



June 23, 2008

Commissioner Sandy Praeger  
Chair, Executive Committee  
National Association of Insurance Commissioners  
2301 McGee Street

City, MO

Kennerly, MO 64108-0600

Re: Medical Professional Liability Closed Claim Reporting Model Law ("Closed Claim Reporting Model" or "Model")

Dear Commissioner Praeger:

The National Risk Retention Association ("NRRA") is the association that represents the risk retention group and the alternative risk transfer industry. At the NAIC Summer 2008 National Meeting, the Executive Committee offered the opportunity to interested parties to comment on the Closed Claim Reporting Model. This letter includes NRRA's comments.

This Model would, if adopted into state law, impose upon any "insuring entity" the duty to file reports regarding specified data with the insurance commissioner of the state in which health services are provided. A risk retention group ("RRG") is included within the definition of "insuring entity" in Section 2.I(5) of the Model.

At least 21 states have laws that require insurers to report claims and settlement data. At least 16 of these states – Connecticut, Florida, Hawaii, Iowa, Illinois, Kentucky, Michigan, Missouri, North Carolina, Nebraska, Ohio, Pennsylvania, Tennessee, Texas, Washington and West Virginia – have laws that require RRGs to report claims and settlement data.

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If not as provided in this section, a right-to-know request is exempt from any:

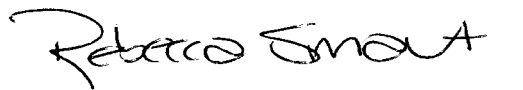
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issue that prompted Congress to enact the LRRRA. Approval by the NAIC of the proposed Model in its current form would further exacerbate this problem.

... request that the Model be amended by deleting "insur-

retention group" from the definition of "insuring entity" in Section 2.I(5).

Sincerely yours,



Rebecca Smart  
Chairman of the Board