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Bulletin 2023-1

To: Professional Liability Insurance Companies
From: Clark Shultz, Executive Director
Date: September 26, 2023
Subject: New surcharge rates effective January 1, 2024 through December 31, 2024.

K.S.A. 40-3402 requires defined health care providers to obtain a base policy from an insurer of not less than \$500,000 per claim, subject to not less than a \$1,500,000 annual aggregate. This includes all new policies issued, and all policies renewed on and after January 1, 2022.

In addition, all defined health care providers are required to obtain coverage from the Health Care Stabilization Fund in the amount of \$500,000 single judgment or settlement, subject to a \$1,500,000 aggregate limitation.

The Board of Governors of the Health Care Stabilization Fund approved the following Surcharge Rate Table for defined health care providers effective January 1, 2024 through December 31, 2024. State law requires that "...such premium surcharge shall be based upon a rating classification system established by the board of governors which is reasonable, adequate and not unfairly discriminating," K.S.A. 40-3404(a). The surcharge changes adopted by the Board of Governors are based on the results of an actuarial study which included analysis of loss experience among the 24 classification groups.

Annual Surcharge Rate Table for Fund Class Groups 1 through 24: Insurers must utilize the HCSF surcharge rate table appended to this bulletin for purposes of determining the surcharge payment for defined health care providers. These are described in the Notice of Basic Coverage Instructions, which can be found on our website.

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Health Care Stabilization Fund Surcharge Rates

(Effective January 1, 2024 – December 31, 2024)

Per Kansas Statutes Annotated 40-3404

\$500,000 per claim subject to \$1,500,000 annual aggregate limit

Fund Class Groups	General Description	Annual Surcharge
1	Physicians	\$396
2	Physicians	\$808
3	Physicians	\$ 1,168
4	Physicians	\$ 1,310
5	Physicians	\$ 1,505
6	Physicians	\$ 1,701
7	Physicians	\$ 1,337
8	Physicians	\$ 3,123
9	Physicians	\$ 3,434
10	Physicians	\$ 4,459
11	Physicians	\$ 10,006
12	Chiropractors	\$ 218
13	Nurse Anesthetists	\$ 373
14	Podiatrists	\$ 872
15	Availability Plan Insured	20.5 %
16	Business Entities	14 %
17	Medical Care Facilities	17.5 %
18	Community Mental Health Centers	15 %
19	Psychiatric Hospital	15 %
20	Residents in Training	15 %
21	Physicians Assistants	15 %
22	Nurse-Midwives	18 %
23	Assisted Living & Residential Health Care Facilities	15 %
24	Nursing Facilities	14 %

- * The additional surcharge for Kansas resident health care providers with an [active Missouri license](#) is + 30%.
- * The minimum surcharge for any category of health care provider for each period of compliance is \$200.