



DEPARTMENT OF INSURANCE, FINANCIAL
INSTITUTIONS AND PROFESSIONAL REGISTRATION

P.O. Box 690, Jefferson City, Mo. 65102-0690

INSURANCE BULLETIN 08-11: Medical Malpractice Statistical Data Reporting
ISSUED October 15, 2008

To: All Insurers and Providers of Medical Professional Liability Coverage in Missouri
From: Linda Bohrer, Acting Director
Re: Proposed Rule 20 CSR 600-1.030 Medical Malpractice Statistical Data Reporting

The Missouri Department of Insurance, Financial Institutions and Professional Registration anticipates that the medical malpractice data reporting requirements specified in sections 383.105 – 383.124, RSMo, will be fully implemented early next year. All data filings will become due no later than March 31, 2010. All entities required to report such data should review the proposed rule published in the October 15, 2008, Missouri Register, and ensure that all necessary data for January through December 31, 2009 is retained. Please note that different reporting requirements are subject to differing time frames and applicable to different reporting entities. The proposed rule and forms can be found on the department's website at www.insurance.mo.gov/laws/index.htm.

As is usual with any first-time filing, the department fully expects that the process will not be flawless. Insurers can help facilitate the timely filing of data by ensuring that their information systems capture and retain the required data elements and the appropriate reporting categories. The department will continue to work hard to assist insurers that experience difficulties with the new reporting requirements, *if difficulties are communicated to the department in a timely fashion and the reporting entity makes every effort to remedy such problems.*

Please take the time to become familiar with the proposed rule and the associated forms. Questions about the new requirements may be addressed to Jackie Kuschel of our statistics staff. She may be reached at 573-751-3163 or jackie.kuschel@insurance.mo.gov.



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Frequently Asked Questions

Who is required to file?

- 1. Quarterly Individual Claim Data (§383.105, RSMo):** All providers of medical professional liability coverage, including licensed insurers, risk retention groups, all unauthorized or surplus lines carriers, and self-insured entities are required to report individual claims data. Please refer to form MM5.
- 2. Base Rate Data (§383.106.2, RSMo).** Only licensed insurers that are actively issuing new policies should report base rate data. Insurers that are not actively writing new business are not required to report. Refer to form MM4.
- 3. Premium, exposure, loss, and underwriting data (§383.106, RSMo)** All providers of medical professional liability coverage, excluding self-insured entities, are required to report premium, exposure, loss and underwriting data, including licensed carriers, risk retention groups, and all unauthorized or surplus lines carriers. Please refer to forms MM1, MM2, MM3, and MM6.

When are the forms due?

- 1. Quarterly Individual Claim Data:** While the claim data have been collected since the late 1970s, the proposed rule will add several new data elements, as well as mandate new requirements such as electronic filing and data verification procedures. These changes will be effective for the first quarterly filing subsequent to the promulgation of the proposed rule.
- 2. Base Rate Data:** The base rate data should be filed subsequent to any rate changes relevant to form MM4 that are made after the effective date of the rule, and prior to the use of the changed rates.
- 3. Premium, exposure, loss, and underwriting data:** Data reflecting the experience of 2009 is due March 31, 2010.