

SERFF Tracking Number: MDPC-125835697 State: District of Columbia
Filing Company: The Medical Protective Company State Tracking Number:
Company Tracking Number: 08-BOTOX-02
TOI: 11.0 Medical Malpractice - Claims Sub-TOI: 11.0000 Med Mal Sub-TOI Combinations
Made/Occurrence
Product Name: Dentists
Project Name/Number: DDS Botox Rule Filing/08-Botox-02

Filing at a Glance

Company: The Medical Protective Company

Product Name: Dentists

TOI: 11.0 Medical Malpractice - Claims

Made/Occurrence

Sub-TOI: 11.0000 Med Mal Sub-TOI

Combinations

Filing Type: Rule

SERFF Tr Num: MDPC-125835697 State: District of Columbia

SERFF Status: Closed-APPROVED State Tr Num:

Co Tr Num: 08-BOTOX-02

State Status:

Author: Melissa Millican

Date Submitted: 09/29/2008

Reviewer(s): Robert Nkojo

Disposition Date: 12/01/2008

Disposition Status: APPROVED

Effective Date Requested (New): 12/01/2008

Effective Date Requested (Renewal): 12/01/2008

State Filing Description:

Effective Date (New):

Effective Date (Renewal):

General Information

Project Name: DDS Botox Rule Filing

Project Number: 08-Botox-02

Status of Filing in Domicile: Pending

Domicile Status Comments: Currently pending in the state of IN.

Reference Organization: n/a

Reference Title: n/a

Reference Number: n/a

Advisory Org. Circular: n/a

Filing Status Changed: 12/01/2008

State Status Changed:

Deemer Date:

Created By: Melissa Millican

Submitted By: Melissa Millican

Corresponding Filing Tracking Number: 08-Botox-01

Filing Description:

The reason for the filing is to revise and introduce new rating rules specific to our Dental Program which have no substantive rate impact.

- * The Aggregate Credit rule is being revised to state that the Moonlighting Rating Rule and New to Company rating rule do not apply to the aggregate capping.
- * Botulinum Toxin and Dermal Fillers Rating Rule is being introduced to contemplate the change in risk exposure of dentists which perform botox procedures.
- * The Dental Board Exam Rule is being revised to remove the \$25 charge for the coverage.

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- * The Dental Facility Classification Rule is being introduced to provide a rating mechanism for insureds which practice in non-standard dental facilities.
- * Membership Association Rating Rule is being revised to increase the credit from 5% to 25%.
- * New to Company Credit is being revised (in some states) and introduced in some states to contemplate the reduced expenses of the business writing a new insured.
- * Moonlighting Credit is being added to provide a credit to those insureds which are working part - time while in their residency or fellowship program.

Company and Contact

Filing Contact Information

Melissa Millican, Paralegal melissa.millican@medpro.com
 5814 Reed Road 260-486-0838 [Phone]
 Fort Wayne, IN 46835 260-486-0733 [FAX]

Filing Company Information

The Medical Protective Company CoCode: 11843 State of Domicile: Indiana
 5814 Reed Road Group Code: Company Type:
 Fort Wayne, IN 46835 Group Name: State ID Number:
 (260) 486-0838 ext. [Phone] FEIN Number: 35-0506406

Filing Fees

Fee Required? No
 Retaliatory? No
 Fee Explanation:
 Per Company: No

COMPANY	AMOUNT	DATE PROCESSED	TRANSACTION #
The Medical Protective Company	\$0.00		

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Correspondence Summary

Dispositions

Status	Created By	Created On	Date Submitted
APPROVED	Robert Nkojo	12/01/2008	12/01/2008

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Disposition

Disposition Date: 12/01/2008

Effective Date (New):

Effective Date (Renewal):

Status: APPROVED

Comment:

Rate data does NOT apply to filing.

