

New York State Hospital Excess Liability Pool

217 Great Oaks Boulevard Albany, New York 12203-5964 (518) 862-0677

TO: Chief Executive Officers, Hospitals Participating in NYS Excess Liability Pool

FROM: Ronnie Loughridge, Administrator

SUBJECT: Section 18 Excess Liability Program for July 1, 2021 - June 30, 2022
Legislative Changes and Application Procedures

DATE: May 1, 2021

ROUTE TO: Medical Staff Office
Risk Management Office

The NYS April 1 legislation and budget process has again renewed the Section 18 Excess Liability Program for 7/1/2021 - 6/30/2022. Generally, physicians and dentists are eligible if they were in the Section 18 Pool for the policy year ending 6/30/2021. The hospital may certify additional physicians and dentists up to its proportionate share of participants in the Pool as of June 30, 2021. Additional participants are limited to the number of last year's eligible physicians that do not re-apply. Applicants new to Section 18 will be wait-listed until the hospital's additional eligible slots are released, and the hospital has reviewed and confirmed its new applicants.

Rosters of each facility's physicians and / or dentists who have designated that hospital as their primary affiliation, are emailed to the hospital's Medical Staff office or Risk Management office in January and September.

Enclosed is a memo to distribute to your physicians and dentists who are in the program or are new Section 18 applicants. The rest of this memo summarizes the renewal process and requirements for the upcoming policy year.

The underlying requirements for coverage remain consistent with prior years and are:

1. A physician or dentist must have a primary affiliation with a New York state general hospital.
2. A physician or dentist must have an individual primary policy (not group policy) with limits of at least \$1.3 million per claim and \$3.9 million aggregate from a carrier authorized to do business in New York. The underlying insurance cannot be with an RRG carrier.
3. A physician or dentist must have completed the qualifying Risk Management course. This is required every two years.
4. A physician or dentist must render emergency services from time to time at the general hospital.

The excess carriers will mail or email renewal applications to the existing policyholders for the 7/1/2021 -6/30/2022 policy during May 2021. The physicians and dentists need to complete and return the applications as instructed by their carrier.

New applicants can obtain application forms from the carriers' web sites or by contacting the excess carriers directly. New enrollees should have their completed applications reviewed by their hospital's Risk Management office by June 1, 2021 so the hospital can validate the physicians' and dentists' hospital affiliation, their Section 18 eligibility, as well as other information. Completed applications of newly affiliated physicians and dentists are due to the excess carrier by July 1, 2021. Total enrollment closes as of December 31.

If you have questions regarding the Section 18 Excess Liability Pool Program, please call the Pool office at 518.862.0677 or email RLoughridge@HPICgroup.com. Thank you.

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TO: Physicians and Dentists Applying for NYS Excess Liability Malpractice Insurance

FROM: Ronnie Loughridge, Administrator

SUBJECT: Section 18 Excess Liability Medical Malpractice Coverage
Policy Year July 1, 2021 - June 30, 2022

DATE: May 1, 2021

According to Section 18 of the Medical Malpractice Reform Act, you may be eligible for coverage of \$1 million /\$3 million in excess of your \$1.3 million per claim /\$3.9 million aggregate primary policy through the hospital where you are primarily affiliated. The NYS Excess Liability Pool is responsible for securing this excess liability coverage on your behalf. The following are instructions on how to apply for coverage.

Your current excess carrier will mail/ email an excess renewal application form to you by mid-May for you to complete and return to the carrier. You need to complete and return the application to the carrier promptly in order to receive excess liability program coverage beginning July 1, 2021.

The underlying requirements for coverage remain consistent with prior years and are:

1. A physician or dentist must have an affiliation with a New York state general hospital.
2. A physician or dentist must have an individual primary policy (not group policy) with limits of at least \$1.3 million per claim / \$3.9 million aggregate from a carrier authorized to do business in New York. The underlying insurance cannot be with an RRG carrier.
3. A physician or dentist must have completed the biennially required Risk Management course.
4. A physician or dentist must render emergency services from time to time at the general hospital.

Please pay particular attention to the following items when completing the application:

- ◆ Apply through only one hospital - the hospital where you are primarily affiliated
- ◆ Your full name and address as it should appear on the policy
- ◆ Your six digit NYS physician or dentist medical license number
- ◆ Primary policy information including accurate effective and expiration dates
- ◆ Specialty classification
- ◆ Claims history
- ◆ Original signatures for release and exchange of information
- ◆ File a complete application on a timely basis.

Incomplete applications received by the carrier are subject to refusal of coverage. If an incomplete application is returned, you may not be granted coverage for the full policy year. Total enrollment closes as of December 31.

Physicians and dentists new to the program can obtain an application from one of the carriers listed. If you have any questions regarding the Section 18 Pool Program, please call the Pool office at 518.862.0677 or email RLoughridge@HPICgroup.com. Thank you.

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