

**Iowa**  
**Medical Malpractice Annual Report**  
**For Calendar Year 2007**

December 2008  
Iowa Insurance Division

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## Introduction

Pursuant to Iowa Code Section 505.27, the Iowa Insurance Division requested insurance companies report medical malpractice claim data for calendar year 2007.

Licensed insurers who wrote medical malpractice insurance in Iowa during 2007, were asked to provide data separately for any claims that closed during the year and any claims that were open at the end of the year.

### Data Request

The Division requested that companies submit data for each *claim* or *lawsuit*.

*Claims* were defined as formal or written demands for compensation under a medical malpractice insurance policy relating to allegations of liability on the part of one or more providers for any act, error, or omission in the rendering of, or failure to render medical services for medically related injuries.

A *lawsuit* was defined as a complaint filed in any court in Iowa alleging liability on the part of one or more providers for any act, error, or omission in the rendering of, or failure to render medical services for medically related injuries.

Only direct business was to be included in the report. Adjustments for subrogation were to be made. Claims were to be reported separately for each insured associated with a claim; for each injured party associated with an incident; for each claimant that filed a claim for the same injury; and for each policy if filed under more than one policy. Reopened claims were to be reported considering only their final disposition date.

A copy of the data request is included at the end of this report.

## Companies

Licensed insurers who wrote medical malpractice insurance in Iowa during 2007, were required to provide data for claims that closed during the year or that were open at the end of the year. These insurers represented 69.5% of the medical malpractice market in Iowa as determined by their percentage of calendar year 2007 direct written premiums.

Page 5 shows a history of the market shares for companies that wrote medical malpractice business in 2007. The market shares were determined by dividing the company's written premium for the year by the total written premium for all companies in that year.

The companies writing medical malpractice insurance in Iowa have changed from year to year. New companies start writing, others cease writing the business. The premium volume that each company wrote also changed dramatically for some companies from year to year. Most of the business is written by a few companies, but even those companies have changed year to year and the market share they write has shifted.

Since medical malpractice claims can take years to be reported and closed, the claims closed in a year and open at the end of the year do not correspond to premiums for that year. Some companies that had no premiums in 2007 reported claims, even though they were not required to respond to the data call.

All of the companies required to comply with the data request responded either by providing the claims data or by stating that they had no applicable claims to report.

**Iowa Insurance Division  
 Medical Malpractice Closed and Open Claim Report  
 Market Shares of Companies with Reported Claims**

<b>Company Name</b>	<b>Calendar Year 2003</b>	<b>Calendar Year 2004</b>	<b>Calendar Year 2005</b>	<b>Calendar Year 2006</b>	<b>Calendar Year 2007</b>
Midwest Medical Insurance Company	33.4%	35.5%	35.9%	36.5%	33.8%
Physicians Insurance Company of Wisconsin, Inc.	20.9%	19.6%	15.0%	15.6%	13.3%
AMCO Insurance Company	3.5%	3.2%	3.0%	2.8%	2.8%
C N A Insurance Companies	1.8%	1.9%	1.9%	2.1%	2.4%
Medical Protective Company, The	5.9%	3.8%	2.5%	2.3%	2.2%
Preferred Professional Insurance Company	2.8%	2.2%	2.4%	2.1%	2.2%
Health Care Industry Liability Reciprocal Insurance	0.0%	0.0%	1.2%	1.7%	1.9%
MHA Insurance Company	0.0%	0.0%	0.3%	1.0%	1.9%
NCMIC Insurance Company	1.3%	1.2%	1.3%	1.4%	1.6%
ProNational Insurance Company	0.3%	0.4%	1.2%	1.4%	1.4%
ISMIE Mutual Insurance Company	0.0%	3.5%	3.3%	1.0%	1.2%
Cincinnati Insurance Company, The	1.0%	1.5%	1.2%	1.1%	1.0%
Podiatry Insurance Company of America, A Mutual Company	0.7%	0.8%	0.9%	1.0%	1.0%
Fireman's Fund Insurance Company	0.5%	0.5%	0.4%	0.5%	0.5%
Doctors Company, The	1.6%	0.6%	0.4%	0.6%	0.4%
National Union Fire Insurance Company of Pittsburgh, PA	0.4%	0.5%	0.3%	0.5%	0.4%
Emergency Medicine Risk Retention Group, Inc.	0.0%	0.5%	0.4%	0.3%	0.4%
COPIC Insurance Company	0.0%	0.0%	0.5%	0.3%	0.4%
ACE American Insurance Company	0.2%	0.2%	0.3%	0.3%	0.4%
Pharmacists Mutual Insurance Company	0.3%	0.3%	0.3%	0.3%	0.3%
American Alternative Insurance Company	0.0%	0.3%	0.3%	0.2%	0.0%
Fortress Insurance Company	3.2%	0.0%	0.0%	0.0%	0.0%
Darwin National Assurance Company	0.0%	0.0%	0.0%	0.0%	0.0%
Executive Risk Indemnity Inc.	0.6%	0.5%	0.0%	0.0%	0.0%
TIG Insurance Company	0.2%	0.1%	0.0%	0.0%	0.0%
Travelers Property Casualty Company of America	0.0%	0.0%	0.0%	0.0%	0.0%
Steadfast Insurance Company	0.8%	0.6%	1.1%	0.8%	0.0%
General Star Indemnity Company	0.9%	0.2%	0.4%	0.2%	0.0%
<b>Total</b>	<b>80.3%</b>	<b>77.9%</b>	<b>74.5%</b>	<b>74.0%</b>	<b>69.5%</b>

## **Data**

All responses received were reviewed for consistency with the data request. Data elements were reviewed for completeness, reasonableness, and consistency with other data elements.

In cases where a company did not use the provided categories to identify claims, if a category could be reasonably assigned, that was done. Otherwise, the claim was listed in the Other/Unknown category. Any categories with less than five claims were combined and reported in total.

On the Benefits and Expenses by Company exhibits, companies with fewer than five claims were reported as a group. The following page shows the companies combined for the closed claim exhibits and for the open claim exhibits.

There were 6 claims that closed with total loss and allocated loss adjustment expenses above one million dollars and 19 open claims with incurred amounts above one million dollars. About three quarters of those claims were between \$1,000,000 and \$1,500,000.

**Companies Grouped for Closed Claim Report**

ACE American Insurance Company  
American Alternative Insurance Company  
COPIC Insurance Company  
Doctors Company, The  
Fireman's Fund Insurance Company  
Fortress Insurance Company  
National Union Fire Insurance Company of Pittsburg, PA  
ProNational Insurance Company

**Companies Grouped for Open Claim Report**

ACE American Insurance Company  
AMCO Insurance Company  
Cincinnati Insurance Company, The  
COPIC Insurance Company  
Fireman's Fund Insurance Company  
ISMIE Mutual Insurance Company  
MHA Insurance Company

## **Limitations**

The accuracy of this report depends on the accuracy of the data provided by the companies. The Division reviewed the data for completeness, reasonableness, consistency with other data elements, and consistency with the data request. No adjustments were made to the data other than the assigning of categories to identify claims where a company did not use the provided categories but one could be reasonably assigned.

Although attempts were made to gather uniform data from all companies, complete uniformity is not possible. Some companies did not maintain records of all the data as requested. Some used company specific definitions that could not be manipulated to completely match the requested categories. Companies may have interpreted data elements differently from each other. Company practices, such as the timing of considering an incident an open claim or of closing a claim may differ by company.

Medical malpractice insurance is available for individuals and for a variety of institutions, including hospitals, clinics, and nursing homes. Insurance companies often specialize in what medical malpractice insurance they write. Differences in data between specialties or types of policyholders may be a result of or compounded by the companies writing the business.

Other factors internal to a company writing the business that affect the results of the study include, but are not limited to, the type of policies written, the limits of insurance requested by policyholders, the size of deductibles, company underwriting considerations and claim practices. Factors external to the company may also affect the report. These may include, but are not limited to, regulation, the legal environment, the general economy, and medical inflation. The report makes no adjustments for and does not attempt to analyze changes in economic conditions, exposures, medical practices, legal climate, rate levels, or medical inflation.

The companies writing medical malpractice insurance in Iowa and the premium volume that each company wrote have changed from year to year. This can have a significant effect on any analysis. No adjustments to the data have been made to reflect shifting business.

The report provides a snapshot of Iowa's medical malpractice insurance market. It includes claims from 2007 and earlier which either were closed in 2007 or remained open at the end of the year for those companies that responded to the data request. Since medical malpractice claims can take years to be reported and closed, the claims closed in a year and open at the end of the year do not correspond to premiums for that year.

Large losses are not individually identified in the report. They are included in the totals and averages.



