



June 22, 2020

The Injured Patients and Families Compensation Fund (Fund) is offering special coverage for physicians and nurse anesthetists who are practicing in Wisconsin (actually or virtually) during the emergency response to the COVID-19 Coronavirus pandemic beginning March 12, 2020.

### **WHO IS ELIGIBLE?**

1. Physicians and nurse anesthetists
  - a) who are permanently or temporarily licensed in Wisconsin (or hold a license in a compact state)
  - b) whose principal place of practice is outside of Wisconsin
  - c) whose existing primary malpractice insurance policies do not comply with the requirements of [s. 655.23\(3\)\(a\), Wis. Stat.](#), but are issued by an insurer that is authorized in a jurisdiction accredited by the National Association of Insurance Commissioners (NAIC), and
  - d) whose existing primary policies cover Wisconsin practice specific to the emergency response to the COVID-19 Coronavirus pandemic.
  
2. Physicians and nurse anesthetists
  - a) who are permanently or temporarily licensed in Wisconsin (or hold a license in a compact state)
  - b) whose existing primary malpractice insurance policies comply with the requirements of [s. 655.23\(3\)\(a\) Wis. Stat.](#), and
  - c) whose existing primary policies do not cover Wisconsin practice specific to the emergency response to the COVID-19 Coronavirus pandemic.
  
3. Retired physicians
  - a) holding an active Wisconsin license
  - b) who return to practice specific to the emergency response to the COVID-19 Coronavirus pandemic, and
  - c) have no primary malpractice insurance covering this practice.
  
4. Physicians and nurse anesthetists
  - a) who are permanently or temporarily licensed in Wisconsin (or hold a license in a compact state)
  - b) whose principal place of practice is outside of Wisconsin
  - c) whose existing primary malpractice insurance policies do not comply with the requirements of [s. 655.23\(3\)\(a\), Wis. Stat.](#), and are issued by an insurer that is **NOT** authorized in a jurisdiction accredited by the NAIC.

### **HOW IS FUND COVERAGE INITIATED?**

Physicians and nurse anesthetists who meet requirement number 1 above may request fund coverage by completing the [online application](#). The completed application may be mailed along with a check/money order for \$100.00 and a copy of the certificate of primary professional liability insurance from an NAIC-approved carrier. Specific instructions are included in the application.

Physicians and nurse anesthetists who meet requirements number 2, 3, or 4 above may purchase primary malpractice coverage specifically for the period of the health emergency from any [insurer licensed to write medical malpractice insurance in Wisconsin](#) including the [Wisconsin Health Care Liability Insurance Plan \(WHCLIP\)](#).

### **WHAT IS THE INSURER'S RESPONSIBILITY?**

Insurers authorized in a jurisdiction accredited by the National Association of Insurance Commissioners whose primary policies cover Wisconsin practice specific to the health emergency but do not comply with the requirements of [s. 655.23\(3\)\(a\), Wis. Stat.](#), may issue certificates of insurance to insureds who desire Fund coverage for this purpose.

Insurers providing primary malpractice insurance policies that comply with the requirements of [s. 655.23\(3\)\(a\), Wis. Stat.](#), will file certificates with the Fund per the statutory requirement [s. 655.23\(3\)\(b\), Wis. Stat.](#) **Certificates filed with the intent of verifying primary coverage for Wisconsin practice during the emergency response to the COVID-19 Coronavirus pandemic will have a special requirement: The provider type must be 55. ISO code must be 99999.**

### **HOW LONG IS THE PERIOD OF COVERAGE?**

Physicians and nurse anesthetists who meet requirement number 1 may be covered no longer than March 12, 2020, to May 12, 2020.

Physicians and nurse anesthetists who meet requirements in number 2, 3, or 4 may be covered no longer than March 12, 2020, to June 10, 2020.

### **HOW WILL THE FUND ASSESS FOR SPECIAL COVERAGE?**

Certificate filings specific to the emergency response to the COVID-19 Coronavirus pandemic will generate a Fund assessment at a flat rate of \$100.00. The flat rate of \$100.00 will apply to Fund coverage for no longer than the period of coverage referenced above.

- There will be no proration of Fund fees based upon the policy term of the certificate if it should be shorter than the above-referenced coverage period.
- No Fund coverage will be provided for any time before or after the above-referenced coverage period should the policy term of the certificate exceed that period.

Subsequent to filing, the Fund will bill the provider (or the employer if the provider account is affiliated) \$100.00 via a statement accompanied by an explanatory letter describing the condition of coverage (i.e., payment of \$100.00 will provide Fund coverage for the duration of the period of coverage referenced above; if payment is not received, Fund coverage will not be provided).

NOTE: Payment is optional. Because Fund coverage is not required for practice specific to the emergency response to the COVID-19 Coronavirus pandemic, nonpayment will not result in noncompliant status.

**WHO DO I CONTACT WITH QUESTIONS?**

If you have questions regarding this special coverage, please call (608) 266-6830 or email [ociipfcf@wisconsin.gov](mailto:ociipfcf@wisconsin.gov). Answers to questions and/or any further clarification will be sent to recipients of this notice.

**THIS MESSAGE WAS FORWARDED TO ME. HOW DO I GET ADDED TO THE MAILING LIST?**

If you would like to be added to this mailing list, please provide your name, affiliation, and email address by calling (608) 266-6830 or emailing [ociipfcf@wisconsin.gov](mailto:ociipfcf@wisconsin.gov).