
HOUSE BILL 2837

State of Washington

58th Legislature

2004 Regular Session

By Representatives Schual-Berke, Benson, Cody, Simpson, G., Kagi, Lantz, Linville, Morrell, Wallace, Kenney, O'Brien, Miloscia, Sommers, Rockefeller, Moeller, Clibborn, Edwards and Darneille

Read first time 01/21/2004. Referred to Committee on Financial Institutions & Insurance.

1 AN ACT Relating to underwriting medical malpractice coverage; and
2 adding a new section to chapter 48.19 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 48.19 RCW
5 to read as follows:

6 (1) For the purposes of this section, "underwrite" means the
7 process of selecting, rejecting, or pricing a risk, and includes each
8 of these processes:

9 (a) Evaluation, selection, and classification of risk;

10 (b) Application of rates, rating rules, and classification plans to
11 risks that are accepted; and

12 (c) Determining eligibility for:

13 (i) Coverage provisions;

14 (ii) Providing or limiting the amount of coverage or policy limits;

15 or

16 (iii) Premium payment plans.

17 (2) Each medical malpractice insurer must file its underwriting
18 rules, guidelines, criteria, standards, or other information the
19 insurer uses to underwrite medical malpractice coverage.

1 (a) Every filing of underwriting information must identify and
2 explain:
3 (i) The class, type, and extent of coverage provided by the
4 insurer;
5 (ii) Any changes that have occurred to the underwriting standards;
6 and
7 (iii) How underwriting changes are expected to affect future
8 losses.
9 (b) The information under (a) of this subsection must be filed with
10 the commissioner at least thirty days before it becomes effective and
11 is subject to public disclosure upon receipt by the commissioner.

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