

Report No.	18	New <input checked="" type="checkbox"/>	Substitute <input type="checkbox"/>	Amendment <input type="checkbox"/>
Submitted By:	Council on Professional Liability Insurance			
Date Submitted:	April 14, 2025	Reference Committee <input type="checkbox"/>	Direct to House <input checked="" type="checkbox"/>	
Total Financial Implication:	None			
Amount One-time	None	Amount On-going	None	

1 The Council has not met since the last House meeting.

2

3 This Council's role was to review malpractice claims filed under the Association's  
 4 endorsed professional liability program. In 2020, MLMIC changed their policy language  
 5 removing the requirement that any claim settlement be first approved by the local  
 6 district's claims review committee. The change placed the power to settle a claim with  
 7 the insured defendant. Since these claims reviews were the primary function of this  
 8 Council, this change has rendered the Council's mission moot.

9

10 We are now four years removed from the time when MLMIC policy renewals began  
 11 including this new consent settlement provision. Since the standard statute of  
 12 limitations for filing a dental malpractice case in NY is 2.5 years, it is only those claims  
 13 with extenuating circumstances or timelines that would still be subject to review by the  
 14 claims review committees. According to MLMIC, there are just a handful of claims that  
 15 are still in process that still need to be heard by local claims review committees.

16

17 Once the final few old claims are adjudicated, it would make sense to disband the  
 18 Council as its administrative role no longer exists. Districts that endorse and work with  
 19 Fortress may continue to see claims under that insurer but the NYSDA role will come to  
 20 its logical end.

21