January 27, 2023

SUBJECT: Pennsylvania Medical Malpractice Data Call (Act 13 of 2002 Data Call)

**Study of Availability of Additional Basic Insurance Coverage - $750,000**

TO: Presidents of Medical Malpractice Licensed Insurance Carriers, Risk Retention Groups, and Excess and Surplus Lines Carriers in Pennsylvania

FROM: Mark Lersch

Director, Property & Casualty Bureau

Office of Insurance Product Regulation

The Pennsylvania Insurance Department (Department) is conducting a medical malpractice data call to study the availability of additional basic coverage capacity in the Pennsylvania medical malpractice marketplace. This data call is required by Section 711(d)(3) of the Medical Care Availability and Reduction of Error (MCARE) Act (40 P.S. § 1303.711(d)(3)).

**This data call is due March 6, 2023.**

The entirety of the data call, including this cover letter, the data call questions (Exhibit 1) and the list of insurers that must respond (Exhibit 2) will be attached to an email and sent to all impacted insurers. The files are also available on the Data Calls page on our website.

***Please note that insurers have the option to designate their NAIC Annual Statements as their response to the data call. If this designation is chosen, the Department will access the necessary Annual Statement data from the NAIC website and the insurer will have no further reporting requirement.***

All insurers with positive medical malpractice direct written premium in Pennsylvania in 2021 (as identified in Exhibit 2) must respond to this data call. Data for more than one insurer should not be combined into a single submission. Submissions will be accepted via email with email attachments.

The Study of Availability of Additional Basic Insurance Coverage has also been announced in the Pennsylvania Bulletin to allow for input from interested parties. If your company has any comments regarding capacity in the Pennsylvania medical malpractice marketplace, this is the appropriate way to communicate them.

Thank you for your assistance and cooperation with this important study. If you have any questions, please contact Shannon Kost at (717) 783-4308 or by email at [skost@pa.gov](mailto:skost@pa.gov).