

House Amendment 8196

PAG LIN

1 1 Amend House File 2440 as follows:
1 2 #1. By striking everything after the enacting
1 3 clause and inserting the following:
1 4 <Section 1. NEW SECTION. 519A.5A RATE INCREASES
1 5 == RIGHT OF REVIEW.
1 6 An insurer subject to this chapter shall not make
1 7 effective a proposed increase of any medical
1 8 malpractice insurance rate individually underwritten
1 9 by the insurer until the proposed increase has been
1 10 reviewed and approved by the commissioner.
1 11 Sec. 2. STUDY.
1 12 1. The commissioner of insurance shall conduct a
1 13 study of medical malpractice insurance premiums
1 14 charged to a licensed health care provider as defined
1 15 in section 519A.2 to determine whether such premiums
1 16 are based upon an identified risk assessment and Iowa
1 17 tort law. The study shall include a report specifying
1 18 the total amount of premiums charged to a licensed
1 19 health care provider as well as the total amount of
1 20 claims paid, including settlements and judgments,
1 21 during the previous ten-year period. The amount of
1 22 paid claims reported shall exclude the costs of
1 23 administration, which shall be reported separately.
1 24 The study shall also specify the investment income of
1 25 companies underwriting such coverage during the
1 26 previous ten-year period and shall identify the
1 27 factors involved in any increase, decrease, or
1 28 fluctuation in premiums charged to a licensed health
1 29 care provider.
1 30 2. The commissioner of insurance shall provide a
1 31 statistical report from information gathered from all
1 32 applicable licensing boards to verify the total amount
1 33 of moneys paid by settlement or judgment by a licensed
1 34 health care provider.
1 35 3. The commissioner of insurance shall include a
1 36 determination of the effect of the collateral source
1 37 rule on the reduction of premiums charged to licensed
1 38 health care providers and the total estimated savings.
1 39 4. The commissioner of insurance shall include an
1 40 analysis of the effect of damage award limits,
1 41 including limits on noneconomic and punitive damages,
1 42 on premiums charged to licensed health care providers
1 43 in Iowa.>
1 44 #2. Title page, by striking lines 1 and 2 and
1 45 inserting the following: <An Act relating to health
1 46 care providers, and providing for a study.>
1 47 #3. By renumbering as necessary.
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2 1 _____
2 2 HOGG of Linn
2 3 HF 2440.302 80
2 4 rh/cf