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Schedule	Schedule Item	Schedule Item Status	Public Access
Supporting Document	Cover Letter All Filings	No	
Supporting Document	Consulting Authorization	No	
Supporting Document	Actuarial Certification (P&C)	No	
Supporting Document	District of Columbia and Countrywide Experience for the Last 5 Years (P&C)	No	
Supporting Document	District of Columbia and Countrywide Loss Ratio Analysis (P&C)	No	
Rate	Dentists SCM Aggregate Credit Rule	No	
Rate	Dentists OCC Aggregate Credit Rule	No	
Rate	Dentists OCC Botulinum Toxin and Dermal Fillers Rating Rule	No	
Rate	Dentists SCM Botulinum Toxin and Dermal Fillers Rating Rule	No	
Rate	Dentists OCC Dental Board Examination Rule	No	
Rate	Dentists Occurrence Dental Facility Classification Plan	No	
Rate	Dentists SCM Dental Facility Classification Plan	No	
Rate	Dentists SCM Membership Association Credit Rule	No	
Rate	Dentists Occurrence Membership Association Credit Rule	No	
Rate	Dentists SCM Moonlighting Rating Rule	No	
Rate	Dentists Occurrence Moonlighting Rating Rule	No	

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Rate/Rule Schedule

Schedule Item Status:	Exhibit Name:	Rule # or Page #:	Rate Action	Previous State Filing Attachments Number:
	Dentists SCM Aggregate Credit Rule	ACR-CW; 03/01/05 edt	New	dds scm aggregate credit rule.pdf
	Dentists OCC Aggregate Credit Rule	ACR-CW; 03/01/08 edt	New	dds occ aggregate credit rule.pdf
	Dentists OCC Botulinum Toxin and Dermal Fillers Rating Rule	BRR-CW: 07/01/08 edt	New	dds occ botulinum toxin and dermal fillers rating rule.pdf
	Dentists SCM Botulinum Toxin and Dermal Fillers Rating Rule	BRR-CW; 07/01/08 edt	New	dds scm botulinum toxin and dermal fillers rating rule.pdf
	Dentists OCC Dental Board Examination Rule	DBE-CW; 01/01/08 edt	Replacement	dds occ dental board examination rule.pdf
	Dentists Occurrence Dental Facility Classification Plan	FSD-CW; 01/01/08 edt	New	dds occ dental facility classification plan.pdf
	Dentists SCM Dental Facility Classification Plan	FSD-CW; 01/01/08 edt	New	dds scm dental facility classification plan.pdf

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Dentists SCM Membership Association Credit Rule	MAC-CW; 07/01/08 edt	Replacement	dds scm membership assoc credit rule.pdf
Dentists Occurrence Membership Association Credit Rule	MAC-CW; 07/01/08 edt	Replacement	dds occ membership assoc credit rule.pdf
Dentists SCM Moonlighting Rating Rule	MLT-CW; 01/01/08 edt	New	dds occ moonlighting rating rule.pdf
Dentists Occurrence Moonlighting Rating Rule	MLT-CW; 01/01/08 edt	New	dds occ moonlighting rating rule.pdf

The
Medical Protective Company
Fort Wayne, Indiana 46835
Professional Protection Exclusively Since 1899

DENTISTS

STANDARD CLAIMS MADE PROGRAM

AGGREGATE CREDIT RULE

~~THE APPLICATION OF ALL APPROVED CREDITS CONTAINED IN THIS~~
RATING MANUAL SHALL NOT EXCEED 50% FOR ANY ONE INSURED.

THIS RULE DOES NOT APPLY TO PART TIME PRACTICE, LEAVE OF
ABSENCE, RISK MANAGEMENT, NEW TO COMPANY, MEMBERSHIP
ASSOCIATION, MOONLIGHTING OR DEDUCTIBLE CREDITS.

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DENTISTS

OCCURRENCE PROGRAM

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DENTISTS

OCCURRENCE PROGRAM

BOTULINUM TOXIN AND DERMAL FILLERS RATING

RULE

THE FOLLOWING DEBIT STRUCTURE SHALL APPLY IN ADDITION TO THE EXISTING FILED RATE IN RECOGNITION OF THE UNIQUE RISK CHARACTERISTICS OF DENTISTS, OR GROUPS OF DENTISTS, WHO ADMINISTER BOTULINUM TOXIN AND DERMAL FILLERS.

