

January 24, 2006

To: All Companies Writing Medical Malpractice Insurance in Illinois  
From: Michael T. McRaith, Director  
Re: **(CB2006-01) Medical Malpractice Claims Data Reporting**

As you are aware, last year the Illinois General Assembly passed, and Governor Blagojevich signed into law, PA 94-0677 (the Act) that addressed certain aspects of medical malpractice insurance. The Act changes the data filing required of your company with the Division pursuant to Section 155.19 of the Insurance Code (215 ILCS 5/155.19). The Act requires the Department of Insurance to amend a number of its administrative rules, including Part 928 (50 Ill. Adm. Code 928). Contemplated changes include an electronic filing requirement on software which will be available from the Division. The Division has begun the rulemaking process necessary to implement the statutory changes and anticipate submission in the very near future.

Consistent with the Act, use the current filing form (Illinois Medical Professional Liability Insurance Uniform Claims Report, effective January 1, 2001) and filing requirements with the following changes:

Instead of providing "Amount of reserve for indemnity if still outstanding" in item 10., replace with "Amount of economic damages awarded by the court," for claims disposed of by a court of law.

Instead of providing "Amount of reserve for expenses if still outstanding" in item 11., replace with "Amount of non-economic damages awarded by the court," for claims disposed of by a court of law.

In 20b. enter the Claims Disposition Code which represents the FINAL disposition of the claim.

- Settled by Parties - if this code is used, a Settlement Code is required in 20c. and no entries are required in 21a. or 21b.
- Disposed of by a Court - if this code is used, a Court Code is required in 21a. and no entries are required in 20c. or 21b.
- Disposed of by Binding Arbitration - if this code is used, a Binding Arbitration Code is required in 21b.
- Claim or Suit Abandoned.

Upon adoption of an amended Part 928, all companies will be asked to file all claims that open and close on or after January 1, 2006 under the new reporting requirements.

For questions related to this requirement, please contact Gene Szperra at (217) 524-5420 or at [gene.szperra@illinois.gov](mailto:gene.szperra@illinois.gov)