

1 H BILL NO. 476  
2 INTRODUCED BY H. [Signature]

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE INSURERS  
5 TRANACTING PROFESSIONAL LIABILITY INSURANCE TO INCLUDE IN  
6 THEIR ANNUAL STATEMENT TO THE INSURANCE COMMISSIONER CERTAIN  
7 STATISTICS AND INFORMATION."

8  
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Definition of profession. For purposes of  
11 this act, "profession" means the occupations engaged in by  
12 physicians, osteopaths, registered nurses, licensed  
13 practical nurses, dentists, optometrists, podiatrists,  
14 chiropractors, hospitals, attorneys, certified public  
15 accountants, public accountants, architects, veterinarians,  
16 pharmacists, and professional engineers.

17 Section 2. Information required of professional  
18 liability insurers. Each insurance company engaged in  
19 issuing professional liability insurance in the state of  
20 Montana shall include the following information, by  
21 profession, from its experience in the state of Montana, in  
22 its annual statement to the insurance commissioner:

- 23 (1) the number of insureds as of December 31 of the
- 24 calendar year next preceding;
- 25 (2) the amount of premiums paid by the insureds during

1 the calendar year next preceding;

2 (3) the number of claims filed against the insurer's  
3 insureds and the number of claims outstanding as of December  
4 31 of the calendar year next preceding;

5 (4) the number of claims paid by the insurer during  
6 the calendar year next preceding and the total monetary  
7 amount thereof;

8 (5) the number of lawsuits filed against the insurer's  
9 insureds and the number of insureds included therein during  
10 the calendar year next preceding;

11 (6) the number of lawsuits previously filed against  
12 the insurer's insureds which were dismissed without  
13 settlement or trial and the number of insureds included  
14 therein during the calendar year next preceding;

15 (7) the number of lawsuits previously filed against  
16 the insurer's insureds which were settled without trial, the  
17 total monetary amount paid as settlements in such settled  
18 cases, and the number of insureds included therein during  
19 the calendar year next preceding;

20 (8) the number of lawsuits against the insurer's  
21 insureds which went to trial during the calendar year next  
22 preceding and the number of such cases ending in the  
23 following:

- 24 (a) judgment or verdict for the plaintiff;
- 25 (b) judgment or verdict for the defendant;

HB 476

1 (c) other;  
2 (9) the total monetary amount paid out, in those  
3 lawsuits specified in subsection (8);  
4 (10) the total number of the insurer's insureds  
5 included in those lawsuits specified in subsection (8);  
6 (11) the number of new trials granted during the  
7 calendar year next preceding;  
8 (12) the number of lawsuits pending on appeal as of  
9 December 31 of the next preceding calendar year; and  
10 (13) such other information and statistics as the  
11 insurance commissioner considers necessary.  
12 Section 3. Submission by insurance commissioner to  
13 boards. The insurance commissioner shall, within 60 days of  
14 request, submit in writing to the appropriate board within  
15 the department of professional and occupational licensing  
16 the data and information furnished him pursuant to this act  
17 relevant to the particular board.

-End-

Approved by Committee  
on Judiciary

1 HOUSE BILL NO. 476

2 INTRODUCED BY HUENNEKENS

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE INSURERS  
5 TRANSACTING PROFESSIONAL LIABILITY INSURANCE TO INCLUDE IN  
6 THEIR ANNUAL STATEMENT TO THE INSURANCE COMMISSIONER CERTAIN  
7 STATISTICS AND INFORMATION."

8  
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Definition of profession. For purposes of  
11 this act, "profession" means the occupations engaged in by  
12 physicians, osteopaths, registered nurses, licensed  
13 practical nurses, dentists, optometrists, podiatrists,  
14 chiropractors, hospitals, attorneys, certified public  
15 accountants, public accountants, architects, veterinarians,  
16 pharmacists, and professional engineers.

17 Section 2. Information required of professional  
18 liability insurers. Each insurance company engaged in  
19 issuing professional liability insurance in the state of  
20 Montana shall include the following information, by  
21 profession, from its experience in the state of Montana, in  
22 its annual statement to the insurance commissioner:

23 (1) the number of insureds as of December 31 of the  
24 calendar year next preceding;

25 (2) the amount of ~~PAID~~ premiums paid by the insureds

1 during the calendar year next preceding;

2 (3) the number of claims filed ~~MADE~~ against the  
3 insurer's insureds and the number of claims outstanding as  
4 of December 31 of the calendar year next preceding;

5 (4) the number of claims paid by the insurer during  
6 the calendar year next preceding and the total monetary  
7 amount thereof;

