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**STATE OF CONNECTICUT
VETERANS' AFFAIRS COMMITTEE**

**HB 6408, AN ACT CONCERNING PROFESSIONAL LIABILITY
INSURANCE POLICIES AND MEMBERS OF THE CONNECTICUT
NATIONAL GUARD CALLED TO ACTIVE DUTY**

February 18, 2009

This statement is submitted by ProSelect Insurance Company ("ProSelect"), a subsidiary company of Medical Professional Mutual Insurance Company ("ProMutual"). ProSelect began writing medical malpractice liability insurance in Connecticut in 1997, and as of December 31, 2008 provides coverage to over 3,015 physicians, certified nurse midwives and other health care providers as well as 20 facilities in the state. For 2008, ProSelect had approximately \$52.3 million in direct written premium in Connecticut, and held approximately 26% of the insured market. ProMutual Group, of which ProSelect is a member company, holds an A- (excellent) rating from A.M. Best, and is directed by a Board comprised of a majority of physicians.

ProSelect applauds House Bill 6408, which requires any professional liability policy issued in Connecticut to permit members of the Connecticut Air and Army National Guard to suspend their coverage for the duration of their military service, and, upon notice of release from active duty, to reinstate such coverage. ProSelect has provided this benefit to its insureds in the military since 2001.

While ProSelect has already addressed this issue, we submit for your consideration a technical modification to section (3)(b) of the bill that will avoid duplication and the costly burden of making policy changes for state-specific requirements for those companies that have already addressed this issue on their own, as follows:

"(b) Notwithstanding any provision of the general statutes, each insurance policy issued or renewed in the state providing professional liability insurance shall contain a clause **or an endorsement or rider** permitting an insured to suspend any such policy for the duration of the insured's active duty in the armed forces of the United States. [...]"

The change we recommend reflects the fact that, for companies writing in multiple states, making a state-specific policy change such as that required by House Bill 6408 can be accomplished more easily and cost effectively by way of endorsement or rider. Again, we strongly support the spirit of the proposed legislation.

Thank you for your consideration of our comments. As always, ProSelect is available to work with you and is ready to provide any additional information as you deliberate on this matter.