

## MEDICAL PROFESSIONAL LIABILITY CLOSED CLAIM REPORTING MODEL LAW

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Drafting Introductory Note: This model law pertains to the collection of data necessary to accomplish the purpose stated in Section 1 is not intended to discourage states from collecting additional data for other purposes.

### Section 1. Statement of Purpose

This Act is intended to ensure the availability of closed claim data necessary for thorough analysis and understanding of issues associated with medical professional liability claims, in order to support the establishment and maintenance of sound public policy.

### Section 2. Definitions

As used in this Act:

A. "Claim" means

- (1) A demand for monetary damages for injury or death caused by medical malpractice; or
- (2) A voluntary indemnity payment for injury or death caused by medical malpractice.

B. "Claimant" means a person, including a decedent's estate, who is seeking or has sought monetary damages for injury or death caused by medical malpractice.

C. "Closed claim" means a claim for which the claimant has received a settlement or judgment, including but not limited to, loss of earnings, burial costs, loss of use of property, cost of replacement or repair, cost of obtaining substitute domestic services and loss of business or employment opportunities.

- G. “Health care facility” or “facility” means a clinic, diagnostic center, hospital, laboratory, mental health center, nursing home, office, surgical facility, treatment facility or similar place where a health care provider provides health care to patients.
- H. “Health care provider” or “provider” means
  - (1)







