

Jamaica Anesthesia Associates, PC

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August 28, 2018

Hon. Maria Vullo
Superintendent
New York State Department of Financial Services
One State Street
New York, New York 10004

Re: Comment on Implementation of MLMIC Plan of Conversion

Dear Superintendent Vullo:

I am submitting this comment on behalf of Jamaica Anesthesia Associates, PC, the physician practice corporation that provides all of the anesthesia services at Jamaica Hospital Medical Center, 24 hours per day, 365 days every year. Our practice thus serves as an integral part of the operation of this important Safety-Net Hospital, and its critically important Emergency Department and Level 1 Trauma Center, and is subsidized by the Hospital, in order to cover the salaries and other costs, including the MLMIC premiums.

I understand that, at the Hearing held by the Department of Financial Services last week regarding the Objection Procedure related to the Proposed Conversion of the Medical Liability Mutual Insurance Company (MLMIC), concerns were raised that MLMIC might reject Objections filed by entities that have functioned as Policy Administrators, paid the MLMIC Premiums and have a legal right to receive the Cash Consideration, based on a restrictive interpretation by MLMIC of the Proposed Plan that ignores the right to file Objections of Policy Administrators serving in that capacity "OTHERWISE" than by designation on the declaration page of the policy.

The attached email is a rejection of an Objection by MLMIC that ignores the OTHERWISE category of Policy Administrator, and I would urge that the Proposed Plan be approved with direction to MLMIC to fully implement the Objection Procedure in a manner that recognizes Objections in accordance with the full language of the Proposed Plan, so that the Cash Consideration is put in escrow pending agreement or the outcome of dispute resolution.

Thank you for your consideration.

Very Truly Yours,

A handwritten signature in dark ink, appearing to read "Antoinette Morisco". The signature is fluid and cursive, with the first name "Antoinette" written in a larger, more prominent script than the last name "Morisco".

Antoinette Morisco, M.D.
President

From: Conversion coordinator <Conversion_coordinator@mlmic.com>

To: Antonietta Morisco <AMORISCO@jhmc.org>

Date: 8/24/2018 3:47 PM

Subject: RE: Objection to Recipient for Cash Consideration - Thomas Lillis, CRNA

Please note that a comprehensive review of our records reveal a policy administrator designation was not submitted by the eligible policyholder during the eligibility period.

As clarification, the dispute process only applies in the case of disputes by policy administrators or EPLIP employers, as defined in the policyholder information statement, who were previously designated to act on behalf of eligible policyholders during the eligibility period.

MLMIC recognizes that eligible policyholders have the right outside the plan of conversion to assign their right to receive their allocable share of the cash consideration. MLMIC will honor any properly drafted and signed assignment that it receives from eligible policyholders on a timely basis, recognizing that the record date policyholder vote is scheduled for September 14, 2018.

Unless the signature of the eligible policyholder is notarized, the assignments should come directly from the eligible policyholders in order to mitigate concerns about the validity of the assignments. In addition, it would be administratively difficult to honor assignments of less than the entire amount that has not otherwise been designated to be paid to a policy administrator or EPLIP employer.

The receipt of multiple forms of assignment may delay the distribution of cash consideration allocable to eligible policyholders who have made assignments as MLMIC reviews the forms of assignment. In order to streamline the process, MLMIC has prepared a form of assignment that may be used by eligible policyholders. The form of assignment can be accessed by clicking [here](#).

Thank you
Conversion Coordinator

From: Antonietta Morisco <AMORISCO@jhmc.org>
Sent: Wednesday, August 22, 2018 2:14 PM
To: Conversion coordinator <Conversion_coordinator@mlmic.com>
Subject: Objection to Recipient for Cash Consideration - Thomas Lillis, CRNA

Attached please find an objection on behalf of Jamaica Anesthesia Associates, PC to the distribution of Cash Consideration to the above-named Policyholder.

Best,

Antonietta Morisco, MD

President
Jamaica Anesthesia Associates, PC
718-206-6088

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