



**MEDICAL PROFESSIONAL LIABILITY INSURANCE  
CLOSED CLAIM ANNUAL REPORT**

JANUARY 1 2006 · DECEMBER 31 2006

**COMMISSIONER KIM HOLLAND**  
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**OKLAHOMA  
INSURANCE**  
DEPARTMENT

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## MEDICAL PROFESSIONAL LIABILITY INSURANCE

### CLOSED CLAIM ANNUAL REPORT

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The Oklahoma Insurance Department is pleased to present composite data of medical professional liability closed claim reports for 2006. The Department publishes this report pursuant to Title 36, Section 6813 of the Oklahoma Statutes. This report contains aggregate numbers from statewide closed claims data. Information about specific closed claims is confidential pursuant to Title 36, Section 6816 and is unavailable for public inspection.

**The Oklahoma Insurance Department has procedures to collect the claim reports and produce the final composite report. However, the closed claim reports submitted to the Insurance Department are done without any type of affirmation of accuracy by the insurer. The Insurance Department makes no final and absolute guarantees about the information contained within the report. This information should not be viewed as a substitute for any type of financial or actuarial opinion about a reporting insurer's claims activities.**

**The Oklahoma Insurance Department collects unedited data from reporting insurers and presents the final aggregate numbers in the annual report. The Department continues to work with the Oklahoma Legislature and with other Oklahomans to more accurately define the statutory requirements and to enhance the data collection understanding and process.**

**Questions applicable to this report should be directed to:**

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Oklahoma Insurance Department  
P.O. Box 53408  
OKC, OK 73152-3408

# THE POLICY 2006

Business or Profession	Closed Claim Count	Type of Insurance Coverage	Closed Claim Count
Physicians & Surgeons	548	Claims Made - basic	210
Hospitals	104	Claims Made - tail	23
Other Medical Professionals	36	Occurrence	572
Other Health Care Facilities	117		

  

Insurance Policy Limits	Closed Claim Count	Insured's Practice Type	Closed Claim Count
100,000/300,000	6	Institutional (academic)	55
500,000/500,000	6	Professional Corporation or Partnership (group)	299
500,000/1,000,000	10	Self-employed	353
400,000/2,000,000	1	Employed Physician	69
1,000,000	61	Employed Nurse	5
1,000,000/1,000,000	107	All Other Employees	6
1,000,000/2,000,000	3	Intern or Resident	17
1,000,000/3,000,000	280	Unknown	1
1,000,000/6,000,000	1		
1,100,000/3,300,000	1		
1,200,000/3,600,000	1		
2,000,000/2,000,000	49		
2,000,000/4,000,000	15		
2,000,000/6,000,000	6		
3,000,000/3,000,000	95		
4,000,000/6,000,000	1		
5,000,000/5,000,000	103		
6,000,000/6,000,000	1		
10,000,000	57		
25,000,000	1		

## Reserved For All The Claims

Reserves in the quarterly statement immediately preceding the date of each claim's closure, as filed with the state of domicile

**\$94,783,941**

# INJURY OR LOSS 2006

Injury Location - Facility	Closed Claim Count	Injury Location - County	Closed Claim Count
Hospital Inpatient Facility	411	Jackson	20
Emergency Room	66	Jefferson	1
Hospital Outpatient Facility	28	Johnston	0
Nursing Home	20	Key	6
Physician's Office	206	Kingfisher	0
Patient's Home	28	Kiowa	0
Other Outpatient Facility	27	Latimer	2
Other	8	Le Flore	6
Other Hospital/ Institutional Location	3	Lincoln	2
Unknown	8	Logan	0
		Love	0
		Major	3
		Marshall	11
		Mayes	2
		McClain	0
		McCurtain	2
		McIntosh	2
		Murray	0
		Muskogee	21
		Noble	0
		Nowata	1
		Okfuskee	0
		Oklahoma	247
		Okmulgee	4
		Osage	4
		Ottawa	3
		Pawnee	3
		Payne	8
		Pittsburg	10
		Pontotoc	10
		Pottawatomie	15
		Pushmataha	1
		Roger Mills	0
		Rogers	14
		Seminole	1
		Sequoyah	1
		Stephens	10
		Texas	0
		Tillman	0
		Tulsa	216
		Wagoner	0
		Washington	15
		Washita	1
		Woods	0
		Woodward	5
Injury Location - County	Closed Claim Count		
Adair	1		
Alfalfa	0		
Atoka	0		
Beaver	1		
Beckham	7		
Blaine	3		
Bryan	5		
Caddo	3		
Canadian	12		
Carter	16		
Cherokee	7		
Choctaw	0		
Cimarron	1		
Cleveland	32		
Coal	2		
Comanche	20		
Cotton	0		
Craig	2		
Creek	5		
Custer	2		
Delaware	4		
Dewey	0		
Ellis	1		
Garfield	25		
Garvin	0		
Grady	8		
Grant	0		
Greer	0		
Harmon	0		
Harper	0		
Haskell	1		
Hughes	0		



## CLAIMS PROCESS 2006 CONTINUED

Stage the Claim was Closed	Closed Claim Count	Number of Defendants	Closed Claim Count
Case dismissed before suit filed	150	One	303
Case dismissed after suit filed	441	Two	156
Case settled prior to suit being filed	39	Three	93
Case settled after suit was filed	142	Four	54
Case tried to jury or judge	20	Five	22
During appeal	1	Six	26
After appeal	2	More than Six	98
Not Applicable or Unknown	10	Not Applicable or Unknown	53
		Was a Court Verdict Issued?	Closed Claim Count
		Yes	25
		No	759
		Not Applicable or Unknown	21
Were Attorneys Involved?	Closed Claim Count		
Yes	758		
No	45		
Not Applicable or Unknown	2		
Was the Verdict Appealed?	Closed Claim Count		
Yes	12		
No	562		
Not Applicable or Unknown	231		

## AMOUNT PAID 2006

Total amount of the court award or settlement	\$60,345,465
Amount paid on behalf of the insured exclusive of attorney fees or case costs	\$49,956,627
Amount of prejudgment interest	\$31,780
Amount paid for defense cost	\$22,819,318
Amount paid for punitive damages	\$0
Amount paid by another insurer, if available to the medical professional liability insurer	\$1,817,000
Amount paid by another defendant, if available to the medical professional liability insurer	\$4,675,000
Amount of any collateral source of payment	\$25,000
Amount of allocated loss adjustment expenses	\$24,496,408

# OKLAHOMA INSURANCE DEPARTMENT

## MEDICAL PROFESSIONAL LIABILITY INSURANCE

### CLOSED CLAIM ANNUAL REPORT SUPPLEMENT\*

## 2006 SUPPLEMENTAL INFORMATION

Number of claims with payment by insurer	234
Number of claims with no payment by insurer	571
Average claim settlement or award	\$257,887
Total amount of ALAE for claims with payment by insurer	\$13,010,269
Total amount of ALAE for claims with no payment by insurer	\$11,486,139
Average ALAE for claims with payment by insurer	\$55,599
Average ALAE for claims with no payment by insurer	\$20,116

\*The information on this page is provided as a courtesy by the Oklahoma Insurance Department to supplement your Medical Professional Liability Insurance Closed Claim Annual Report and is not required to be furnished by statute.

Allocated Loss Adjustment Expense (ALAE) may include defense attorney expenses, court costs, stenographer costs, expenses for expert testimony, specific research, etc. However, it is important to note that insurers may not have reported this data consistently.