Wyoming Healthcare Commission

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Dec. 7, 2004

Joint Appropriations Committee
Joint Corporations, Elections and Political Subdivisions Committee
Joint Judiciary Committee
Joint Labor, Health and Social Services Committee

Re: 2004 Special Session House Bill 1010 (Enrolled Act 2), Sections 2 and 3

Dear Wyoming Legislators,

House Bill 1010 (Enrolled Act 2) passed during this summer's Special Session of the Legislature required the Wyoming Healthcare Commission to study:

1. Self-insurance pools or state-funded insurance programs to provide excess liability insurance for health care providers, and specifically the Nebraska excess liability fund and

2. The feasibility of creating one or more risk retention groups or other similar insurance mechanisms for the purpose of providing medical malpractice liability insurance to Wyoming physicians providing medical care to persons in this state.

Milliman, an actuarial consulting firm, completed these studies, which were distributed last month to all state legislators, the Governor's Office, the Governor's Media List, the Legislative Service Office, the State Library and special interest groups (Wyoming Hospital Association, Wyoming Medical Society, Wyoming Trial Lawyers Association) and are posted on the Wyoming Healthcare Commission's web site, www.wyominghealthcarecommission.org.

Wyoming Healthcare Commission discussion of Sections 2 and 3 has focused on the question of whether medical malpractice insurance availability or affordability has

precedence when the merits of either an excess liability fund or risk retention group are weighed. In a letter sent to you in November, I suggested that a supplemental report would be provided to the Legislature with recommendations on the excess liability fund and risk retention group options contained in Milliman's reports.

However, the Commission met in November and would like me to inform you at this time that no additional information on the House Bill 1010 Section 2 and Section 3 studies will be forthcoming. It is our understanding from media reports that legislators and the Governor have read the studies and that proposals representing various options are being mulled in legislative committees.

We feel the requirements have the Legislature have been met by the Commission and we refrain from furthering the debate in the interest of letting the Milliman work stand on its own merits.

Thank you,

T. Chris Muirhead,
Chairman

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