

HB 2071 -- MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION

SPONSOR: Phelps

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Insurance by a vote of 11 to 0 with 1 member voting present.

Currently, the director of the Department of Commerce and Insurance can authorize a joint underwriting association after a public hearing if medical malpractice insurance is not reasonably available. All insurers authorized to write direct insurance in Missouri must join in order to continue doing business in the State.

The directors of the association must present a plan for economic, fair, and nondiscriminatory administration and for the prompt and efficient distribution of medical malpractice insurance.

This bill allows a majority of the directors of the board to suspend the operations of an association if the board of directors determine that medical malpractice insurance is reasonably available, as defined in the bill, to health care providers in the voluntary market and there are two or fewer individual physicians insured annually by the association for at least two consecutive years. The bill details the process of suspending the operations of the association.

PROPOSERS: Supporters say that the medical malpractice pool today is robust enough that the association is no longer needed. The expenses of keeping the association open continue even though it is not currently needed. This would save the State money by suspending the operations of the association. The operations of the association can be reinstated if needed.

Testifying in person for the bill were Representative Phelps; and Missouri Insurance Coalition.

OPPOSERS: There was no opposition voiced to the committee.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.