

4439

2009-2010 Regular Sessions

I N S E N A T E

April 23, 2009

Introduced by Sen. KRUGER -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education

AN ACT to amend the education law, in relation to requiring physicians to procure and maintain malpractice insurance

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Section 6524 of the education law is amended by adding a
2 new subdivision 12 to read as follows:
3 (12) MALPRACTICE INSURANCE: PROCURE AND MAINTAIN IN FULL FORCE AND
4 EFFECT A POLICY OF MEDICAL MALPRACTICE INSURANCE WITH PRIMARY LEVELS OF
5 INSURANCE IN AN AMOUNT EQUAL TO OR GREATER THAN ONE MILLION DOLLARS FOR
6 EACH CLAIMANT UNDER THAT POLICY AND THREE MILLION DOLLARS FOR ALL CLAIM-
7 ANTS UNDER THAT POLICY IN ANY ONE YEAR.
8 S 2. Section 6525 of the education law is amended by adding a new
9 subdivision 5 to read as follows:
10 5. MALPRACTICE INSURANCE. EVERY APPLICANT FOR AND EVERY HOLDER OF A
11 PERMIT TO PRACTICE MEDICINE AS PROVIDED FOR IN THIS SECTION SHALL
12 PROCURE AND MAINTAIN IN FULL FORCE AND EFFECT A POLICY OF MEDICAL MALP-
13 RACTICE INSURANCE WITH PRIMARY LEVELS OF INSURANCE IN AN AMOUNT EQUAL TO
14 OR GREATER THAN ONE MILLION DOLLARS FOR EACH CLAIMANT UNDER THAT POLICY
15 AND THREE MILLION DOLLARS FOR ALL CLAIMANTS UNDER THAT POLICY IN ANY ONE
16 YEAR.
17 S 3. This act shall take effect immediately.

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets [] is old law to be omitted.

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