

---

SENATE BILL 6235

---

State of Washington

58th Legislature

2004 Regular Session

By Senators Kline, Winsley, Prentice, Doumit, Regala, Keiser and Kohl-Welles

Read first time 01/15/2004. Referred to Committee on Financial Services, Insurance & Housing.

1 AN ACT Relating to underwriting medical malpractice insurance; and  
2 adding a new section to chapter 48.19 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 48.19 RCW  
5 to read as follows:

6 (1) For the purposes of this section, "underwrite" or  
7 "underwriting" means the process of selecting, rejecting, or pricing a  
8 risk, and includes each of the following processes:

9 (a) Evaluation, selection, and classification of risk;

10 (b) The application of rates, rating rules, and classification  
11 plans to risks that are accepted; and

12 (c) Determining eligibility for:

13 (i) Coverage provisions;

14 (ii) Providing or limiting the amount of coverage or policy limits;

15 or

16 (iii) Premium payment plans.

17 (2) Each medical malpractice insurer must file its underwriting  
18 rules, guidelines, criteria, standards, or other information the  
19 insurer uses to underwrite medical malpractice coverage.

1           (a) Every filing of underwriting information must identify and  
2 explain:  
3           (i) The class, type, and extent of coverage provided by the  
4 insurer;  
5           (ii) Any changes that have occurred to the underwriting standards;  
6 and  
7           (iii) How underwriting changes are expected to affect future  
8 losses.  
9           (b) This information must be filed with the commissioner at least  
10 thirty days before it becomes effective.  
11           (c) This information is subject to public disclosure upon receipt  
12 by the commissioner.

--- END ---