

Physicians Professional Liability & the Indiana Department of Insurance

In 1975 the combined leadership of Governor Otis R Bowen MD, State Senator Adam Benjamin, Jr, the Indiana Legislature and the Indiana State Medical Association resulted in the Indiana Medical Malpractice Act.

The Department of Insurance as authorized by the Act has and continues to have a significant and favorable influence on the stability and administration of professional liability for each Indiana physician.

- 1975
 - Insurance limit \$100,000/300,000
 - Indiana Patients Compensation Fund \$400,000
 - Claim capitation limit \$500,000
 - Fund Surcharge 10% of insurance premium; increased over time to 150%
 - Two year statute of limitations commencing at age 6
 - IRMIA (Indiana Residual Malpractice Insurance Authority)

- 1990
 - Increase of Fund \$650,000 and capitation \$750,000

- 1999
 - Increase of insurance limit \$250,000/500,000
 - Increase of Fund \$1,000,000
 - Increase of capitation \$1,250,000
 - Fund surcharge computation by specialty

- 2008
 - 19.1% decrease of Fund Surcharge
 - Registered and unregistered assumed business names required to be insured
 - Physicians on claims made form prior to July 1, 1999... Fund reduced to \$100
 - NP'S, CRNA'S, NM'S, OD'S, DPM'S employed by physicians required to maintain separate limits to comply with the Indiana Medical Malpractice Act