

July 9, 1986

SUBJECT: INSURANCE

WITHDRAWN

CIRCULAR LETTER NO. 6 (1986)

TO: ALL INSURERS LICENSED TO WRITE PROFESSIONAL MEDICAL MALPRACTICE INSURANCE IN NEW YORK STATE AND HOSPITALS WHICH ARE SELFINSURED FOR PROFESSIONAL MEDICAL MALPRACTICE

RE: MEDICAL PROFESSIONAL LIABILITY INSURANCE UNIFORM CLAIM REPORT FORM EFFECTIVE JANUARY 1, 1986

Section 315 of the Insurance Law requires authorized professional medical malpractice carriers, and hospitals which are self-insured for professional medical malpractice (or are insured with an insurance company not licensed to do business in this State), to report all claims made against their insureds in a format determined by the Superintendent of Insurance and the Commissioner of Health. Chapter 266 of the Laws of 1986 amended Section 315 to provide for the submission of such claim reports on a quarterly basis. In order to meet the increasing informational needs of both departments, a new claim report form has been developed to replace the NAIC form (revised January 1, 1979) currently in use. This Circular Letter, therefore, supersedes Circular Letter No. 18 (1978) issued December 15, 1978.

All insurers authorized to write medical malpractice insurance in New York State and hospitals described above in New York State are required to file the Medical Professional Liability Uniform Claim Report Form (Form DOH-787) appended herewith, pursuant to Section 315 of the Insurance Law (as amended by Chapter 266 of the Laws of 1986), in the manner prescribed and on the dates specified.

Reporting requirements:

Reports for claims received (opened) or closed during the period January 1, 1986 through June 30, 1986 are due September 30, 1986. Thereafter, the report forms must be submitted within 45 days following the end of each quarterly reporting period for both received (opened) and closed medical malpractice claims. For example, reports for claims received (opened) or closed during the period July 1, 1986 through September 30, 1986 will be due November 15, 1986. Reports for those claims received (opened) or closed during the period October 1, 1986 through December 31, 1986 will be due February 15, 1987, etc.

In addition to the reports due for received (opened) and closed medical malpractice claims, reports using the new reporting form (Form DOH-787) are required to be submitted in accordance with the following schedule for all outstanding claims as of December 31, 1985:

Claim Received	Report Due
Prior to January 1, 1980	February 15, 1987
January 1, 1980 to December 31, 1981	August 15, 1987
January 1, 1982 to December 31, 1983	February 15, 1988
January 1, 1984 to December 31, 1985	August 15, 1988

Updated Reports:

An updated report is required to be submitted two years after the initial filing of the report on the new report form (Form DOH-787), unless the claim is closed, and a closing report submitted, prior to that time. For example, updated reports for claims received (opened) during the period January 1, 1986 through June 30, 1986 will be due August 15, 1988; for claims received prior to January 1, 1980 the updated reports will be, due February 15, 1989, etc.

Reporting Instructions and Training Sessions

An Instruction Booklet and claims coding manual are appended hereto. A copy of the Physicians Insurers Association of America - ICD-9 Conditions Index will be sent under separate cover.

In order to orient and train personnel from affected insurance carriers and self-insured hospitals on the proper completion and use of the new reporting form, training sessions have been scheduled as follows:

Place:	New York State Health Department Office of Public Health 8 East 40th Street New York, NY 10016 Third Floor - Conference Rooms "A" and 118 11
Times:	Session 1 - July 21, 1986 9:00 A.M. to 12:00 P.M. Session 2 - July 21, 1986 2:00 P.M. to 5:00 P.M. Session 3 - July 22, 1986 9:00 A.M. to 12:00 P.M. Session 4 - July 22, 1986 2:00 P.M. to 5:00 P.M.
Contact:	Christopher Coward Health Program Administrator Telephone (518) 473-3505

All persons interested in attending the training sessions should contact the above named person and indicate the session which they would prefer to attend. Please be prepared with a second choice. Additional sessions may be scheduled based upon request(s) from interested parties.

Confidentiality:

Section 315 of the Insurance Law and Section 206(1)(j) of the Public Health Law provide for the confidentiality of these claim reports and require their use only for regulatory and research purposes. Such reports are not open for review and are not subject to subpoena except by a public agency or authority of the State:

Submission of Reports:

A separate set of completed Medical Professional Liability Insurance Uniform Claim Reports and a covering letter indicating the number of reports being submitted, signed by a responsible officer of the insurer or self-insured hospital, are to be forwarded to:

Professional Liability Insurance Unit
Property & Casualty Insurance Bureau
New York State Insurance Department

160 West Broadway

New York, New York 10013

and

New York State Department of Health

Office of Professional Medical Conduct

Medical Malpractice Report Unit

Empire State Plaza

Tower Building, Room 2538

Albany, New York 12237

Very truly yours

JAMES P. CORCORAN

Superintendent of Insurance