

# MAINE STATE LEGISLATURE

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# 123rd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2007

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Legislative Document

No. 1641

H.P. 1150

House of Representatives, March 22, 2007

### An Act To Provide for Transparency in Insurance Rate Proceedings

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Reference to the Committee on Insurance and Financial Services suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative SIMPSON of Auburn.  
Cosponsored by Representatives: BRAUTIGAM of Falmouth, CONOVER of Oakland,  
SMITH of Monmouth, TREAT of Farmingdale.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 24-A MRSA §2304-C, sub-§3**, as enacted by PL 1991, c. 377, §11, is  
3 repealed.

4 **Sec. 2. 24-A MRSA §2304-C, sub-§5**, as enacted by PL 1991, c. 377, §11, is  
5 repealed.

6 **Sec. 3. 24-A MRSA §2304-C, sub-§5-A** is enacted to read:

7 5-A. Public access. Immediately after receiving a filing under this section, the  
8 superintendent shall grant access to the filing to the public.

9 **Sec. 4. 24-A MRSA §2304-C, sub-§6**, as enacted by PL 1991, c. 377, §11, is  
10 amended to read:

11 **6. Public hearing.** The superintendent may hold a public hearing on any filing and  
12 shall hold a public hearing on a filing requesting a rate increase of more than 5%, as  
13 provided in sections 229 to 235. At the request of any a person described in subsection 5  
14 who pays premiums for physicians and surgeons liability coverage to the company that  
15 made the filing or a person or organization that represents a group of persons who pay  
16 premiums for physicians and surgeons liability coverage to the company that made the  
17 filing, the superintendent shall, as required by section 229, hold a public hearing on the  
18 filing.

19 **SUMMARY**

20 This bill requires the Superintendent of Insurance to make medical malpractice filings  
21 open to the public and to hold a public hearing for any filing requesting a rate increase of  
22 over 5%.