## **Aggregate Claim Reports by Specialty of Provider**

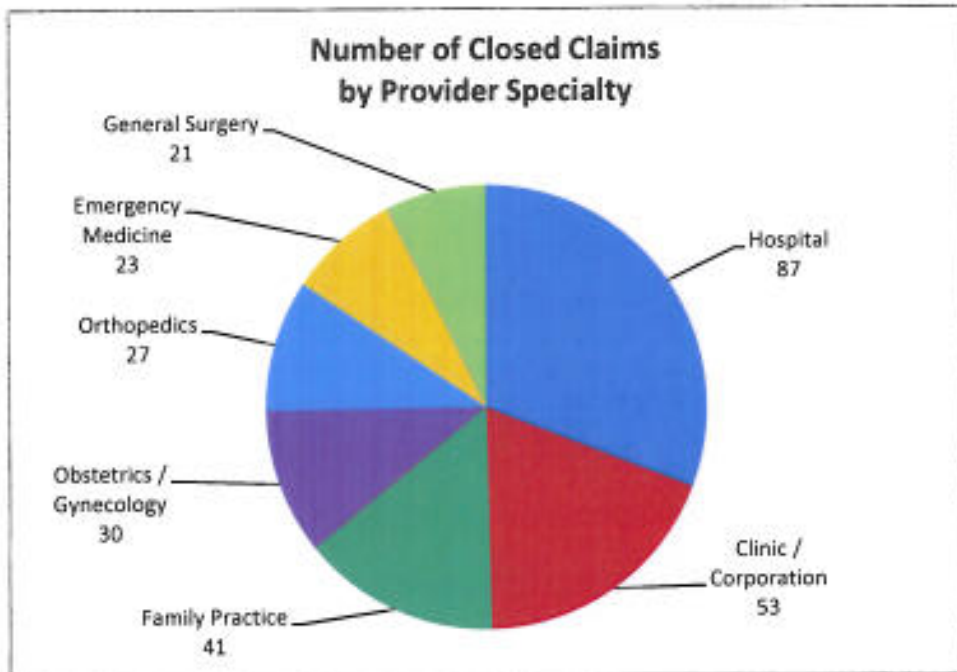
Companies were asked to classify each claim reported by a number of typical provider specialties. All claims in each category were totaled, separately for the open and the closed reports, and averaged by dividing the total dollar amounts by the number of claims. To maintain confidentiality of individual claims, any categories with fewer than five claims were grouped in the Other/Unknown category.

Average payments of benefits plus allocated loss adjustment expenses for all closed claims were about \$56,000. The average incurred amounts for all open claims were about \$167,000. The claims underlying these amounts are not comparable since the open claims represent all those open during calendar year 2007, without regard to when the injury occurred or the claim was reported. The closed claims include all claims closed in 2007, regardless of the date of injury or the date reported. The mix of claims, by type, severity, size, will not be the same for the open and closed reports.

Hospitals and Clinics or Corporations had the most number of claims reported in both the open and closed claim reports. Of closed claims provider specialty categories with 20 or more claims, family practice had the highest average paid with obstetrics/gynecology at a close second. Of open claims categories with 20 or more claims, obstetrics/gynecology had the highest average incurred losses and allocated loss adjustment expenses.

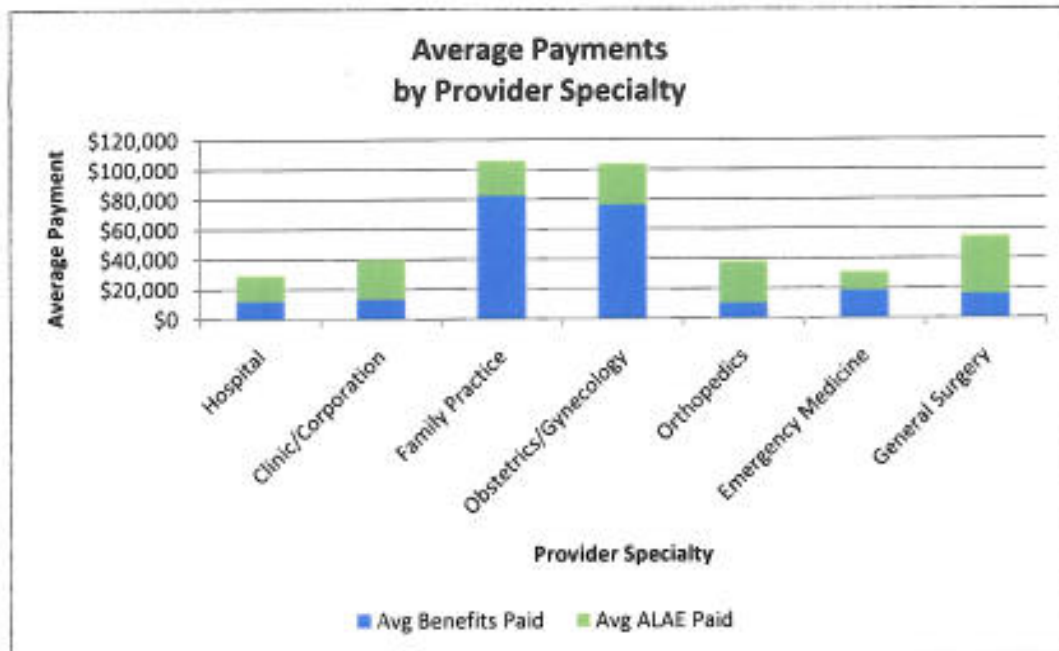
**Iowa Insurance Division  
 Medical Malpractice Closed Claim Report  
 Total Benefits and Expenses  
 Calendar Year 2007 - By Specialty**

<b>Provider Specialty</b>	<b>Number of Claims</b>	<b>Total Benefits Paid</b>	<b>Total Allocated Loss Adjustment Expenses Paid</b>	<b>Additional Payments After 6 Months from Disposition</b>
Hospital	87	\$ 1,056,370	\$ 1,495,027	\$ 433,019
Clinic/Corporation	53	718,444	1,392,866	402,592
Family Practice	41	3,398,750	946,590	119,118
Obstetrics/Gynecology	30	2,301,250	817,563	10,384
Orthopedics	27	284,307	745,980	110,529
Emergency Medicine	23	430,000	281,886	57,687
General Surgery	21	341,220	810,182	242,604
Dentistry	18	248,875	56,417	3,781
Healthcare Facility	16	1,284,209	318,813	-
Internal Medicine	16	1,220,000	631,775	155,289
Pharmacy	14	55,319	24,601	-
Podiatry	11	996,000	329,166	-
Radiology	11	967,920	271,352	-
Anesthesiology	10	-	91,819	6,572
Cardiology	9	220,035	337,630	100,488
Chiropractic	6	312,000	85,346	5,982
Gastroenterology	6	-	74,561	8,374
Neurology	6	1,000,000	350,889	3,569
Plastic Surgery	6	27,904	11,667	-
Other/Unknown	64	1,295,000	1,504,068	188,333
<b>Total</b>	<b>475</b>	<b>\$ 16,157,603</b>	<b>\$ 10,578,198</b>	<b>\$ 1,848,322</b>



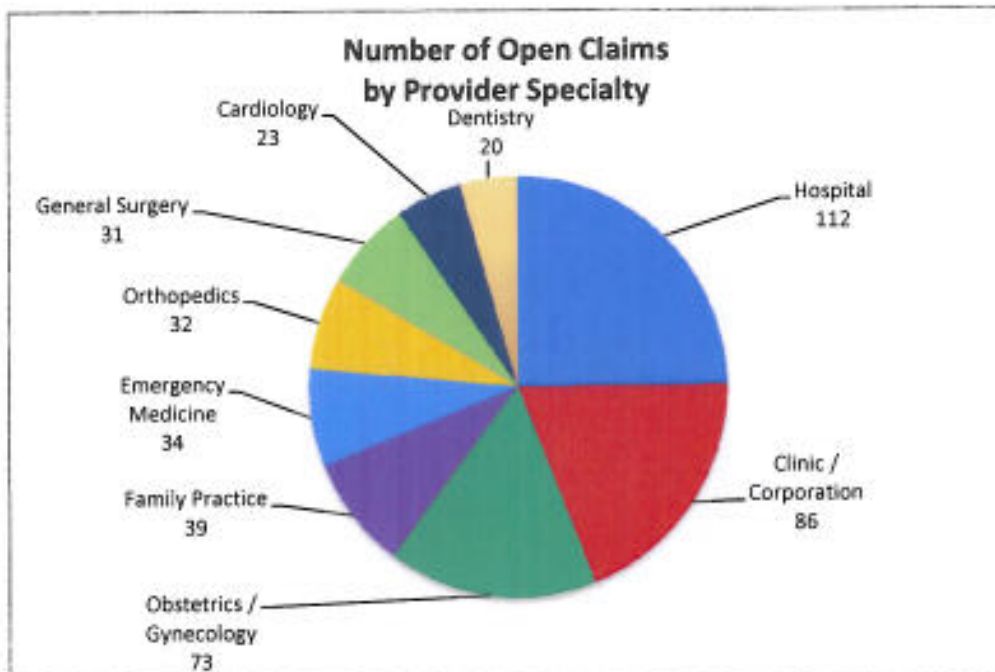
**Iowa Insurance Division  
 Medical Malpractice Closed Claim Report  
 Average Benefits and Expenses  
 Calendar Year 2007 - By Specialty**

Provider Specialty	Number of Claims	Average Benefits Paid	Average Allocated Loss Adjustment Expenses Paid	Average Additional Payments After 6 Months from Disposition
Hospital	87	\$ 12,142	\$ 17,184	\$ 4,977
Clinic/Corporation	53	13,556	26,280	7,596
Family Practice	41	82,896	23,088	2,905
Obstetrics/Gynecology	30	76,708	27,252	346
Orthopedics	27	10,530	27,629	4,094
Emergency Medicine	23	18,696	12,256	2,508
General Surgery	21	16,249	38,580	11,553
Dentistry	18	13,826	3,134	210
Healthcare Facility	16	80,263	19,926	-
Internal Medicine	16	76,250	39,486	9,706
Pharmacy	14	3,951	1,757	-
Podiatry	11	90,545	29,924	-
Radiology	11	87,993	24,668	-
Anesthesiology	10	-	9,182	657
Cardiology	9	24,448	37,514	11,165
Chiropractic	6	52,000	14,224	997
Gastroenterology	6	-	12,427	1,396
Neurology	6	166,667	58,482	595
Plastic Surgery	6	4,651	1,945	-
Other/Unknown	64	20,234	23,501	2,943
<b>Total</b>	<b>475</b>	<b>\$ 34,016</b>	<b>\$ 22,270</b>	<b>\$ 3,891</b>



