006

LCO No. 3954

HB0537103954HDO

Offered by:

REP. O'CONNOR, 35th Dist.

SEN. CRISCO, 17th Dist.

To: House Bill No. 5371

File No. 18

Cal. No. 48

**"AN ACT CONCERNING EXTENDED REPORTING PERIOD
COVERAGE UNDER MEDICAL MALPRACTICE INSURANCE
POLICIES."**

1 In line 5 after "basis", insert "that is"

2 Strike lines 12 to 32, inclusive and substitute the following in lieu
3 thereof:

4 "(b) Each professional liability insurance policy issued on a claims-
5 made basis that is delivered, issued for delivery or renewed in this
6 state on or after October 1, [2005] 2006, to a physician or surgeon,
7 hospital, advanced practice registered nurse or physician assistant
8 shall provide [prior acts coverage and] unlimited extended reporting
9 period coverage without additional charge to the insured if, while the
10 insured is covered under the policy, [(1) the insured dies, becomes
11 permanently disabled and unable to carry out his or her practice, or
12 retires permanently from practice, or (2)] the insurer discontinues
13 offering such policy in this state [for any reason] as a result of a

14 voluntary withdrawal from this state and the insured [(A) is over the
15 age of fifty-five, and (B)] (1) is sixty years of age or older, or (2) has
16 been insured by the insurer for the [seven] five consecutive years
17 immediately preceding the discontinuance. [Prior acts coverage and
18 unlimited] Unlimited extended reporting period coverage under this
19 subsection shall be enforceable against an insurer that discontinues
20 offering such policy in this state, [for any reason prior to the insured's
21 death, disability or retirement,] provided the insured is covered under
22 the policy on the date [the] such insurer discontinues offering the
23 policy. The insurer shall provide such [coverage upon death, disability
24 or retirement in the same manner as if the insurer continued offering
25 such policy in this state] unlimited extended reporting period coverage
26 with equivalent terms and conditions and with an aggregate liability
27 limit at least equal to the aggregate liability limit specified in the
28 policy."