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PIAA Presents to Affordable Care Act Medical Professional Liability (C) Working Group at NAIC 2013 Summer National Meeting

Rockville, MD (August 26, 2013) – PIAA, the international insurance industry trade association representing medical professional liability (MPL) insurance entities, spoke to the Affordable Care Act Medical Professional Liability (C) Working Group on Sunday, August 25, at the National Association of Insurance Commissioners (NAIC) Summer National Meeting. PIAA’s remarks were delivered by President and CEO Brian K. Atchinson, who provided an overview of the current medical professional liability (MPL) insurance marketplace, and offered insights on the possible impact of the Affordable Care Act (ACA) on the MPL market.

“The implementation of the Affordable Care Act certainly has the potential to affect medical liability,” stated Atchinson. “The federal government estimates that millions of Americans, who previously had no health insurance, may eventually be covered under the ACA, which also establishes Accountable Care Organizations as a way to manage care and reign in healthcare costs. In addition, as a result of changes in the delivery of healthcare promulgated by the ACA, physicians, hospitals, nurses, and other healthcare providers will be challenged to comply with the many new payment provisions, evidence-based medicine guidelines, and other requirements.”

“There are 14 provisions in the ACA that could be construed as creating new guidelines or standards of care for healthcare providers,” Atchinson continued. “Although a U.S. Government Accountability Office study done before the ACA was implemented stated that the law does not explicitly alter the MPL system, it is clear that the courts will be responsible for specific interpretation of this language. We applaud the recent bipartisan support in the U.S. House of Representatives Committee for legislation that would make clear the ACA is not intended to increase the liability of the nation’s physicians, hospitals, nurses and other providers by inadvertently creating new legal standards of care. The language is included in the bill that would replace Medicare’s Sustainable Growth Rate formula. PIAA and our members appreciate the opportunity to discuss these and other critical issues today with the NAIC.”

“During these times of great change in the nation’s healthcare system which pose many challenges for physicians, hospitals, nurses, nurse practitioners, and all healthcare providers, it is essential these professionals and institutions not be subjected to greater liability while providing care,” Atchinson said. “PIAA member companies, which are the leading writers in the MPL line, continue to innovate in enhancing patient safety and risk management to help make our nation’s healthcare system stronger and better.”

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PIAA is the international insurance trade association representing medical professional liability insurance companies, risk retention groups, captives, trusts, and other entities. PIAA members insure more than two-thirds of America’s private practicing physicians and 3,000 hospitals as well as dentists, nurses and nurse practitioners, and other healthcare providers.