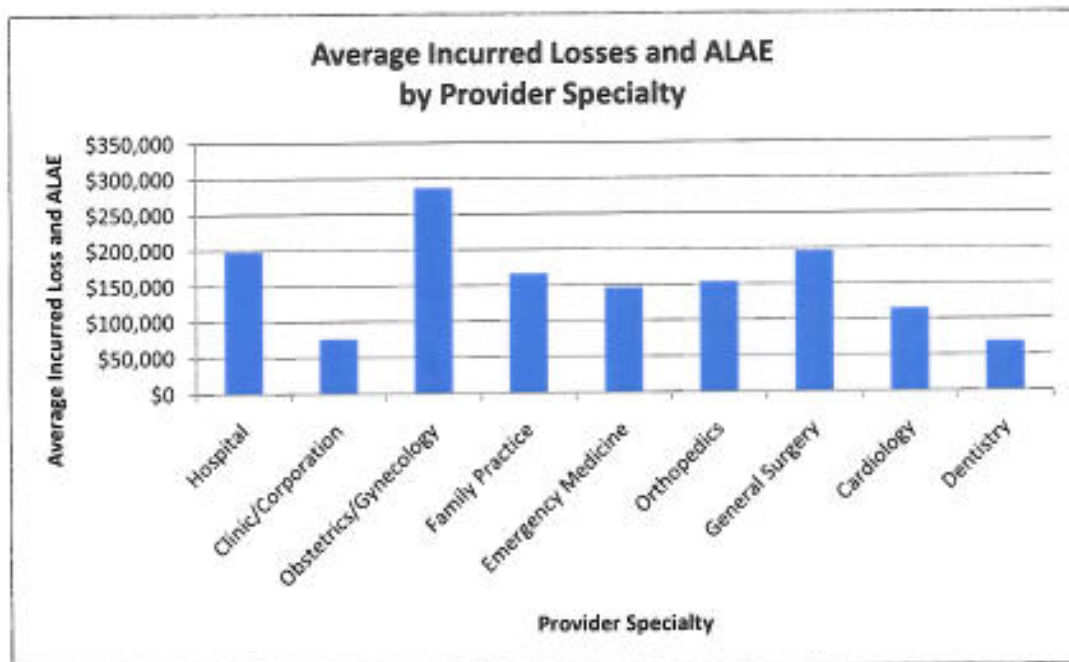
**Iowa Insurance Division  
 Medical Malpractice Open Claim Report  
 Total Benefits and Expenses  
 Calendar Year 2007 - By Specialty**

Provider Specialty	Number of Claims	Total Benefits Paid	Total Allocated Loss Adjustment Expenses Paid	Reserve for Incurred and Reported but not Disposed
Hospital	112	\$ 4,796	\$ 1,909,938	\$ 20,281,009
Clinic/Corporation	86	-	846,156	5,667,101
Obstetrics/Gynecology	73	-	1,427,067	19,515,176
Family Practice	39	96,256	807,191	5,580,097
Emergency Medicine	34	-	707,488	4,249,330
Orthopedics	32	-	491,119	4,415,527
General Surgery	31	-	891,310	5,194,929
Cardiology	23	-	514,871	2,118,728
Dentistry	20	-	264,152	1,093,506
Radiology	19	-	223,579	1,827,100
Anesthesiology	13	-	175,350	1,631,411
Internal Medicine	12	-	120,787	1,174,759
Plastic Surgery	11	-	71,889	672,489
Chiropractic	10	-	77,680	932,000
Healthcare Facility	10	-	109,168	891,502
Neurology	9	-	389,896	1,690,862
Pediatrics	8	-	197,467	2,890,325
Podiatry	8	-	227,215	1,449,999
Pharmacy	7	-	351,084	315,514
Psychiatry	6	-	138,837	319,671
Gastroenterology	5	-	19,894	614,601
Other/Unknown	63	-	975,758	11,983,592
<b>Total</b>	<b>631</b>	<b>\$ 101,053</b>	<b>\$ 10,937,894</b>	<b>\$ 94,509,227</b>



**Iowa Insurance Division  
 Medical Malpractice Open Claim Report  
 Average Benefits and Expenses  
 Calendar Year 2007 - By Specialty**

Provider Specialty	Number of Claims	Average Benefits Paid	Average Allocated Loss Adjustment Expenses Paid	Average Reserve for Incurred and Reported but not Disposed
Hospital	112	\$ 43	\$ 17,053	\$ 181,080
Clinic/Corporation	86	-	9,839	65,897
Obstetrics/Gynecology	73	-	19,549	267,331
Family Practice	39	2,468	20,697	143,079
Emergency Medicine	34	-	20,808	124,980
Orthopedics	32	-	15,347	137,985
General Surgery	31	-	28,752	167,578
Cardiology	23	-	22,386	92,119
Dentistry	20	-	13,208	54,675
Radiology	19	-	11,767	96,163
Anesthesiology	13	-	13,488	125,493
Internal Medicine	12	-	10,066	97,897
Plastic Surgery	11	-	6,535	61,135
Chiropractic	10	-	7,768	93,200
Healthcare Facility	10	-	10,917	89,150
Neurology	9	-	43,322	187,874
Pediatrics	8	-	24,683	361,291
Podiatry	8	-	28,402	181,250
Pharmacy	7	-	50,155	45,073
Psychiatry	6	-	23,140	53,279
Gastroenterology	5	-	3,979	122,920
Other/Unknown	63	-	15,488	190,216
<b>Total</b>	<b>631</b>	<b>\$ 160</b>	<b>\$ 17,334</b>	<b>\$ 149,777</b>



## **Aggregate Claim Reports by Nature of Claim**

Companies were asked to classify each claim reported by a number of alleged cause of loss descriptions. Most companies used the provided descriptions to categorize the claims. For those claims that were not assigned to one of the listed cause of loss descriptions, one was assigned if it reasonably fit the description provided by the company. Otherwise the claim was listed in the Other/Unknown category.

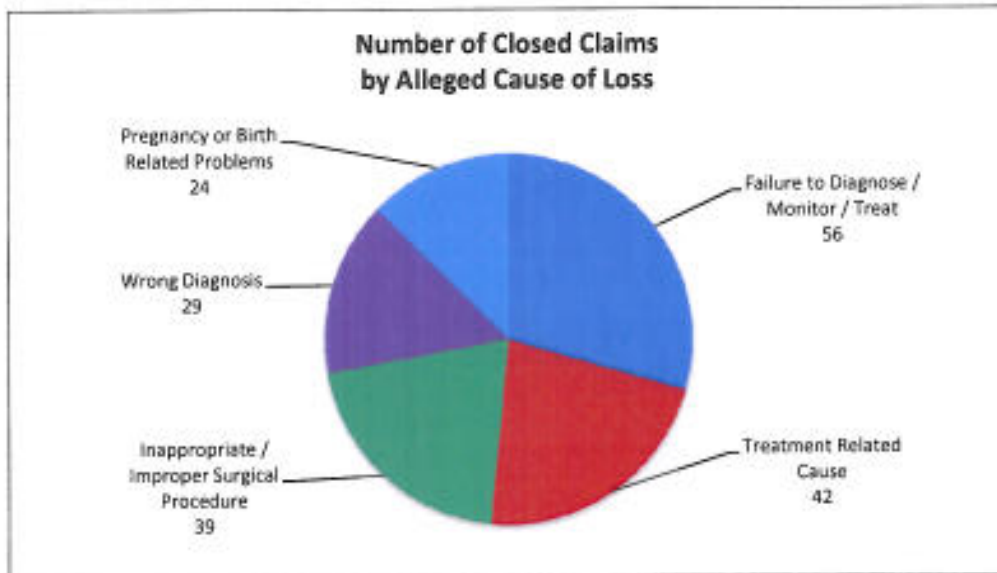
All claims in each category were totaled, separately for the open and the closed reports, and averaged by dividing the total dollar amounts by the number of claims. To maintain confidentiality of individual claims, any categories with fewer than five claims were grouped in the Other/Unknown category.

For closed claims, Failure to Diagnose/Monitor/Treat and Treatment Related Cause produced the most claims, with the costliest claims on average being for Pregnancy or Birth Related Problems claims. Other than those claims for which a cause of loss category was not assigned, claims categorized as Failure to Diagnose/Monitor/Treat and Treatment Related Cause produced the greatest number of claims.

Most open claims were also from Failure to Diagnose/Monitor/Treat and Treatment Related Cause. The claims with the highest average incurred losses were from the Pregnancy or Birth Related Problems category.

