



COMMONWEALTH OF PUERTO RICO

## OFFICE OF THE COMMISSIONER OF INSURANCE

November 15, 1988

Circular Letter: AE-I-5-1123-88

TO THE INSURERS SYNDICATE AND TO ALL PROPERTY AND  
CASUALTY INSURERS AUTHORIZED TO TRANSACT PHYSICIANS,  
SURGEONS, DENTISTS AND HOSPITAL PROFESSIONAL  
LIABILITY INSURANCE IN PUERTO RICO

Subject: Withdrawal of Circular Letters Number AM-I-II-786-79 of December 20, 1979 and AM-VII-II-1023-85 of December 9, 1985; submission of: (1) Semiannual Report on claims first received and Report of all claims closed or outstanding and (2) copies of all court resolutions, judicial awards and outside of court settlements.

Dear Sirs:

Section 41.060 of the Insurance Code of Puerto Rico, as amended by Act No. 4, approved on December 30, 1986, stipulates the following:

"The insurers who participate in the Open Market, as well as the Syndicate shall submit to the Office of the Insurance Commissioner on the forms required by him, semiannual reports of each and every one of the malpractice claims, court resolutions, adjudications, and judicial and extra-judicial transactions which are filed. This information shall be filed in the Office of the Commissioner of Insurance on or before the month following the close of the previous semester. The Commissioner in turn shall remit a copy of said resolutions and adjudications and transactions, within thirty days after having received them, to the Secretary of Health, and to the Boards of Examiners of the health services professionals, as the case may be, in order for them to take whatever legal action is pertinent against

the health services professionals or health care institutions. Failure to comply with this requirement shall be sanctioned by the Commissioner of Insurance pursuant to the provisions of Section 3.210 of this act." (Emphasis supplied)

In view of the above, please be advised that Circular Letters Number AM-I-II-786-79 of December 20, 1979, and Number AM-II-1023-85 of December 9, 1985, which required monthly and annual reports of all medical, dental and hospital malpractice claims closed and/or outstanding, are hereby withdrawn and their provisions shall have no effect as of the date of this circular letter.

In lieu of the monthly and annual reports required in the rescinded circular letters and, pursuant to the provisions of section 41.060 quoted above, each insurer which is transacting such insurance or has transacted such insurance in the past, shall semiannually, on or before the end of the month following the close of the previous semester, file with the Commissioner of Insurance a report of all medical or hospital professional liability claims first received on said semester and a report of all medical or hospital professional liability claims closed on said semester, or outstanding from previous semesters, irrespective of the date the policy became effective. Together with these reports, a copy of the court resolutions and awards received, and of the extra-judicial settlements made during such semester must also be submitted.

The above reports shall be filed with this Office for hospital liability claims separate from Physicians', Surgeons' and Dentists' liability claims using one of the two versions of blank forms AM-I-10, AM-I-10-ADD and AM-I-11. The following are the instructions for using these forms:

1. All insurers must fill out all forms. If there are no transactions to be informed, then the form must contain the following: "No claim reported" or "no claim outstanding" or "no claim closed", as the case may be.
2. Insurers handling few claims for which only one page of the form is needed, must use only the page which provides for the signature of an authorized official.
3. Insurers handling many claims must use one or more copies of the page containing only the name of the insurer and must use, as the last page of the report, the form which provides for the signature of the authorized official.
4. Form AM-I-10-ADD is an addendum to form AM-I-10, and the item number and claim number for each claim reported in Form

AM-I-10-ADD must be identical to the ones reported in Form AM-I-10.

For your convenience see additional instructions in the back of each form.

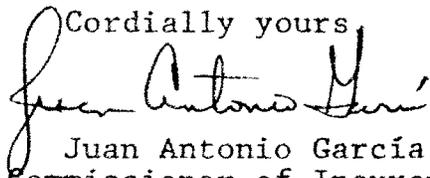
Insurers which have not written in the past and are not presently writing Physicians, Surgeons, Dentists or Hospital Professional Liability insurance in Puerto Rico are hereby required to return the enclosed certification form duly signed by their president or vice president. In such cases, the enclosed blank forms need not be filled and submitted to this Office.

We are hereby enclosing two versions of blank forms AM-I-10, AM-I-10-ADD, AM-I-11 and the certification form. The reports for the semesters ending December 31, 1987, June 30, 1988, as well as for the semester ending December 31, 1988 must be received in this Office on or before January 31, 1989. Thereafter the reports for the semester ending December 31 of each year, must be received in this Office not later than January 31 of the following year, and the reports for the semester ending June 30 of each year, must be received in this Office not later than July 31 of that same year.

Please do not hesitate to contact this Office if you have any doubts regarding the above instructions.

Strict compliance with the provisions of this circular letter is hereby required.

Cordially yours,



Juan Antonio García  
Commissioner of Insurance

Enclosure



COMMONWEALTH OF PUERTO RICO

## OFFICE OF THE COMMISSIONER OF INSURANCE

Re: Circular Letter AE-1-5-1123-88  
Physicians, Surgeons, Dentists  
and Hospital Professional  
Liability Insurance Statistical  
Reports

### CERTIFICATION

I hereby certify that with respect to Hospital Professional  
Liability Insurance, \_\_\_\_\_  
(name of the insurer)

has not written in the past and is not writing in Puerto Rico any  
insurance policy or coverage.

In witness whereof, I hereunder subscribe my name and affix  
our corporate seal, this day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Corporate Seal)

\_\_\_\_\_  
(Title: President or Vice President)