

INS 3,17

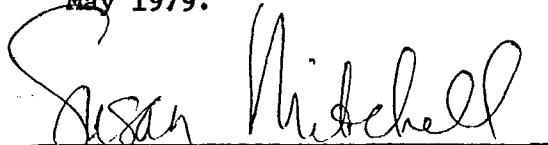
STATE OF WISCONSIN)
)ss.
OFFICE OF THE COMMISSIONER OF INSURANCE)

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Susan Mitchell, Commissioner of Insurance and custodian of the official records of said office, do hereby certify that the annexed order amending and renumbering rules regarding the Wisconsin Health Care Liability Insurance Plan and Future Medical Expense Funds was issued by this office May 18, 1979.

I further certify that said copy has been compared by me with the original on file in this office and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name in the City of Madison, State of Wisconsin, this 18th day of May 1979.


Susan Mitchell
Commissioner of Insurance

STATE OF WISCONSIN
RECEIVED AND FILED

MAY 18 1979

VEL PHILLIPS
SECRETARY OF STATE

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MAY 21 1979
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REVISOR OF STATUTES
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ORDER OF THE OFFICE OF THE COMMISSIONER OF INSURANCE

STATE OF WISCONSIN
RECEIVED AND FILED

MAY 18 1979

Renumbering and Amending A Rule

Pursuant to authority vested in the Commissioner of Insurance by sections 601.41 (3) and 619.04, Wis. Stats., the Commissioner as Chairman of the Board of Governors of the Wisconsin Health Care Liability Insurance Plan hereby renumbers and amends a rule as follows:

Section Ins 3.35 Wisconsin Administrative Code is renumbered to be section Ins 17.25.

Section Ins 17.25 (1) (b) Wisconsin Administrative Code is amended to read:

(b) Health care liability insurance for medical or osteopathic physicians or podiatrists, licensed under chapter 448, Wis. Stats., and nurse anesthetists licensed under chapter 441, Wis. Stats., who practice in this state and for operating cooperative sickness care plans organized under sections 185.981 to 185.985, Wis. Stats., which directly provide services in their own facilities with salaried employees, and for properly accredited teaching facilities conducting approved training programs for medical or osteopathic physicians licensed or to be licensed under chapter 448, Wis. Stats., or for nurses licensed or to be licensed under chapter 441, Wis. Stats., is not readily available in the voluntary market. Health care liability insurance and liability coverage normally incidental to health care liability insurance for hospitals as defined by s. 50.33 (1) (a) and (c), Stats., but excluding, except as otherwise provided herein, those facilities exempted by s. 50.39 (3), Stats., which operate in this state are not readily available in the voluntary market. Health care liability insurance and liability coverage normally incidental to health care liability insurance for those nursing homes as defined in s. 50.01 (3) (a), Stats., which operate in this state and whose functional operations are combined with a hospital as herein defined as a single entity, whether or not the nursing home operations are physically separate from the hospital operations, are not readily available in the voluntary market. Health care liability insurance and liability coverage normally incidental to health care liability insurance for health care facilities owned or operated by a political subdivision of the state of Wisconsin are not readily available in the voluntary market.

Section Ins 17.25 (2) Wis. Adm. Code is amended to read:

(2) PURPOSE. This rule is intended to implement and interpret chapter 619, Wis. Stats., for the purpose of establishing procedures and requirements for a mandatory risk sharing plan to provide health care liability insurance coverage on a self-supporting basis for medical or osteopathic physicians or podiatrists licensed under chapter 448, Wis. Stats., and nurse anesthetists licensed under chapter 441, Wis. Stats.,

who practice in this state; for operating cooperative sickness care plans organized under section 185.981 to 185.985, Wis. Stats., which directly provide service in their own facilities with salaried employes; and for properly accredited teaching facilities conducting approved training programs for medical or osteopathic physicians licensed or to be licensed under chapter 448, Wis. Stats., or for nurses licensed or to be licensed under chapter 441, Wis. Stats.; and to provide health care liability insurance coverage and liability coverages normally incidental to health care liability insurance on a self-supporting basis for all hospitals as defined by s. 50.33 (1) (a) and (c), Stats., but excluding those facilities exempted by s. 50.39 (3), Stats., except as otherwise provided herein which operate in this state. Health care liability insurance coverage and liability coverages normally incidental to health care liability insurance on a self-supporting basis for those nursing homes as defined in s. 50.01 (3) (a), Stats., which operate in this state and whose functional operations are combined with a hospital as herein defined as a single entity, whether or not the nursing home operations are physically separate from the hospital operations is also provided. Health care liability insurance coverage and liability coverages normally incidental to health care liability insurance on a self-supporting basis for those health care facilities owned or operated by a political subdivision of the state of Wisconsin is also provided. Health care liability insurance coverage for allied health care personnel employed by any of these health care providers while working within the scope of such employment may also be provided. This rule is intended to encourage the improvement in reasonable loss prevention measures and to encourage the maximum use of the existing voluntary market.

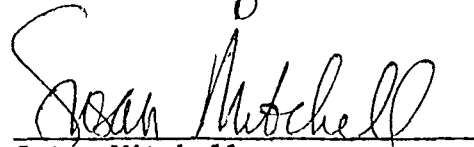
Section Ins 17.25 (5) (a) is amended to read:

(5) (a) All medical or osteopathic physicians or podiatrists licensed under chapter 448, Wis. Stats., and nurse anesthetists licensed under chapter 441, Wis. Stats., who practice in this state; operating cooperative sickness care plans organized under sections 185.981 to 185.985, Wis. Stats., which directly provide services in their own facilities with salaried employes; by properly accredited teaching facilities conducting approved training programs for medical or osteopathic physicians licensed or to be licensed under chapter 448, Wis. Stats., or for nurses licensed or to be licensed under chapter 441, Wis. Stats., all hospitals as defined by s. 50.33 (1) (a) and (c), Stats., but excluding those facilities exempted by s. 50.39 (3), Stats., except as otherwise provided herein; those nursing homes as defined in s.50.01 (3) (a), Stats., whose functional operations are combined with a hospital as defined as a single entity, whether or not the nursing home operations are physically separate from the hospital operations; and health care facilities owned or operated by a political subdivision of the state of Wisconsin, which operate in this state and are equitably entitled to but are otherwise unable to obtain suitable health care liability insurance in the voluntary market shall be eligible to apply for insurance under this Plan. Coverage for allied health care personnel employed by any of these health care providers while working within the scope of such employment may also be requested.

Section Ins 17.25 (10) (a) is amended to read:

(a) Any medical or osteopathic physician, podiatrist, nurse anesthetist, operating cooperative sickness care plan, teaching facility, hospital, nursing home, or health care facility owned or operated by a political subdivision of the state of Wisconsin eligible for insurance under this plan may submit an application for insurance by the plan directly or through any licensed agent. Such application may include requests for coverage of allied health care personnel employed by any of these health care providers while working within the scope of such employment.

Dated at Madison, Wisconsin, this 18th day of May.



Susan Mitchell
Commissioner of Insurance