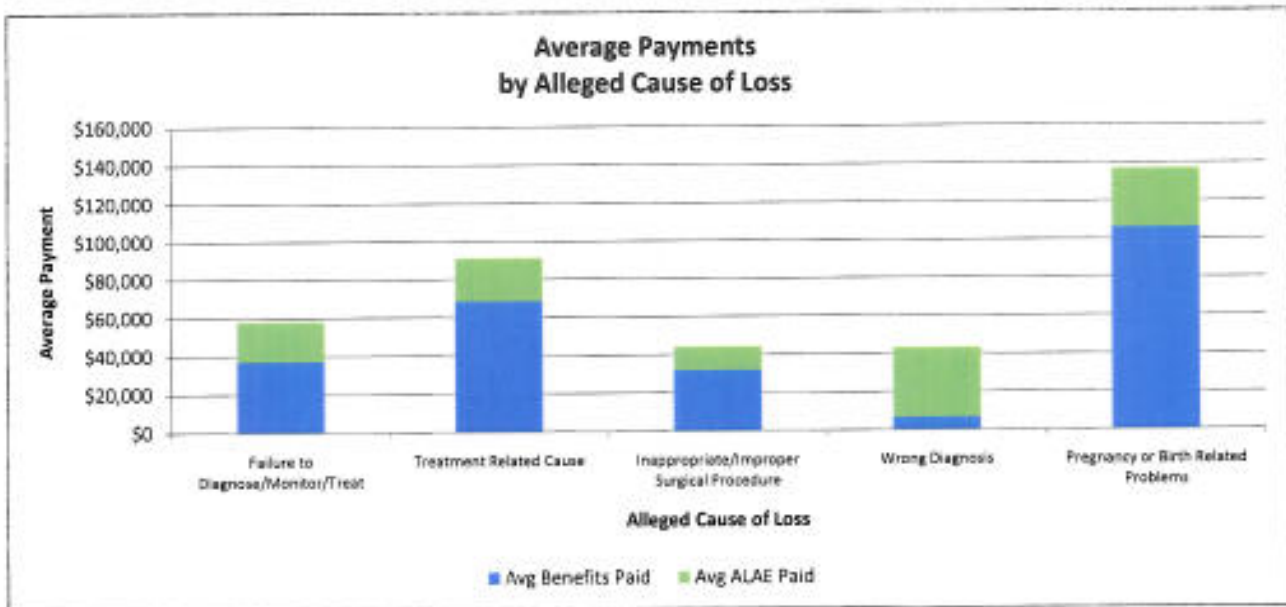
Iowa Insurance Division  
 Medical Malpractice Closed Claim Report  
 Total Benefits and Expenses  
 Calendar Year 2007 - By Nature of Claim

Alleged Cause of Loss	Number of Claims	Total Benefits Paid	Total Allocated Loss Adjustment Expenses Paid	Additional Payments After 6 Months from Disposition
Failure to Diagnose/Monitor/Treat	56	\$ 2,085,750	\$ 1,162,694	\$ 79,292
Treatment Related Cause	42	2,875,500	955,070	23,381
Inappropriate/Improper Surgical Procedure	39	1,243,375	468,403	106,234
Wrong Diagnosis	29	195,000	1,053,255	467,466
Pregnancy or Birth Related Problems	24	2,543,750	740,181	146
Incorrect Medication	19	148,157	127,580	14,765
Instrument/Sponge Left after Surgery	19	147,500	150,419	11,594
Delay in Diagnosis	12	104,307	470,824	-
Fracture/Fall	12	492,288	231,071	-
Lack of Supervision or Control	11	300,000	318,886	68,082
Inappropriate Procedure	8	675,000	374,467	-
Other/Unknown	204	5,346,976	4,525,349	1,077,363
<b>Total</b>	<b>475</b>	<b>\$ 16,157,603</b>	<b>\$ 10,578,198</b>	<b>\$ 1,848,322</b>



**Iowa Insurance Division  
 Medical Malpractice Closed Claim Report  
 Average Benefits and Expenses  
 Calendar Year 2007 - By Nature of Claim**

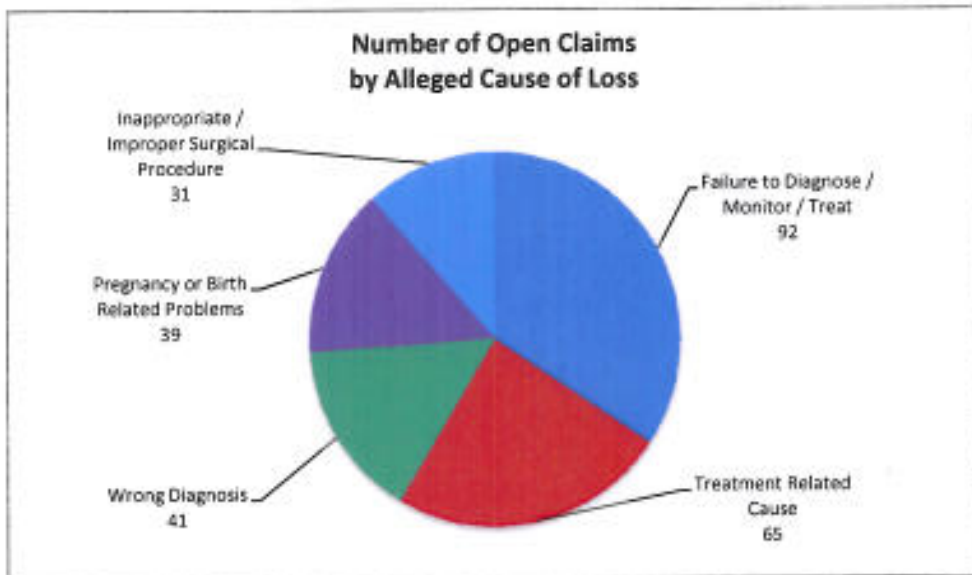
Alleged Cause of Loss	Number of Claims	Average Benefits Paid	Average Allocated Loss Adjustment Expenses Paid	Average Additional Payments After 6 Months from Disposition
Failure to Diagnose/Monitor/Treat	56	\$ 37,246	\$ 20,762	\$ 1,416
Treatment Related Cause	42	68,464	22,740	557
Inappropriate/Improper Surgical Procedure	39	31,881	12,010	2,724
Wrong Diagnosis	29	6,724	36,319	16,120
Pregnancy or Birth Related Problems	24	105,990	30,841	6
Incorrect Medication	19	7,798	6,715	777
Instrument/Sponge Left after Surgery	19	7,763	7,917	610
Delay in Diagnosis	12	8,692	39,235	-
Fracture/Fall	12	41,024	19,256	-
Lack of Supervision or Control	11	27,273	28,990	6,189
Inappropriate Procedure	8	84,375	46,808	-
Other/Unknown	204	26,211	22,183	5,281
<b>Total</b>	<b>475</b>	<b>\$ 34,016</b>	<b>\$ 22,270</b>	<b>\$ 3,891</b>





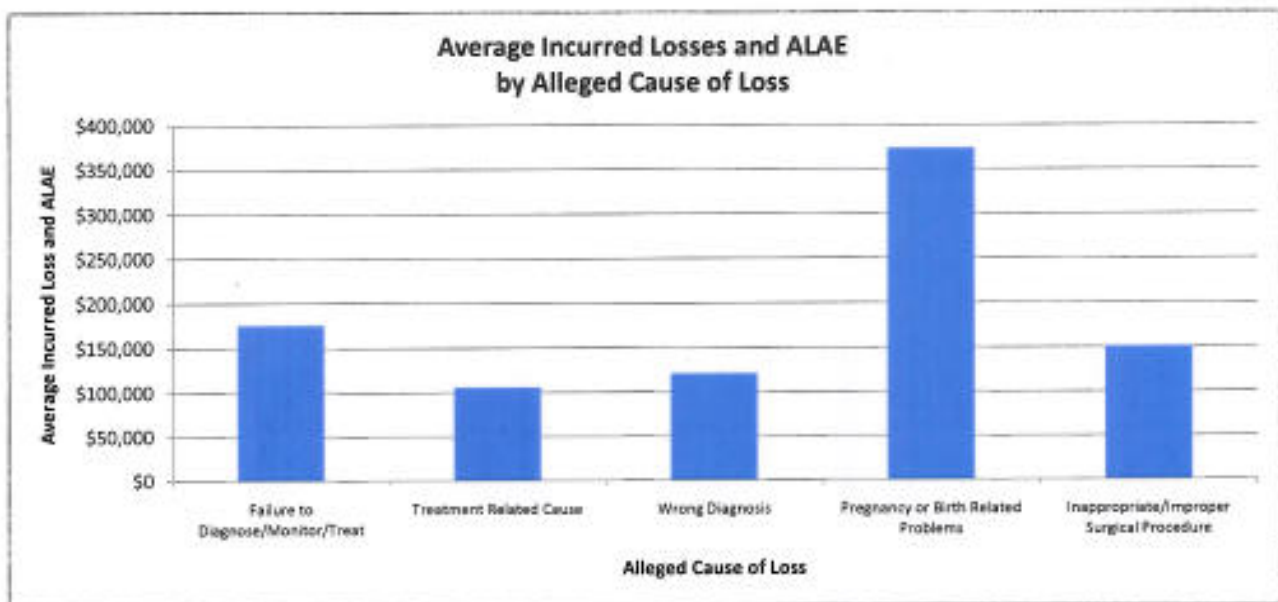
Iowa Insurance Division  
 Medical Malpractice Open Claim Report  
 Total Benefits and Expenses  
 Calendar Year 2007 - By Nature of Claim

Alleged Cause of Loss	Number of Claims	Total Benefits Paid	Total Allocated Loss Adjustment Expenses Paid	Reserve for Incurred and Reported but not Disposed
Failure to Diagnose/Monitor/Treat	92	\$ -	\$ 1,904,894	\$ 14,271,727
Treatment Related Cause	65	-	722,573	6,139,177
Wrong Diagnosis	41	-	729,559	4,226,517
Pregnancy or Birth Related Problems	39	-	925,188	13,650,000
Inappropriate/Improper Surgical Procedure	31	-	511,485	4,160,911
Delay in Diagnosis	19	96,256	299,322	4,688,847
Fracture/Fall	13	-	156,654	1,585,000
Incorrect Medication	12	-	54,879	744,235
Instrument/Sponge Left after Surgery	9	-	47,944	143,811
Lack of Supervision or Control	9	-	67,045	198,156
Lack of Informed Consent or Failure to Obtain Consent	5	-	56,319	301,508
Other/Unknown	296	4,796	5,462,032	44,399,340
<b>Total</b>	<b>631</b>	<b>\$ 101,053</b>	<b>\$ 10,937,894</b>	<b>\$ 94,509,227</b>



Iowa Insurance Division  
 Medical Malpractice Open Claim Report  
 Average Benefits and Expenses  
 Calendar Year 2007 - By Nature of Claim

