

CHAPTER 482

(House Bill 672)

AN ACT concerning

Insurance - Medical Malpractice Claims

FOR the purpose of altering the designated reporting requirements for insurers that provide medical malpractice insurance; requiring certain reports to be treated as public records under the State Government Article; requiring the Insurance Commissioner to release certain reports to specified health profession licensing boards and the Department of Health and Mental Hygiene; and repealing a certain provision of law that gives the Insurance Commissioner sole discretion to determine the validity of any request for a report.

BY repealing and reenacting, with amendments,

Article 48A - Insurance Code
 Section 490B(a) and (d)
 Annotated Code of Maryland
 (1979 Replacement Volume and 1985 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 48A - Insurance Code

490B.

(a) Every insurer providing professional liability insurance to a physician or doctor of osteopathy licensed in Maryland in accordance with Title 14 of the Health Occupations Article, or to a hospital, nurse, dentist, podiatrist, optometrist, chiropractor, or blood bank licensed under the Health - General Article or the Health Occupations Article, and every self-insured hospital shall report [periodically, but in no event less than once each year] QUARTERLY, any claim or action for damages for personal injuries claimed to have been caused by an error, omission, or negligence in the performance of the insured's professional services, or based on a claimed performance of professional services without consent, if the claim resulted in:

(1) A final judgment in any amount;

(2) A settlement in any amount;

(3) A final disposition not resulting in payment on behalf of the insured. Reports shall be filed no later than [March 15th of the year] ~~JANUARY--157--APRIL--157--JULY--157--OR OCTOBER--15--following-the-occurrence-of-(1)--(2)--or-(3)--above~~ 90