

Ins 3.

Filed May 3, 1976  
8:20 am J. J. Porter

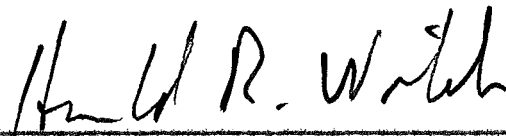
STATE OF WISCONSIN )  
 ) ss.  
OFFICE OF THE COMMISSIONER OF INSURANCE)

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Harold R. Wilde, Commissioner of Insurance and custodian of the official records of said office, do hereby certify that the annexed order amending a rule concerning the Wisconsin Health Care Liability Insurance Plan was issued by this office May 3, 1976.

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 3rd day of May, 1976.



Harold R. Wilde  
Commissioner of Insurance

STATE OF WISCONSIN  
DEPARTMENT OF STATE  
RECEIVED AND FILED

MAY 3 1976

DOUGLAS LAFOLLETTE  
SECRETARY OF STATE

MAY 3 1976

ORDER OF THE OFFICE OF THE COMMISSIONER OF INSURANCE DOUGLAS LAFOLLETTE  
SECRETARY OF STATE

**Amending Rules**

Pursuant to authority vested in the Commissioner of Insurance by section 601.41 (3), Wis. Stats., the Commissioner of Insurance hereby amends a rule as follows:

Sections Ins 3.35 (1) (b), Ins 3.35 (2), Ins 3.35 (4) (c) and Ins 3.35 (5) (a) are amended to read:

Ins 3.35 (1) (b) Health care liability insurance for medical or osteopathic physicians 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 employes is not readily available in the voluntary market. Health care liability insurance and liability coverages normally incidental to health care liability insurance for hospitals as defined by section 140.24 (1) (a) and (c), Wis. Stats., but excluding, except as otherwise provided herein, those facilities exempted by section 140.29 (3), Wis. 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 section 146.30 (1) (a), Wis. 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.

Ins 3.35 (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 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 sections 185.981 to 185.985, Wis. Stats., which directly provide services in their own facilities with salaried employees; 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 sections 140.24 (1) (a) and (c), Wis. Stats., but excluding those facilities exempted by section 140.29 (3), Wis. 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 section 146.30 (1) (a), Wis. 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. This rule is also intended to encourage the improvement in reasonable loss prevention measures and to encourage the maximum use of the existing voluntary market.

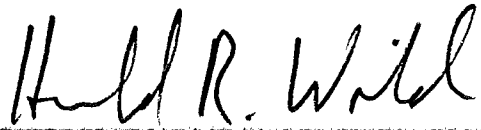
Ins 3.35 (4) (c) Health care liability insurance means insurance

against loss, expense and liability resulting from errors, omissions or neglect in the performance of any professional service by any medical or osteopathic physician licensed under chapter 448, Wis. Stats., and nurse anesthetists licensed under chapter 441, Wis. Stats., who practice in this state; by 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 all hospitals as defined by section 140.24 (1) (a) and (c), Wis. Stats., but excluding those facilities exempted by section 140.29 (3), Wis. Stats., except as otherwise provided; and by those nursing homes as defined in section 146.30 (1) (a), Wis. Stats., whose functional operations are combined with a hospital as herein defined as a single entity, whether or not nursing home operations are physically separate from the hospital operations, which operate in this state.

Ins 3.35 (5) (a) All medical or osteopathic physicians 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; all hospitals as defined by section 140.24 (1) (a) and (c), Wis. Stats., but excluding those facilities exempted by section 140.29 (3), Wis. Stats., except as otherwise provided herein; and those nursing homes as defined in section 146.30 (1) (a), Wis. Stats., 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, 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.

Dated at Madison, Wisconsin, this 3rd day of May, 1976.

A handwritten signature in cursive script that reads "Harold R. Wilde". The signature is written in dark ink and is positioned above a horizontal line.

**Harold R. Wilde**  
**Commissioner of Insurance**