Alleged Cause of Loss	Number of Claims	Average Benefits Paid	Average Allocated Loss Adjustment Expenses Paid	Average Reserve for Incurred and Reported but not Disposed
Failure to Diagnose/Monitor/Treat	92	\$ -	\$ 20,705	\$ 155,127
Treatment Related Cause	65	-	11,117	94,449
Wrong Diagnosis	41	-	17,794	103,086
Pregnancy or Birth Related Problems	39	-	23,723	350,000
Inappropriate/Improper Surgical Procedure	31	-	16,500	134,223
Delay in Diagnosis	19	5,066	15,754	246,781
Fracture/Fall	13	-	12,050	121,923
Incorrect Medication	12	-	4,573	62,020
Instrument/Sponge Left after Surgery	9	-	5,327	15,979
Lack of Supervision or Control	9	-	7,449	22,017
Lack of Informed Consent or Failure to Obtain Consent	5	-	11,264	60,302
Other/Unknown	296	16	18,453	149,998
<b>Total</b>	<b>631</b>	<b>\$ 160</b>	<b>\$ 17,334</b>	<b>\$ 149,777</b>



## **Aggregate Claim Reports by Substance of Claim**

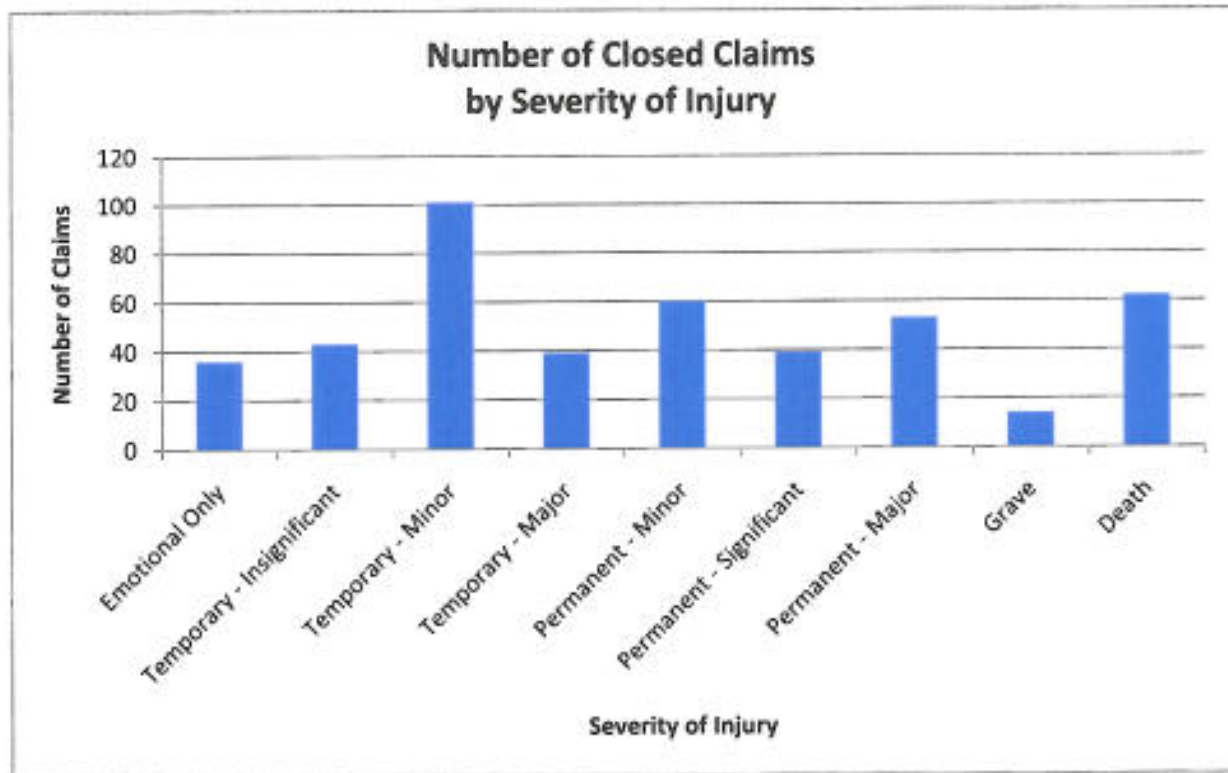
Companies were asked to classify each claim by the following severity of injury types.

- Emotional Only (e.g. fright, no physical damage)
- Temporary - Insignificant (e.g. lacerations, contusions, minor scars, rash; no delay)
- Temporary - Minor (e.g. infections, misset fracture, fall in hospital; recovery delayed)
- Temporary - Major (e.g. surgical material left, drug side effect, brain damage; recovery delayed)
- Permanent - Minor (e.g. loss of fingers, loss or damage to organs; includes non-disabling injuries)
- Permanent - Significant (e.g. deafness, loss of limb, loss of eye, loss of one kidney or lung)
- Permanent - Major (e.g. paraplegia, blindness, loss of two limbs, brain damage)
- Grave (e.g. quadriplegia, severe brain damage, lifelong care or fatal prognosis)
- Death

Most claims, both open and closed, were temporary minor and death claims. On average the costliest claims, paid or reserved, were those considered grave. Average paid losses and expenses for closed claims by category ranged from less than \$13,000 to more than \$170,000. Average incurred amounts including reserves for allocated loss adjustment expenses ranged from about \$37,500 to more than \$800,000.

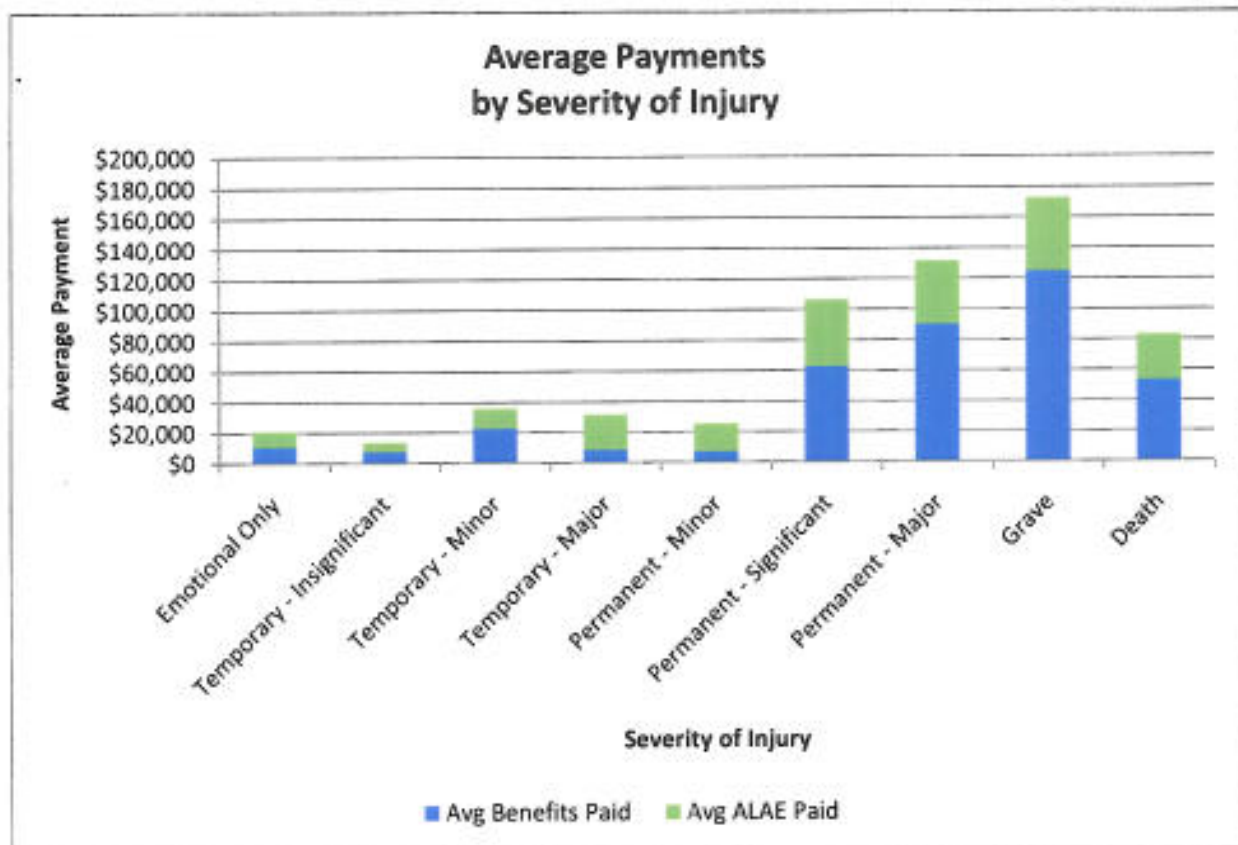
**Iowa Insurance Division  
 Medical Malpractice Closed Claim Report  
 Total Benefits and Expenses  
 Calendar Year 2007 - By Substance of Claim**

<b>Severity</b>	<b>Number of Claims</b>	<b>Total Benefits Paid</b>	<b>Total Allocated Loss Adjustment Expenses Paid</b>	<b>Additional Payments After 6 Months from Disposition</b>
Emotional Only	36	\$ 387,500	\$ 369,477	\$ 24,792
Temporary - Insignificant	43	326,475	253,980	9,314
Temporary - Minor	101	2,281,867	1,326,157	361,838
Temporary - Major	39	329,788	902,400	292,105
Permanent - Minor	60	433,681	1,088,972	232,341
Permanent - Significant	39	2,451,220	1,696,894	29,252
Permanent - Major	53	4,780,000	2,195,123	361,513
Grave	14	1,750,000	666,352	438
Death	62	3,299,535	1,836,895	397,426
Other/Unknown	28	117,536	241,947	139,303
<b>Total</b>	<b>475</b>	<b>\$ 16,157,603</b>	<b>\$ 10,578,198</b>	<b>\$ 1,848,322</b>