8 (5) the number of lawsuits filed against the insurer's  
9 insureds and the number of insureds included therein during  
10 the calendar year next preceding;

11 (6) the number of lawsuits previously filed against  
12 the insurer's insureds which were dismissed without  
13 settlement or trial and the number of insureds included  
14 therein during the calendar year next preceding;

15 (7) the number of lawsuits previously filed against  
16 the insurer's insureds which were settled without trial, the  
17 total monetary amount paid as settlements in such settled  
18 cases, and the number of insureds included therein during  
19 the calendar year next preceding;

20 (8) the number of lawsuits against the insurer's  
21 insureds which went to trial during the calendar year next  
22 preceding and the number of such cases ending in the  
23 following:

24 (a) judgment or verdict for the plaintiff;

25 (b) judgment or verdict for the defendant;

SECOND READING

- 1 (c) other;
- 2 (9) the total monetary amount paid out, in those  
3 lawsuits specified in subsection (8);
- 4 (10) the total number of the insurer's insureds  
5 included in those lawsuits specified in subsection (8);
- 6 (11) the number of new trials granted during the  
7 calendar year next preceding;
- 8 (12) the number of lawsuits pending on appeal as of  
9 December 31 of the next preceding calendar year; and
- 10 (13) such other information and statistics as the  
11 insurance commissioner considers necessary.
- 12 Section 3. Submission by insurance commissioner to  
13 boards. The insurance commissioner shall, within 60 days of  
14 request, submit in writing to the appropriate board within  
15 the department of professional and occupational licensing  
16 the data and information furnished him pursuant to this act  
17 relevant to the particular board.

-End-

HOUSE BILL NO. 476

INTRODUCED BY HUENNEKENS

A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE INSURERS  
TRANSACTIONING PROFESSIONAL LIABILITY INSURANCE TO INCLUDE IN  
THEIR ANNUAL STATEMENT TO THE INSURANCE COMMISSIONER CERTAIN  
STATISTICS AND INFORMATION."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Definition of profession. For purposes of  
this act, "profession" means the occupations engaged in by  
physicians, osteopaths, registered nurses, licensed  
practical nurses, dentists, optometrists, podiatrists,  
chiropractors, hospitals, attorneys, certified public  
accountants, public accountants, architects, veterinarians,  
pharmacists, and professional engineers.

Section 2. Information required of professional  
liability insurers. Each insurance company engaged in  
issuing professional liability insurance in the state of  
Montana shall include the following information, by  
profession, from its experience in the state of Montana, in  
its annual statement to the insurance commissioner:

(1) the number of insureds as of December 31 of the  
calendar year next preceding;

(2) the amount of ~~EARNED~~ premiums paid by the insureds

during the calendar year next preceding;

(3) the number of claims filed ~~MADE~~ against the  
insurer's insureds and the number of claims outstanding as  
of December 31 of the calendar year next preceding;

(4) the number of claims paid by the insurer during  
the calendar year next preceding and the total monetary  
amount thereof;

(5) the number of lawsuits filed against the insurer's  
insureds and the number of insureds included therein during  
the calendar year next preceding;

(6) the number of lawsuits previously filed against  
the insurer's insureds which were dismissed without  
settlement or trial and the number of insureds included  
therein during the calendar year next preceding;

(7) the number of lawsuits previously filed against  
the insurer's insureds which were settled without trial, the  
total monetary amount paid as settlements in such settled  
cases, and the number of insureds included therein during  
the calendar year next preceding;

(8) the number of lawsuits against the insurer's  
insureds which went to trial during the calendar year next  
preceding and the number of such cases ending in the  
following:

(a) judgment or verdict for the plaintiff;

(b) judgment or verdict for the defendant;

1 (c) other;

2 (9) the total monetary amount paid out, in those

3 lawsuits specified in subsection (8);

4 (10) the total number of the insurer's insureds

5 included in those lawsuits specified in subsection (8);

6 (11) the number of new trials granted during the

7 calendar year next preceding;

8 (12) the number of lawsuits pending on appeal as of

9 December 31 of the next preceding calendar year; and

10 (13) such other information and statistics as the

11 insurance commissioner considers necessary.

12 Section 3. Submission by insurance commissioner to

13 boards. The insurance commissioner shall, within 60 days of

14 request, submit in writing to the appropriate board within

15 the department of professional and occupational licensing

16 the data and information furnished him pursuant to this act

17 relevant to the particular board.

-End-

March 4, 1977

STANDING COMMITTEE REPORT  
Senate Committee on Business & Industry

That House Bill No. 476 be amended as follows:

1. Amend page 3, section 3, lines 14 and 15.

Following: "appropriate"

Strike: "board within the department of professional and occupational"

Insert: "authority"

2. Amend page 3, section 3, line 17.

Following: "particular"

Strike: "board"

Insert: "profession or facility"

3. Amend page 3, section 3, line 17.

Following: line 17.

