

LOST

1 Senator Brown of the 26th offered the following amendment:

2 Amend the Senate Health and Human Services Committee substitute to HB 1028 by inserting
3 after "actions;" on line 10 on page 1 "to require that the Commissioner of Insurance make
4 certain annual examinations of medical malpractice insurers; to require certain rates to be
5 lowered; to provide for increases in premiums under certain circumstances;"

6 By striking line 27 on page 16 and inserting in lieu thereof the following:

7 "conflicting provisions of Title 51 or any other law.

8 **ARTICLE 4**

9 31-46-70.

10 (a) The Commissioner of Insurance shall make or cause to be made an annual examination
11 of every admitted insurer issuing medical malpractice or medical liability insurance
12 policies to ascertain whether the insurer and every rate and rating system used by it for
13 each class of insurance complies with the requirements and standards of this Code section.
14 The examination shall not be a part of a periodic general examination participated in by
15 representatives of more than one state.

16 (b) All insurers issuing policies in Georgia providing for medical malpractice or medical
17 liability insurance coverage shall reduce premium rates for each policy issued or renewed
18 on or after July 1, 2004, as measured by premium rates for similarly situated risks in effect
19 on July 1, 2003, by 15 percent. All insurers issuing policies in Georgia providing for
20 medical malpractice or medical liability insurance coverage shall reduce premium rates for
21 each policy issued or renewed on or after July 1, 2005, as measured by premium rates for
22 similarly situated risks in effect on July 1, 2004, by 15 percent. All insurers issuing
23 policies in Georgia providing for medical malpractice or medical liability insurance
24 coverage shall reduce premium rates for each policy issued or renewed on or after July 1,
25 2006, as measured by premium rates for similarly situated risks in effect on July 1, 2005,
26 by 15 percent. The premium rates resulting from these reductions shall remain in effect
27 until July 1, 2009.

28 (c) Between July 1, 2004, and July 1, 2009, premium rates reduced pursuant to subsection
29 (b) of this Code section may be increased only if the Commissioner of Insurance finds,
30 after a public hearing, that an insurer is substantially threatened with insolvency."