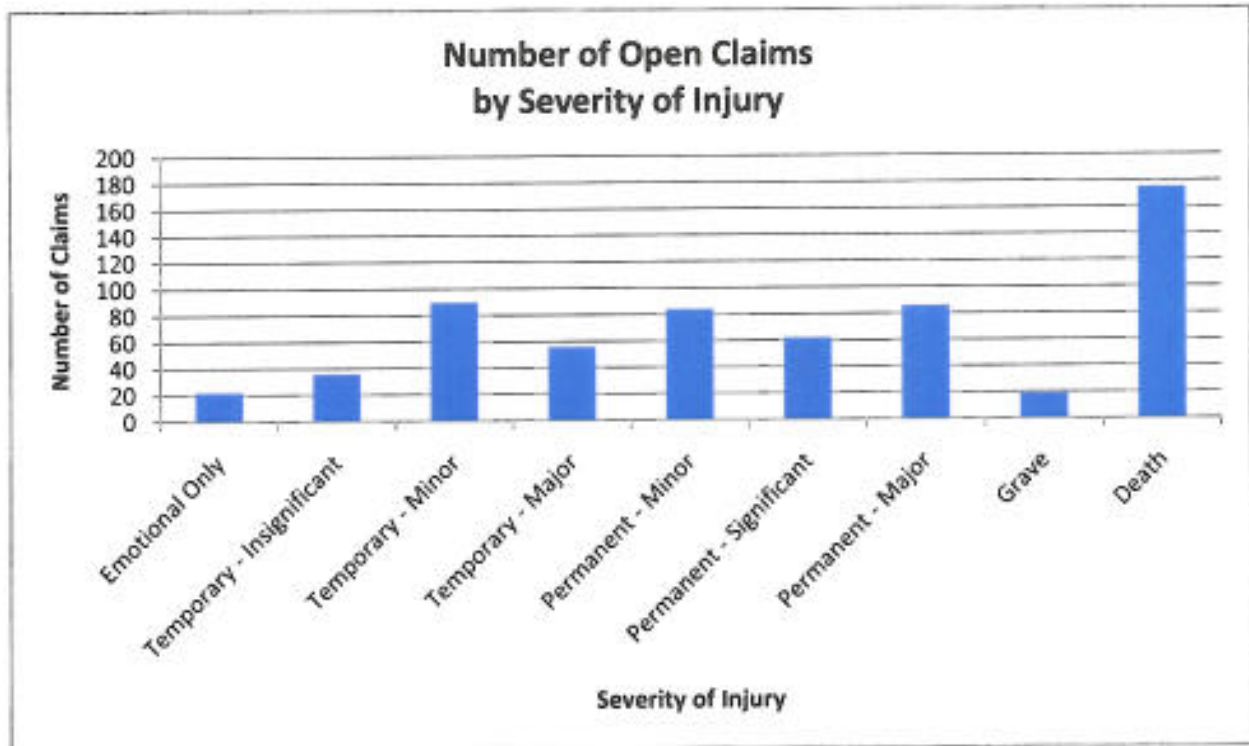
**Iowa Insurance Division  
 Medical Malpractice Closed Claim Report  
 Average Benefits and Expenses  
 Calendar Year 2007 - By Substance of Claim**

Severity	Number of Claims	Average Benefits Paid	Average Allocated Loss Adjustment Expenses Paid	Average Additional Payments After 6 Months from Disposition
Emotional Only	36	\$ 10,764	\$ 10,263	\$ 689
Temporary - Insignificant	43	7,592	5,907	217
Temporary - Minor	101	22,593	13,130	3,583
Temporary - Major	39	8,456	23,138	7,490
Permanent - Minor	60	7,228	18,150	3,872
Permanent - Significant	39	62,852	43,510	750
Permanent - Major	53	90,189	41,417	6,821
Grave	14	125,000	47,597	31
Death	62	53,218	29,627	6,410
Other/Unknown	28	4,198	8,641	4,975
<b>Total</b>	<b>475</b>	<b>\$ 34,016</b>	<b>\$ 22,270</b>	<b>\$ 3,891</b>



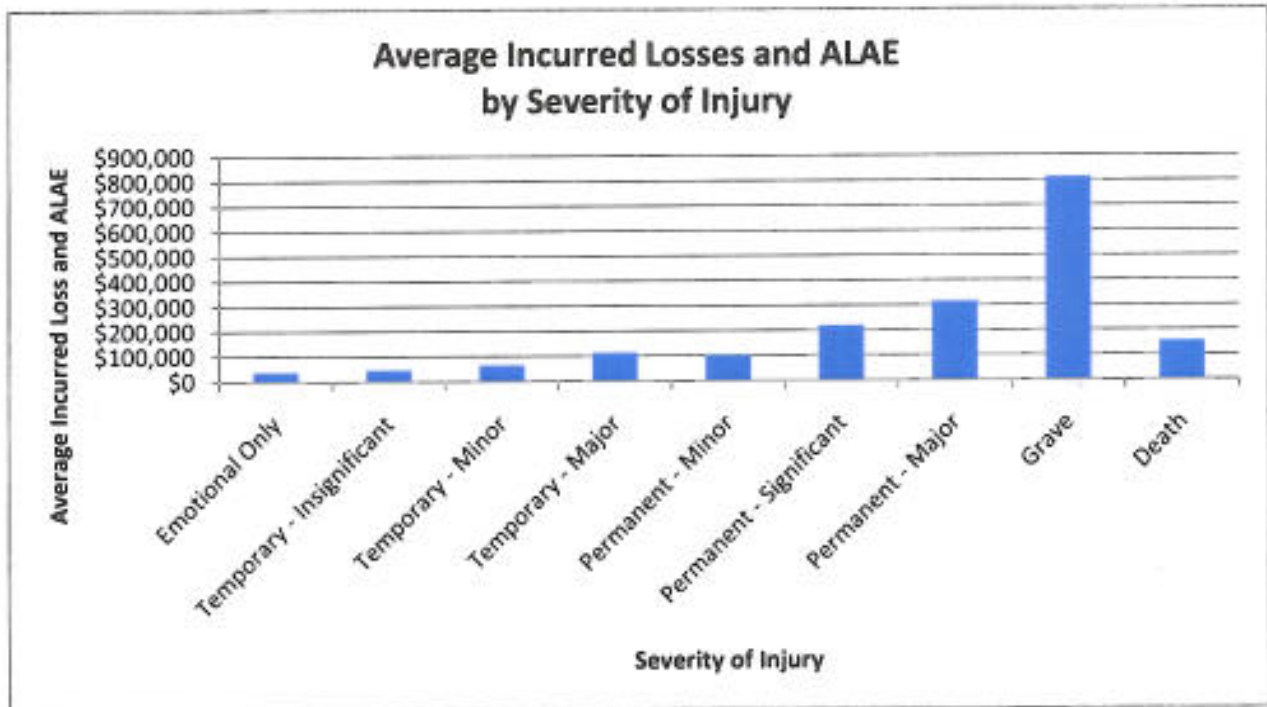
**Iowa Insurance Division  
 Medical Malpractice Open Claim Report  
 Total Benefits and Expenses  
 Calendar Year 2007 - By Substance of Claim**

Severity	Number of Claims	Total Benefits Paid	Total Allocated Loss Adjustment Expenses Paid	Reserve for Incurred and Reported but not Disposed
Emotional Only	22	\$ -	\$ 197,637	\$ 627,532
Temporary - Insignificant	36	-	225,602	1,402,363
Temporary - Minor	90	3,460	827,330	4,871,254
Temporary - Major	56	-	530,092	5,735,226
Permanent - Minor	84	-	979,185	7,475,924
Permanent - Significant	62	-	1,096,860	12,394,905
Permanent - Major	86	-	2,448,177	24,525,470
Grave	19	-	777,823	14,667,138
Death	175	97,592	3,855,189	22,804,416
Other/Unknown	1	-	-	5,000
<b>Total</b>	<b>631</b>	<b>\$ 101,053</b>	<b>\$ 10,937,894</b>	<b>\$ 94,509,227</b>



**Iowa Insurance Division  
 Medical Malpractice Open Claim Report  
 Average Benefits and Expenses  
 Calendar Year 2007 - By Substance of Claim**

Severity	Number of Claims	Average Benefits Paid	Average Allocated Loss Adjustment Expenses Paid	Average Reserve for Incurred and Reported but not Disposed
Emotional Only	22	\$ -	\$ 8,983	\$ 28,524
Temporary - Insignificant	36	-	6,267	38,955
Temporary - Minor	90	38	9,193	54,125
Temporary - Major	56	-	9,466	102,415
Permanent - Minor	84	-	11,657	88,999
Permanent - Significant	62	-	17,691	199,918
Permanent - Major	86	-	28,467	285,180
Grave	19	-	40,938	771,955
Death	175	558	22,030	130,311
Other/Unknown	1	-	-	5,000
<b>Total</b>	<b>631</b>	<b>\$ 160</b>	<b>\$ 17,334</b>	<b>\$ 149,777</b>



## **Closed and Open Claim Reports by Company**

The following summaries provide data by company for closed and open claims.

As described earlier in the report, in cases where a company did not use the categories provided in the data call to identify claims, if a category could be reasonably assigned, that was done. Otherwise, the claim was listed in the Other/Unknown category. Any categories with less than five claims were combined and reported in total for the company.

Companies with fewer than five claims in total were reported as a group. Page 7 shows the grouped companies for the closed claim exhibits and for the open claim exhibits.



