



OFFICE OF
INSURANCE COMMISSIONER

March 4, 2021

The Honorable Eileen Cody, Chair
House Health Care & Wellness Committee
303 John L. O'Brien Building
Post Office Box 40600
Olympia, Washington 98504

The Honorable Annette Cleveland, Chair
Senate Health & Long Term Care Committee
220 John A. Cherberg Building
Post Office Box 40449
Olympia, Washington 98504

The Honorable Steve Kirby, Chair
House Consumer Protection & Business Committee
437B Legislative Building
Post Office Box 40600
Olympia, Washington 98504

The Honorable Mark Mullet, Chair
Senate Business, Financial Services & Trade Committee
415 Legislative Building
Post Office Box 40405
Olympia, Washington 98504

The Honorable Drew Hansen, Chair
House Civil Rights & Judiciary Committee
370 John L. O'Brien Building
Post Office Box 40600
Olympia, Washington 98504

The Honorable Jamie Pedersen, Chair
Senate Law & Justice Committee
235 John A. Cherberg Building
Post Office Box 40443
Olympia, Washington 98504

Brad Hendrickson
Secretary of the Senate
312 Legislative Building
Post Office Box 40482
Olympia, Washington 98504

Bernard Dean
Chief Clerk of the House
338B Legislative Building
Post Office Box 40600
Olympia, Washington 98504

RE: Medical Malpractice Claims Data – Statistical Summaries and Annual Report

Dear Senators and Representatives,

In 2006, the Legislature passed Second Substitute House Bill 2292, codified in Chapter 48.140 RCW, to address a number of concerns, including insufficient availability of medical malpractice claim data to support policy decisions. As required by [RCW 48.140.040\(2\)](#) and [RCW 48.140.050](#), this letter is to notify you that my office needs additional time to post statistical summaries and the annual report to the Office of the Insurance Commissioner's (OIC) website.

Attorneys, insurers and self-insurers have until March 1 to report claims data to the OIC on claims from the prior year. Typically, my office receives hundreds of claim reports in the month prior to the March 1 deadline, and some after. After the reports have been submitted, my staff then audit the data. Each year we must contact data reporters for dozens of individual claims to request corrections and clarifications. This time-consuming process must be completed before I can release any data to the public.

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Under RCW 48.140.040(2), the OIC must post statistical summaries of claim data to its website by April 30, 2021, "...unless the commissioner notifies legislative committees by March 15th that data is not available, and informs the committees when the summaries will be completed." My staff will post the summaries on the OIC website by June 1, 2021. Once posted, they will be available at:

<https://www.insurance.wa.gov/legislative-and-commissioner-reports>.

Similarly, RCW 48.140.050 requires the OIC to prepare an annual report that summarizes and analyzes medical malpractice closed claim data and financial data filed by authorized medical malpractice insurers in this state. The OIC must complete the report by June 30, 2021, "...unless the commissioner notifies legislative committees by June 1st that data are not available and informs the committees when the summaries will be completed." This report will be completed by September 1, 2021 and will be published on the agency website within thirty days after it is completed, as required by RCW 48.140.050(2).

Sincerely,

A handwritten signature in black ink that reads "Mike Kreidler". The signature is written in a cursive, flowing style.

Mike Kreidler,
Insurance Commissioner

Sent via U.S. mail and electronically.