

**MMI TASK FORCE COMMENTS SNAPSHOT – UPDATED DECEMBER 2018**

The Task Force has received 584 written comments from WSBA members raising a variety of concerns regarding a mandatory malpractice insurance requirement.<sup>1</sup> This Snapshot represents a best effort to categorize comments received by the Mandatory Malpractice Insurance (MMI) Task Force along common themes. Please note that the substance of many of the comments is subject to interpretation. The themes identified are as follows:

1. Cost – commentator expressed concern about costs;
2. Idea for exemption – commentator suggested one or more specific exemptions;
3. Needs more information – commentator needs more information;
4. Not engaged in private practice – commentator not engaged in private practice;
5. Pro bono – commentator noted possible impact of imposing malpractice insurance where practitioner primarily provides pro bono services
6. Public protection – commentator raised issues of public protection;
7. Reputation of the profession – commentator noted possible impact of imposing malpractice insurance on the public's perception of the profession;
8. Retired/semi-retired/retiring – commentator noted possible impact of imposing malpractice insurance on retirees;
9. Uninsurable – commentator indicated he or she is unable to obtain insurance; and
10. Other – comment could not easily be categorized, was an inquiry, or presented multiple issues for consideration.

**A. COMMENT THEMES DISTRIBUTION**

Below is a chart of the distribution of themes. More than one category may apply to an individual comment, so the total distribution of themes is greater than the total number of comments received.

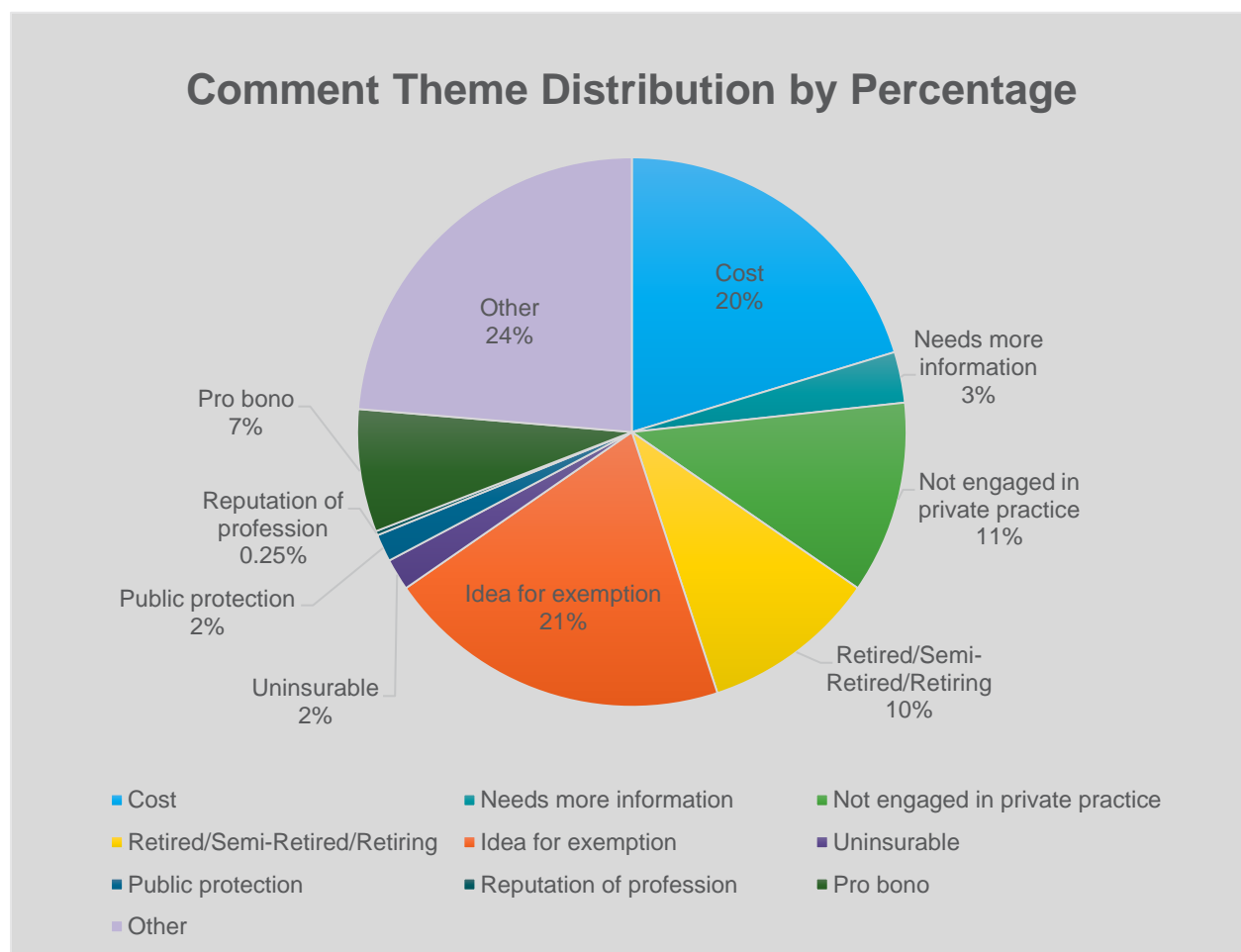
COMMENT THEME	DISTRIBUTION
COST	163
NEEDS MORE INFORMATION	24
NOT ENGAGED IN PRIVATE PRACTICE	91
RETIRED/SEMI-RETIRED/RETIRING	83

<sup>1</sup> This total does not reflect five duplicate comments, which would bring the total comments to 589.



COMMENT THEME	DISTRIBUTION
IDEA FOR EXEMPTION	164
UNINSURABLE	15
PUBLIC PROTECTION	13
REPUTATION OF PROFESSION	2
PRO BONO	58
OTHER	190
TOTAL	803

For a detailed breakdown of which theme(s) applied to a given comment, please see Appendix A Table of Comments and Themes.

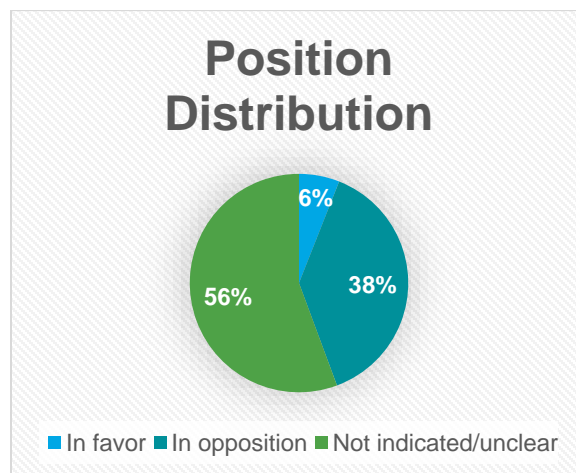


## **B. COMMENTATOR POSITIONS ON MANDATORY MALPRACTICE INSURANCE**

What follows is information regarding what position commentators appeared to take, if any. In many instances, the commentator's position was not indicated or was unclear. As with the

distribution of themes, the position of a given commentator is subject to interpretation. Please see Appendix A for a detailed breakdown of positions among commentators.

POSITION	POSITION DISTRIBUTION
IN FAVOR	35
IN OPPOSITION	224
NOT INDICATED/UNCLEAR	325
TOTAL	584



### C. COMMENTATOR POSITIONS ALONG THEMES

What follows is breakdown of the position of commentators among the common themes. Where more than one theme applied to an individual comment, the position of a given commentator was counted twice.

