

Indiana History

July 2009

On July 1, 1975 with the combined leadership of Governor Otis R Brown MD, State Senator Adam Benjamin, Jr and the Indiana State Medical Association the Indiana Legislature enacted the Indiana Medical Malpractice Act.

The Indiana Department of Insurance continues to have a significant and favorable influence on the stability and administration of professional liability for Indiana health care providers.

- 1975
 - Insurance limit \$100,000/300,000
 - Indiana Patients Compensation Fund \$400,000
 - Claim capitation limit \$500,000
 - Fund Surcharge 10% of insurance premium; increased by 1999 to 150%
 - Two year statute of limitations commencing at age 6
 - IRMIA (Indiana Residual Malpractice Insurance Authority)

- 1990
 - Increase of Fund to \$650,000 and capitation to \$750,000

- 1999
 - Insurance limits increase to \$250,000/500,000
 - Fund \$1,000,000
 - Capitation \$1,250,000
 - Fund surcharge computation by specialty for physicians

- 2008
 - 19.1% decrease of Fund Surcharge for physicians
 - Registered and unregistered assumed business names required to be insured
 - Physicians on claims made form prior to July 1,1999...Fund reduced to \$100
 - NP's, CRNA's, NM's, OD's, DPM's employed by physicians required to maintain separate limits to comply with the Indiana Medical Malpractice Act

- 2009
 - Fund decreased .005% for physicians