

ENROLLED ACT NO. 90, HOUSE OF REPRESENTATIVES

FIFTY-SEVENTH LEGISLATURE OF THE STATE OF WYOMING  
2003 GENERAL SESSION

AN ACT relating to insurance; requiring the Wyoming health care commission with the support of the insurance commissioner to conduct a study to establish a joint underwriting association for purposes of providing medical malpractice insurance; imposing study and reporting requirements; providing for an effective date.

*Be It Enacted by the Legislature of the State of Wyoming:*

**Section 1.**

(a) The Wyoming health care commission with the support of the Wyoming insurance commissioner shall conduct a study on the feasibility of establishing a joint underwriting association comprised of all insurers authorized to underwrite casualty insurance in Wyoming for purposes of providing medical liability insurance on a self-supporting basis. The study shall investigate the impact of the association upon the current market for medical liability insurance, shall review rate and reserve fund requirements necessary for association solvency and shall evaluate necessary policyholder participation requirements. The study shall also:

(i) Evaluate the feasibility of revising and using the medical liability compensation account provided by W.S. 26-33-101 through 26-33-111;

(ii) Evaluate the feasibility of establishing a provider owned mutual insurance company to provide health care liability insurance including mechanisms for providing state assistance to start such a company;

(iii) Evaluate the feasibility of establishing a provider liability risk retention group; and

ORIGINAL HOUSE  
BILL NO. 0261

ENROLLED ACT NO. 90, HOUSE OF REPRESENTATIVES

FIFTY-SEVENTH LEGISLATURE OF THE STATE OF WYOMING  
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(iv) Evaluate the ability of the state to act very rapidly on a stop-gap basis in establishing any of the alternatives considered pursuant to this section in the event a sudden emergency requires immediate state action to ensure the availability of health care services to Wyoming residents.

(b) On or before October 15, 2003, the Wyoming health care commission and the insurance commissioner shall report study findings to the joint corporations, elections and political subdivisions interim committee and the joint labor, health and social services interim committee. The report shall include consideration of all the options set forth in subsection (a) of this section and shall include recommendations on the feasibility of establishing a joint underwriting association in Wyoming for purposes of providing medical liability insurance.

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**Section 2.** This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Governor

TIME APPROVED: \_\_\_\_\_  
DATE APPROVED: \_\_\_\_\_

I hereby certify that this act originated in the House.

\_\_\_\_\_  
Chief Clerk