**Iowa Insurance Division  
 Medical Malpractice Closed Claim Report  
 Benefits and Expenses by Company  
 Calendar Year 2007 - By Specialty**

Company	Provider Specialty	Number of Claims	Total Benefits Paid	Total Allocated LAE + Attorney + All Other ALAE Paid	Additional Payments After 6 Months from Disposition
<b>AMCO Insurance Company</b>					
	Healthcare Facility	7	\$ 434,209	\$ 16,355	\$ -
<b>C N A Insurance Companies</b>					
	Dentistry	6	110,500	11,608	-
	Other/Unknown	13	432,500	119,975	-
<b>Cincinnati Insurance Company</b>					
	Dentistry	6	110,500	31,258	-
	Healthcare Facility	5	850,000	250,565	-
<b>ISMIE Mutual Insurance Company</b>					
	Orthopedics	8	184,307	165,213	-
	Clinic/Corporation	12	-	249,431	-
	Other/Unknown	8	225,000	123,462	-
<b>Medical Protective Company, The</b>					
	All/Unknown	14	210,875	288,297	119,115
<b>Midwest Medical Insurance Company</b>					
	Emergency Medicine	5	-	5,612	-
	Family Practice	25	2,196,250	611,858	-
	General Surgery	7	53,720	364,180	-
	Internal Medicine	5	25,000	148,715	-
	Obstetrics/Gynecology	20	2,081,250	629,730	-
	Orthopedics	9	60,000	246,065	-
	Radiology	10	967,920	254,756	-
	Hospital	28	567,000	433,048	-
	Clinic/Corporation	12	55,944	202,082	-
	Bariatric	27	675,000	719,391	-
	Other/Unknown	20	1,293,904	288,989	-
<b>NCMIC Insurance Company</b>					
	All/Unknown	5	195,000	68,187	5,982
<b>Pharmacists Mutual Insurance Company</b>					
	Pharmacy	14	55,319	24,601	-
<b>Physicians Insurance Company of Wisconsin, Inc.</b>					
	Cardiology	6	220,035	327,344	100,488
	Emergency Medicine	15	-	220,170	57,687
	Family Practice	9	62,500	199,554	103,215
	General Surgery	9	25,000	383,059	242,604
	Orthopedics	9	40,000	326,229	110,529
	Hospital	56	486,870	1,031,023	429,246
	Clinic/Corporation	25	662,500	914,647	399,742
	Bariatric	13	100,000	456,239	142,450
	Other/Unknown	22	1,325,000	702,913	125,426
<b>Podiatry Insurance Company of America, A Mutual Company</b>					
	All/Unknown	10	950,000	328,766	-
<b>Preferred Professional Insurance Company</b>					
	All/Unknown	8	680,000	109,098	-
<b>Travelers - St Paul</b>					
	All/Unknown	11	527,500	78,262	-
<b>Grouped Companies</b>					
	All/Unknown	16	294,000	247,515	11,837
<b>Total</b>		<b>475</b>	<b>\$ 16,157,603</b>	<b>\$ 10,578,198</b>	<b>\$ 1,848,322</b>

Iowa Insurance Division  
 Medical Malpractice Open Claim Report  
 Benefits and Expenses by Company  
 Calendar Year 2007 - By Specialty

Company	Provider Specialty	Number of Claims	Total Benefits Paid	Total Allocated LAE Paid	Reserve for Incurred and Reported but not Disposed
<b>C N A Insurance Companies</b>					
	Dentistry	12	\$ -	\$ 132,882	\$ 820,005
	Other/Unknown	17	-	158,778	1,525,005
<b>Doctors Company, The</b>					
	All/Unknown	11	-	101,751	860,000
<b>Medical Protective Company, The</b>					
	Family Practice	6	-	31,944	64,523
	Clinic/Corporation	6	-	9,148	22,069
	Other/Unknown	10	-	166,755	126,605
<b>Midwest Medical Insurance Company</b>					
	Anesthesiology	8	-	99,909	560,000
	Cardiology	12	-	269,691	610,000
	Family Practice	22	96,256	390,493	3,548,744
	General Surgery	11	-	182,405	2,320,000
	Neurology	6	-	197,461	1,475,000
	Obstetrics/Gynecology	48	-	1,074,124	15,170,000
	Orthopedics	14	-	130,774	1,695,000
	Radiology	18	-	223,579	1,765,000
	Hospital	40	-	775,128	4,270,000
	Clinic/Corporation	20	-	86,920	1,215,000
	Bariatric	24	-	382,286	5,902,500
	Other/Unknown	22	-	436,041	4,680,000
<b>NCMIC Insurance Company</b>					
	Chiropractic	8	-	75,922	472,000
<b>Pharmacists Mutual Insurance Company</b>					
	Pharmacy	7	-	351,084	315,514
<b>Physicians Insurance Company of Wisconsin, Inc.</b>					
	Cardiology	10	-	245,180	1,506,728
	Emergency Medicine	25	-	634,948	3,754,298
	Family Practice	9	-	370,809	1,679,330
	General Surgery	18	-	691,418	2,644,929
	Internal Medicine	7	-	73,829	903,551
	Obstetrics/Gynecology	16	-	249,741	1,937,215
	Orthopedics	15	-	319,383	2,172,013
	Hospital	67	4,796	1,062,067	15,946,009
	Clinic/Corporation	52	-	662,726	4,213,914
	Bariatric	19	-	365,457	3,698,370
	Other/Unknown	18	-	405,363	2,293,787
<b>Podiatry Insurance Company of America, A Mutual Company</b>					
	Podiatry	7	-	162,566	1,274,999
<b>Preferred Professional Insurance Company</b>					
	All/Unknown	7	-	18,918	84,032
<b>ProNational Insurance Company</b>					
	All/Unknown	11	-	147,172	2,029,828
<b>Travelers - St Paul</b>					
	All/Unknown	10	-	95,085	1,620,001
<b>Grouped Companies</b>					
	All/Unknown	18	-	156,154	1,333,259
<b>Total</b>		<b>631</b>	<b>\$ 101,053</b>	<b>\$ 10,937,894</b>	<b>\$ 94,509,227</b>

Iowa Insurance Division  
 Medical Malpractice Closed Claim Report  
 Benefits and Expenses by Company  
 Calendar Year 2007 - By Nature of Claim

Company	Alleged Cause of Loss	Number of Claims	Total Benefits Paid	Total Allocated LAE + Attorney + All Other ALAE Paid	Additional Payments After 6 Months from Disposition
<b>AMCO Insurance Company</b>					
	All/Unknown	7	\$ 434,209	\$ 16,355	\$ -
<b>C N A Insurance Companies</b>					
	Inappropriate/Improper Surgical Procedure	5	282,500	42,793	-
	Treatment Related Cause	6	255,500	31,864	-
	Other/Unknown	8	5,000	56,926	-
<b>Cincinnati Insurance Company</b>					
	All/Unknown	11	960,500	281,823	-
<b>ISMIE Mutual Insurance Company</b>					
	Failure to Diagnose/Monitor/Treat	8	40,000	95,746	-
	Delay in Diagnosis	5	104,307	228,820	-
	Inappropriate Procedure	6	225,000	118,426	-
	Other/Unknown	9	40,000	95,114	-
<b>Medical Protective Company, The</b>					
	Inappropriate/Improper Surgical Procedure	5	85,875	153,124	93,731
	Other/Unknown	9	125,000	135,173	25,384
<b>Midwest Medical Insurance Company</b>					
	Failure to Diagnose/Monitor/Treat	28	1,536,250	759,630	-
	Delay in Diagnosis	6	-	239,379	-
	Inappropriate/Improper Surgical Procedure	19	625,000	179,099	-
	Instrument/Sponge Left after Surgery	10	67,500	57,476	-
	Treatment Related Cause	14	2,100,000	677,439	-
	Pregnancy or Birth Related Problems	17	2,018,750	665,063	-
	Fracture/Fall	7	180,000	225,650	-
	Other/Unknown	67	1,448,488	1,100,690	-
<b>NCMIC Insurance Company</b>					
	Treatment Related Cause	5	195,000	68,187	5,982
<b>Pharmacists Mutual Insurance Company</b>					
	All/Unknown	14	55,319	24,601	-
<b>Physicians Insurance Company of Wisconsin, Inc.</b>					
	Incorrect Medication	5	-	92,597	14,765
	Lack of Supervision or Control	5	-	270,713	68,082
	Instrument/Sponge Left after Surgery	6	75,000	57,097	11,594
	Wrong Diagnosis	29	195,000	1,053,255	467,466
	Other/Unknown	119	2,651,905	3,087,516	1,149,482
<b>Podiatry Insurance Company of America, A Mutual Company</b>					
	All/Unknown	10	950,000	328,766	-
<b>Preferred Professional Insurance Company</b>					
	All/Unknown	8	680,000	109,098	-
<b>Travelers - St Paul</b>					
	All/Unknown	11	527,500	78,262	-
<b>Grouped Companies</b>					
	All/Unknown	16	294,000	247,515	11,837
<b>Total</b>		<b>475</b>	<b>\$ 16,157,603</b>	<b>\$ 10,578,198</b>	<b>\$ 1,848,322</b>

Iowa Insurance Division  
 Medical Malpractice Open Claim Report  
 Benefits and Expenses by Company  
 Calendar Year 2007 - By Nature of Claim