Insert: "section 4. Codification. Sections 1 through 3 of this act shall be codified in Chapter 28, Title 40, as sections of the Insurance Code."

March 11, 1977

STANDING COMMITTEE REPORT  
Senate Committee on Business & Industry

That House Bill No. 476, third reading, be amended as follows:

1. Amend page 3, section 3, lines 14 and 15.

Following: "appropriate"

Strike: "board within the department of professional and occupational"

Following: "licensing"

Insert: "authority"

2. Amend page 3, section 3, line 17.

Following: "particular"

Strike: "board"

Insert: "profession or facility"

3. Amend page 3, section 3, line 17.

Following: Line 17

Insert: "Section 4. Codification. Sections 1 through 3 of this act shall be codified in Chapter 28, Title 40, R.C.M. 1947, as sections of the insurance code."



1                   HOUSE BILL NO. 476  
 2                   INTRODUCED BY HUENNEKENS  
 3  
 4   A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE INSURERS  
 5   TRANSACTIONING PROFESSIONAL LIABILITY INSURANCE TO INCLUDE IN  
 6   THEIR ANNUAL STATEMENT TO THE INSURANCE COMMISSIONER CERTAIN  
 7   STATISTICS AND INFORMATION."

8  
 9   BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10       Section 1. Definition of profession. For purposes of  
 11   this act, "profession" means the occupations engaged in by  
 12   physicians, osteopaths, registered nurses, licensed  
 13   practical nurses, dentists, optometrists, podiatrists,  
 14   chiropractors, hospitals, attorneys, certified public  
 15   accountants, public accountants, architects, veterinarians,  
 16   pharmacists, and professional engineers.

17       Section 2. Information required of professional  
 18   liability insurers. Each insurance company engaged in  
 19   issuing professional liability insurance in the state of  
 20   Montana shall include the following information, by  
 21   profession, from its experience in the state of Montana, in  
 22   its annual statement to the insurance commissioner:

- 23       (1) the number of insureds as of December 31 of the  
 24   calendar year next preceding;  
 25       (2) the amount of EARNED premiums paid by the insureds

- 1   during the calendar year next preceding;  
 2       (3) the number of claims fitted MADE against the  
 3   insurer's insureds and the number of claims outstanding as  
 4   of December 31 of the calendar year next preceding;  
 5       (4) the number of claims paid by the insurer during  
 6   the calendar year next preceding and the total monetary  
 7   amount thereof;  
 8       (5) the number of lawsuits filed against the insurer's  
 9   insureds and the number of insureds included therein during  
 10   the calendar year next preceding;  
 11       (6) the number of lawsuits previously filed against  
 12   the insurer's insureds which were dismissed without  
 13   settlement or trial and the number of insureds included  
 14   therein during the calendar year next preceding;  
 15       (7) the number of lawsuits previously filed against  
 16   the insurer's insureds which were settled without trial, the  
 17   total monetary amount paid as settlements in such settled  
 18   cases, and the number of insureds included therein during  
 19   the calendar year next preceding;  
 20       (8) the number of lawsuits against the insurer's  
 21   insureds which went to trial during the calendar year next  
 22   preceding and the number of such cases ending in the  
 23   following:  
 24       (a) judgment or verdict for the plaintiff;  
 25       (b) judgment or verdict for the defendant;

- 1 (c) other;
- 2 (9) the total monetary amount paid out, in those
- 3 lawsuits specified in subsection (8);
- 4 (10) the total number of the insurer's insureds
- 5 included in those lawsuits specified in subsection (8);
- 6 (11) the number of new trials granted during the
- 7 calendar year next preceding;
- 8 (12) the number of lawsuits pending on appeal as of
- 9 December 31 of the next preceding calendar year; and
- 10 (13) such other information and statistics as the
- 11 insurance commissioner considers necessary.

12 Section 3. Submission by insurance commissioner to

13 boards. The insurance commissioner shall, within 60 days of

14 request, submit in writing to the appropriate board ~~within~~

15 ~~the department of professional and occupational~~ licensing

16 ~~AUTHORITY~~ the data and information furnished him pursuant to

17 this act relevant to the particular board PROFESSION OR

18 FACILITY.

19 SECTION 4. CODIFICATION. SECTIONS 1 THROUGH 3 OF THIS

20 ACT SHALL BE CODIFIED IN CHAPTER 28, TITLE 40, AS SECTIONS

21 OF THE INSURANCE CODE.

-End-