DEBIT A	DEBIT B	DEBIT C
57%	46%	29%

DEBIT A: GENERAL DENTISTS, ORTHODONTISTS, PEDIATRIC DENTISTS, PERIODONTISTS, PROSTHODONTISTS, ENDODONTISTS, OR HOST DENTISTS UNLESS CLASSIFIED UNDER DEBIT B & C.

DEBIT B: ANY DENTISTS PERFORMING MINOR SURGICAL PROCEDURES OR IMPLANTS AND ORAL PATHOLOGISTS.

DEBIT C: ANY DENTIST PERFORMING MAJOR SURGICAL PROCEDURES.

APPROVAL FOR PARTICIPATION IN THIS RATING RULE IS SUBJECT TO UNDERWRITING GUIDELINES.

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STANDARD CLAIMS MADE PROGRAM

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DEBIT B: ANY DENTISTS PERFORMING MINOR SURGICAL PROCEDURES OR IMPLANTS AND ORAL PATHOLOGISTS.

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DENTISTS

OCCURRENCE PROGRAM

DENTAL BOARD EXAMINATION RULE

COVERAGE IS AVAILABLE TO DENTAL STUDENTS, ON A SHORT-TERM BASIS, FOR SERVICES RENDERED BY THE STUDENT DURING A DENTAL EXTERNSHIP PRIOR TO GRADUATION AND/OR DURING THE DENTAL BOARD EXAM PURSUANT TO THE STUDENT'S PROFESSIONAL LICENSING.

THE COVERAGE WILL BE PROVIDED ON A \$1,000,000 PER OCCURRENCE AND \$3,000,000 ANNUAL AGGREGATE LIMITS BASIS FOR NO ADDITIONAL CHARGE, AND IS NOT SUBJECT TO THE MINIMUM PREMIUM RULE. COVERAGE WILL ONLY BE AVAILABLE TO DENTAL STUDENTS WHO MEET THE COMPANY'S GUIDELINES FOR ACCEPTANCE.

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DENTISTS

OCCURRENCE PROGRAM

DENTAL FACILITY CLASSIFICATION PLAN

A 60% DEBIT SHALL APPLY IN ADDITION TO THE EXISTING FILED RATE FOR INSUREDS, OR GROUPS OF INSUREDS, WHO PRACTICE IN OR WITH DENTAL FACILITIES AS SUCH NON-STANDARD DENTAL PRACTICES ARE NOT CONTEMPLATED IN THE FILED RATE STRUCTURE.

PLACEMENT INTO THE DENTAL FACILITY CLASSIFICATION PLAN WILL BE DETERMINED BY THE COMPANY'S UNDERWRITING RULES AND GUIDELINES.

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DENTISTS

STANDARD CLAIMS MADE PROGRAM

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DENTISTS

STANDARD CLAIMS MADE PROGRAM

MEMBERSHIP ASSOCIATION CREDIT RULE

THE UNIQUE CHARACTERISTICS OF A DENTAL PRACTICE AND THEIR MEMBERSHIP IN QUALIFIED PROFESSIONAL ASSOCIATIONS SHALL MAKE THEM ELIGIBLE FOR A PREMIUM MODIFICATION IN ADDITION TO THOSE AVAILABLE TO OTHER INSURED.

A PREMIUM CREDIT OF UP TO 25% SHALL BE GIVEN TO THOSE INSURED WHOSE GROUP IS A MEMBER OF A QUALIFIED ASSOCIATION AS DETERMINED BY THE COMPANY'S UNDERWRITING GUIDELINES.

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DENTISTS
OCCURRENCE PROGRAM
MEMBERSHIP ASSOCIATION CREDIT RULE

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DENTISTS

OCCURRENCE PROGRAM

MOONLIGHTING RATING RULE

COVERAGE IS AVAILABLE FOR INSUREDS PRACTICING PART TIME WHILE IN A RESIDENCY OR FELLOWSHIP PROGRAM CONDUCTED THRU ANY DENTAL SCHOOL OR HOSPITAL.

