

Exhibit 1

Act 88 of 2005, Section 5103.1. Commission on the Mcare Fund

(A) Declaration of Policy.-- The General Assembly recognizes that changes in the medical professional liability insurance market have necessitated the need for a plan to address the unfunded liabilities of the Medical Care Availability and Reduction of Error (Mcare) Fund.

(B) Establishment of Commission on the Mcare Fund.-- There is established a Commission on the Mcare Fund for the purpose of reviewing and making recommendations regarding appropriate and effective methods to address any future unfunded liabilities of the Mcare Fund.

- (1) The Commission shall consist of the following members:
 - (i) the Insurance Commissioner or designee of the Insurance Commissioner, who shall serve as the chairperson of the Commission.
 - (ii) the Secretary of the Budget or designee of the Office of the Budget.
 - (iii) the Secretary of Revenue or a designee of the Secretary of Revenue.
 - (iv) two members appointed by the President Pro Tempore of the Senate and two members appointed by the Minority Leader of the Senate.
 - (v) two members appointed by the Speaker of the House of Representatives and two members appointed by the Minority Leader of the House of Representatives.
- (2) The Commission shall establish an Advisory Committee composed of no more than 15 individuals with expertise in areas including: health care, medical professional liability insurance, the law, finance and actuarial analysis. The members of the Advisory Committee shall serve without compensation, but shall be reimbursed for their actual and necessary expenses for attendance at meetings.
- (3) The Commission shall undertake a study of the future scope and obligations of the Fund and shall submit its report to the Governor and General Assembly by November 15, 2006. The Commission shall make recommendations concerning continuation of the Mcare abatement; the elimination or phase-out of the Fund; and other provisions for providing adequate medical professional liability insurance, including, at a minimum, an evaluation and actuarial analysis of the projected scope of the Fund's future unfunded liability and any reasonable and available financing options for retiring those unfunded liabilities.
- (4) The Commission is authorized to incur expenses deemed necessary to implement this section. Expenses incurred for this purpose shall be paid by the Fund.
- (5) The Commission shall expire November 30, 2006.