

MedChi

The Maryland State Medical Society

1211 Cathedral Street
Baltimore, MD 21201-5516
410.539.0872
Fax: 410.547.0915

1.800.492.1056

www.medchi.org

TO: The Honorable Dereck E. Davis, Chair
Members, House Economic Matters Committee
The Honorable Kris Valderrama

FROM: Joseph A. Schwartz, III
Pamela Metz Kasemeyer
J. Steven Wise
Danna L. Kauffman

DATE: February 26, 2015

RE: **SUPPORT** – House Bill 724 – *Health Care Provider Malpractice Insurance – Scope of Coverage*

The Maryland State Medical Society (MedChi), which represents more than 8,000 Maryland physicians and their patients, supports House Bill 724.

House Bill 724 repeals a portion of the Insurance Article first enacted in the Special Session on Medical Malpractice in December 2004. At that time, the Senate Judicial Proceedings Committee felt that malpractice insurance offered to doctors should be “split” into two parts. One policy would protect a doctor from a civil law suit for malpractice; the second policy would provide coverage to a doctor in a disciplinary hearing before the Maryland Board of Physicians.

The argument was that a certain number of “bad” doctors were driving up the number of law suits and that they should be made to pay separately for attorneys when they face disciplinary action. MedChi thought at that time and thinks now that this argument was frivolous on its face.

The net effect of the 2004 language was to split policies in two. Doctors could still purchase a policy to assist them in their defense in a disciplinary hearing, but it would have to be a policy separate from their normal civil malpractice action.

House Bill 724 would change that law back to its pre-2004 formulation and allow malpractice insurers to bundle the two coverages together in a single policy. MedChi would ask for a favorable report on House Bill 724.

For more information call:

Joseph A. Schwartz, III
Pamela Metz Kasemeyer
J. Steven Wise
Danna L. Kauffman
410-244-7000