

3197

Sponsor(s): Representatives Schual-Berke, Kagi, Cody, Lantz, Morrell, Clibborn and Rockefeller

Brief Description: Requiring the reporting and analysis of medical malpractice related information.

HB 3197.E - DIGEST

(AS OF HOUSE 2ND READING 2/16/04)

Provides that, beginning on April 1, 2005, every insuring entity or self-insurer that provides medical malpractice insurance to any facility or provider in Washington state must report to the commissioner by the first of each month any claim related to medical malpractice, if the claim resulted in a final: (1) Judgment in any amount;

(2) Settlement in any amount; or

(3) Disposition of a medical malpractice claim resulting in no indemnity payment on behalf of an insured.

Authorizes the commissioner to impose a fine of up to two hundred fifty dollars per day per case against any insuring entity or surplus lines producer that violates the requirements of this act. The total fine per case may not exceed ten thousand dollars.

Authorizes the department of health to impose a fine of up to two hundred fifty dollars per day per case against any facility or provider that violates the requirements of this act. The total fine per case may not exceed ten thousand dollars.

Requires the commissioner to prepare aggregate statistical summaries of closed claims based on calendar year data submitted under this act.

Requires that, at a minimum, data must be sorted by calendar year and calendar accident year. The commissioner may also decide to display data in other ways.

Requires the summaries to be available by March 31st of each year.

Provides that, beginning in 2006, the commissioner must prepare an annual report by June 30th that summarizes and analyzes the closed claim reports for medical malpractice filed under this act and the annual financial reports filed by insurers writing medical malpractice insurance in this state.