A CREDIT OF 75% WILL APPLY TO THE INSUREDS PREMIUM PURSUANT TO THE COMPANY'S GUIDELINES FOR ACCEPTANCE.

NO OTHER CREDITS MAY APPLY WITH THIS RULE.

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DENTISTS

OCCURRENCE PROGRAM

MOONLIGHTING RATING RULE

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A CREDIT OF 75% WILL APPLY TO THE INSUREDS PREMIUM PURSUANT TO THE COMPANY'S GUIDELINES FOR ACCEPTANCE.

NO OTHER CREDITS MAY APPLY WITH THIS RULE.

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Product Name: Dentists

Project Name/Number: DDS Botox Rule Filing/08-Botox-02

Supporting Document Schedules

Item Status: **Status Date:**

Satisfied - Item: Cover Letter All Filings

Comments:

attached

Attachment:

coverletter.pdf

Item Status: **Status Date:**

Satisfied - Item: Consulting Authorization

Comments:

n/a - filing by the company

Item Status: **Status Date:**

Satisfied - Item: Actuarial Certification (P&C)

Comments:

memo - rules only

Attachment:

memo.pdf

Item Status: **Status Date:**

Satisfied - Item: District of Columbia and
Countrywide Experience for the
Last 5 Years (P&C)

Comments:

n/a - rule filing with no substantial rate impact

Item Status: **Status**

September 29, 2008

Lawrence H. Mirel, Commissioner of Insurance
Department of Insurance and Security Regulations
Insurance Products Division
810 First Street, NE, Room 701
Washington, DC 20002

**RE: THE MEDICAL PROTECTIVE COMPANY - NAIC #11843
COMPANY FILE NO: 08-Botox-02
LINE 11 - MEDICAL MALPRACTICE
DENTISTS
OCCURRENCE & STANDARD CLAIMS MADE PROGRAM**

PROPOSED EFFECTIVE DATE: DECEMBER 1, 2008

Dear Commissioner Mirel:

The Medical Protective Company hereby submits for your review and consideration our rule filing applicable to our District of Columbia Dentists programs. We request an effective date of December 1, 2008.

The reason for the filing is to revise and introduce new rating rules specific to our Dental Program which have no substantive rate impact.

- The Aggregate Credit rule is being revised to state that the Moonlighting Rating Rule and New to Company rating rule do not apply to the aggregate capping.
- Botulinum Toxin and Dermal Fillers Rating Rule is being introduced to contemplate the change in risk exposure of dentists which perform botox procedures.
- The Dental Board Exam Rule is being revised to remove the \$25 charge for the coverage.
- The Dental Facility Classification Rule is being introduced to provide a rating mechanism for insureds which practice in non-standard dental facilities.
- Membership Association Rating Rule is being revised to increase the credit from 5% to 25%.
- New to Company Credit is being revised (in some states) and introduced in some states to contemplate the reduced expenses of the business writing a new insured.
- Moonlighting Credit is being added to provide a credit to those insureds which are working part - time while in their residency or fellowship program.

Should you have any questions regarding this filing, please do not hesitate to contact me.

Sincerely,



Melissa Coker, Paralegal
The Medical Protective Company
5814 Reed Road
Fort Wayne, IN 46835-3568
(800)-348-4669, ext. 6838
(260)-486-0733 (fax)
melissa.millcan@medpro.com

Enclosure(s)

The Medical Protective Company
 Dentists Program
 Rule Revision

Title	New or Revised	Description	Occ	Scm
Aggregate Credit Rule	New	Limits total credit application to 50%	X	X
Botox Procedure Rating Rule	New	Rating plan for insureds who perform botox procedures, which is not contemplated in the standard rate.	X	X
Dental Board Examination Rule	Revised	Revising - Remove \$25 charge for coverage	X	
Dental Facility Classification Plan	New	Introducing for insureds who practice in non-standard dental facilities	X	X
Membership Association Credit Rule	Revised	Revising credit to 25%	X	X
Moonlighting Rating Rule	New	Provides a credit to insureds practicing part time while in residency or fellowship program.	X	X