Company	Alleged Cause of Loss	Number of Claims	Total Benefits Paid	Total Allocated LAE Paid	Reserve for Incurred and Reported but not Disposed
<b>C N A Insurance Companies</b>					
	Treatment Related Cause	10	\$ -	\$ 102,200	\$ 990,003
	Other/Unknown	19	-	189,459	1,355,007
<b>Doctors Company, The</b>					
	All/Unknown	11	-	101,751	860,000
<b>Medical Protective Company, The</b>					
	Treatment Related Cause	10	-	124,920	73,632
	Other/Unknown	12	-	82,927	139,565
<b>Midwest Medical Insurance Company</b>					
	Failure to Diagnose/Monitor/Treat	53	-	970,321	8,615,000
	Delay in Diagnosis	15	96,256	215,496	4,298,744
	Inappropriate/Improper Surgical Procedure	21	-	386,932	3,827,500
	Treatment Related Cause	16	-	289,015	2,630,000
	Pregnancy or Birth Related Problems	32	-	888,200	12,505,000
	Fracture/Fall	7	-	136,339	1,195,000
	Other/Unknown	101	-	1,362,508	10,140,000
<b>NCMIC Insurance Company</b>					
	All/Unknown	8	-	75,922	472,000
<b>Pharmacists Mutual Insurance Company</b>					
	All/Unknown	7	-	351,084	315,514
<b>Physicians Insurance Company of Wisconsin, Inc.</b>					
	Failure to Diagnose/Monitor/Treat	17	-	612,859	3,008,871
	Incorrect Medication	7	-	50,127	623,987
	Treatment Related Cause	8	-	31,712	1,194,188
	Wrong Diagnosis	41	-	729,559	4,226,517
	Other/Unknown	183	4,796	3,656,666	31,696,581
<b>Podiatry Insurance Company of America, A Mutual Company</b>					
	All/Unknown	7	-	162,566	1,274,999
<b>Preferred Professional Insurance Company</b>					
	All/Unknown	7	-	18,918	84,032
<b>ProNational Insurance Company</b>					
	All/Unknown	11	-	147,172	2,029,828
<b>Travelers - St Paul</b>					
	Pregnancy or Birth Related Problems	5	-	36,958	995,000
	Other/Unknown	5	-	58,127	625,001
<b>Grouped Companies</b>					
	Failure to Diagnose/Monitor/Treat	9	-	97,662	696,906
	Other/Unknown	9	-	58,491	636,353
<b>Total</b>		<b>631</b>	<b>\$ 101,053</b>	<b>\$ 10,937,894</b>	<b>\$ 94,509,227</b>

Iowa Insurance Division  
 Medical Malpractice Closed Claim Report  
 Benefits and Expenses by Company  
 Calendar Year 2007 - By Substance of Claim

Company	Severity	Number of Claims	Total Benefits Paid	Total Allocated LAE + Attorney + All Other ALAE Paid	Additional Payments After 6 Months from Disposition
AMCO Insurance Company	All/Unknown	7	\$ 434,209	\$ 16,355	\$ -
<b>C N A Insurance Companies</b>					
	Temporary - Insignificant	5	5,000	10,325	-
	Other/Unknown	14	538,000	121,258	-
<b>Cincinnati Insurance Company</b>					
	Temporary - Insignificant	6	110,500	31,258	-
	Other/Unknown	5	850,000	250,565	-
<b>ISMIE Mutual Insurance Company</b>					
	Temporary - Minor	12	329,307	320,843	-
	Temporary - Major	6	40,000	78,311	-
	Other/Unknown	10	40,000	138,952	-
<b>Medical Protective Company, The</b>					
	All/Unknown	14	210,875	288,297	119,115
<b>Midwest Medical Insurance Company</b>					
	Emotional Only	12	-	20,842	-
	Temporary - Insignificant	10	50,000	32,925	-
	Temporary - Minor	27	172,420	53,553	-
	Temporary - Major	11	60,000	202,222	-
	Permanent - Minor	28	38,848	306,060	-
	Permanent - Significant	20	1,183,720	972,100	-
	Permanent - Major	29	3,170,000	1,097,576	-
	Grave	10	1,750,000	507,648	-
	Death	21	1,551,000	711,499	-
<b>NCMIC Insurance Company</b>					
	All/Unknown	5	195,000	68,187	5,982
<b>Pharmacists Mutual Insurance Company</b>					
	Temporary - Insignificant	5	1,679	-	-
	Other/Unknown	9	53,640	24,601	-
<b>Physicians Insurance Company of Wisconsin, Inc.</b>					
	Emotional Only	7	-	123,094	-
	Temporary - Insignificant	8	100,000	79,391	9,314
	Temporary - Minor	41	1,312,500	855,650	352,365
	Temporary - Major	11	65,000	497,787	292,105
	Permanent - Minor	17	296,833	512,312	138,610
	Permanent - Significant	10	-	356,097	29,252
	Permanent - Major	17	810,000	1,025,941	360,639
	Death	21	220,035	710,254	389,362
	Other/Unknown	32	117,536	400,652	139,742
<b>Podiatry Insurance Company of America, A Mutual Company</b>					
	All/Unknown	10	950,000	328,766	-
<b>Preferred Professional Insurance Company</b>					
	All/Unknown	8	680,000	109,098	-
<b>Travelers - St Paul</b>					
	Permanent - Major	5	525,000	59,550	-
	Other/Unknown	6	2,500	18,711	-
<b>Grouped Companies</b>					
	Temporary - Insignificant	5	39,000	34,784	-
	Other/Unknown	11	255,000	212,731	11,837
<b>Total</b>		<b>475</b>	<b>\$ 16,157,603</b>	<b>\$ 10,578,198</b>	<b>\$ 1,848,322</b>

Iowa Insurance Division  
 Medical Malpractice Open Claim Report  
 Benefits and Expenses by Company  
 Calendar Year 2007 - By Substance of Claim

Company	Severity	Number of Claims	Total Benefits Paid	Total Allocated LAE Paid	Reserve for Incurred and Reported but not Disposed
<b>C N A Insurance Companies</b>					
	Temporary - Insignificant	7	\$ -	\$ 18,245	\$ 185,003
	Temporary - Minor	6	-	31,418	145,002
	Permanent - Minor	5	-	124,735	800,000
	Other/Unknown	11	-	117,262	1,215,005
<b>Doctors Company, The</b>					
	All/Unknown	11	-	101,751	860,000
<b>Medical Protective Company, The</b>					
	Temporary - Minor	7	-	23,957	60,038
	Death	5	-	121,597	61,955
	Other/Unknown	10	-	62,294	91,204
<b>Midwest Medical Insurance Company</b>					
	Emotional Only	7	-	30,990	152,500
	Temporary - Insignificant	13	-	45,771	280,000
	Temporary - Minor	24	-	147,980	1,330,000
	Temporary - Major	7	-	23,878	1,620,000
	Permanent - Minor	37	-	559,299	2,950,000
	Permanent - Significant	29	-	543,036	4,450,000
	Permanent - Major	49	-	823,420	16,295,000
	Grave	14	-	570,137	5,095,000
	Death	65	96,256	1,504,300	11,038,744
<b>NCMIC Insurance Company</b>					
	All/Unknown	8	-	75,922	472,000
<b>Pharmacists Mutual Insurance Company</b>					
	All/Unknown	7	-	351,084	315,514
<b>Physicians Insurance Company of Wisconsin, Inc.</b>					
	Emotional Only	6	-	110,106	249,455
	Temporary - Insignificant	10	-	148,039	808,860
	Temporary - Minor	36	3,460	511,580	2,570,199
	Temporary - Major	34	-	430,237	3,792,175
	Permanent - Minor	32	-	160,628	2,459,466
	Permanent - Significant	18	-	234,754	4,823,488
	Permanent - Major	27	-	1,173,272	6,403,701
	Grave	5	-	207,686	9,572,138
	Death	88	1,336	2,104,619	10,070,662
<b>Podiatry Insurance Company of America, A Mutual Company</b>					
	All/Unknown	7	-	162,566	1,274,999
<b>Preferred Professional Insurance Company</b>					
	All/Unknown	7	-	18,918	84,032
<b>ProNational Insurance Company</b>					
	All/Unknown	11	-	147,172	2,029,828
<b>Travelers - St Paul</b>					
	Permanent - Minor	5	-	36,958	995,000
	Other/Unknown	5	-	58,127	625,001
<b>Grouped Companies</b>					
	Temporary - Minor	5	-	56,338	226,500
	Death	7	-	46,301	725,183
	Other/Unknown	6	-	53,515	381,576
<b>Total</b>		<b>631</b>	<b>\$ 101,053</b>	<b>\$ 10,937,894</b>	<b>\$ 94,509,227</b>

## Summary

The Iowa Insurance Division requested open and closed claim data for calendar year 2007 from licensed insurance companies pursuant to Iowa Code section 505.27. Licensed companies who wrote medical malpractice insurance in Iowa during the period from January 1, 2007, through December 31, 2007, were asked to provide specific data for claims closed during that period and separately those remaining open at the end of the year.

Data was reviewed for consistency within and between companies, and for completeness and reasonableness. The accuracy of the report depends on the accuracy of the data obtained from the companies.

The report provides a portrayal of Iowa's medical malpractice insurance market. Average payments of benefits plus allocated loss adjustment expenses for all closed claims were about \$56,000. The average incurred amounts for all open claims were about \$167,000.

Of the specialty providers listed, Hospitals and Clinics or Corporations had the most number of claims reported in both the open and closed claim reports. Of closed claims provider specialty categories with 20 or more claims, family practice had the highest average paid with obstetrics/gynecology at a close second. Of open claims categories with 20 or more claims, obstetrics/gynecology had the highest average incurred losses and allocated loss adjustment expenses.

For closed and open claims, Failure to Diagnose/Monitor/Treat and Treatment Related Cause produced the most claims than any of the other listed alleged causes of loss. For categories with at least 20 claims, both the costliest closed claims and claims with the highest average incurred losses were for Pregnancy or Birth Related Problems.

Most claims, both open and closed, were temporary minor and death claims. On average the costliest claims, paid or reserved, were those considered grave. Average paid losses and expenses for closed claims by category ranged from less than \$13,000 to more than \$170,000. Average incurred amounts including reserves for allocated loss adjustment expenses ranged from about \$37,500 to more than \$800,000.

Minor rounding differences may exist, however no adjustments were made to the amounts reported.

The Division has no recommendations based on this year's study.