

Section 18 Legislation for 7/1/2012-6/30/2013

Here is a provision in the article 7 Health budget bill (A.9056-D/S.6256-D) at Part S:

PART S

Section 1. Notwithstanding any law, rule or regulation to the contrary, **only physicians or dentists** who were eligible, and for whom the superintendent of financial services and the commissioner of health, or their designee, purchased, with funds available in the hospital excess liability pool, a full or partial policy for excess coverage or equivalent excess coverage for the coverage periods **ending the thirtieth of June, two thousand ten, the thirtieth of June, two thousand eleven, and the thirtieth of June, two thousand twelve shall be eligible to apply for such coverage for the coverage period beginning the first of July, two thousand twelve.**

If the **total number of physicians or dentists** for whom such excess coverage or equivalent excess coverage was purchased with funds available in the hospital excess liability pool as of the **thirtieth of June, two thousand ten is more than the total number of physicians and dentists certified as eligible for the coverage period beginning the first of July, two thousand twelve**, then the general **hospitals may certify additional eligible physicians or dentists up to the greater of the total number of physicians or dentists for whom excess coverage or equivalent excess coverage was purchased with funds available in the hospital excess liability pool as of the thirtieth of June, two thousand ten, or one thousand physicians or dentists;** provided, however, that **no general hospital may certify additional eligible physicians or dentists in a greater number than the proportion of its physicians and dentists for whom excess coverage or equivalent excess coverage was purchased with funds available in the hospital excess liability pool as of the thirtieth of June, two thousand ten as applied to the difference between the total eligible physicians and dentists for the coverage period beginning the first of July, two thousand twelve and the total eligible physicians and dentists for whom excess coverage or equivalent excess coverage was purchased with funds available in the hospital excess liability pool as of the thirtieth of June, two thousand ten.**

§ 2. The superintendent of financial services and the commissioner of health shall prepare a report that includes, but is not limited to: a review of the nature and extent of affiliations between physicians, dentists, general hospitals, private practices and universities; and an actuarial analysis of the adequacy of premiums paid by the hospital excess liability pool for excess coverage and equivalent excess coverage with regard to liabilities and claims history, and relative to budget appropriations to the hospital excess liability pool. The report shall also include recommendations to support the sustainability of the excess medical malpractice liability coverage pool, maintaining the assumption that the future annual appropriations for the pool will not exceed the amount appropriated for the pool in state fiscal year two thousand twelve-thirteen. The superintendent of financial services and the commissioner of health shall submit the report to the governor, temporary president of the senate and speaker of the assembly by the first of November, two thousand twelve.

§ 3. This act shall take effect immediately.