

ACT 82

S.B. NO. 2646-82

A Bill for an Act Relating to Patients' Compensation Fund.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 671-36, Hawaii Revised Statutes, is amended to read:

“**[§ 671-36] Participation in fund; basic insurance coverage.** No health care provider shall be permitted to participate in the patients' compensation fund unless the health care provider gives evidence to the insurance commissioner of medical malpractice insurance coverage in [the following] amounts[:] to be established by the insurance commissioner by rules adopted in accordance with chapter 91.

- [(1) For individual physicians or surgeons, \$100,000 per claim and \$300,000 per policy period aggregate;
 - (2) For hospitals and other health care providers, \$100,000 per claim and \$1,000,000 per policy period aggregate;
- provided that in] In lieu of the required insurance [provided for above], a health

care provider may participate in the fund upon presenting evidence to the insurance commissioner of a surety bond, proof of qualifications as a self-insurer, or other securities affording coverage for medical torts substantially equivalent to that afforded under a medical malpractice insurance in the required amounts [provided for above, as applicable,] as approved by the insurance commissioner under rules adopted by the insurance commissioner.”

SECTION 2. Statutory material to be repealed is bracketed. New material is underscored.

SECTION 3. This Act shall take effect upon its approval.

(Approved May 14, 1982.)