

MMI TASK FORCE COMMENTS SNAPSHOT

The Task Force has received 584 written comments from WSBA members raising a variety of concerns regarding a mandatory malpractice insurance requirement.¹ 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.

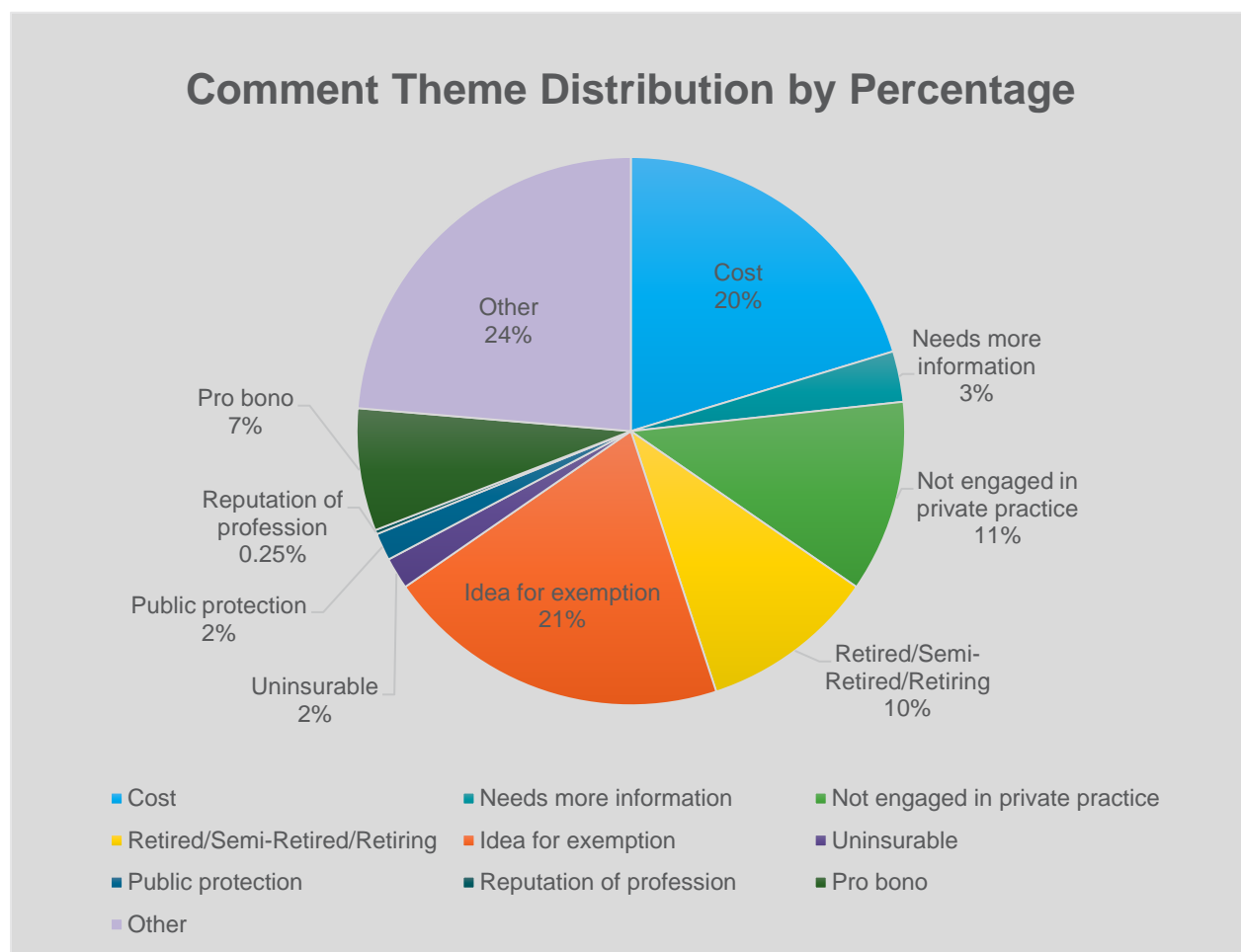
| COMMENT THEME | DISTRIBUTION |
|--|---------------------|
| COST | 163 |
| NEEDS MORE INFORMATION | 24 |
| NOT ENGAGED IN PRIVATE PRACTICE | 91 |
| RETIRED/SEMI-RETIRED/RETIRING | 83 |

¹ 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.

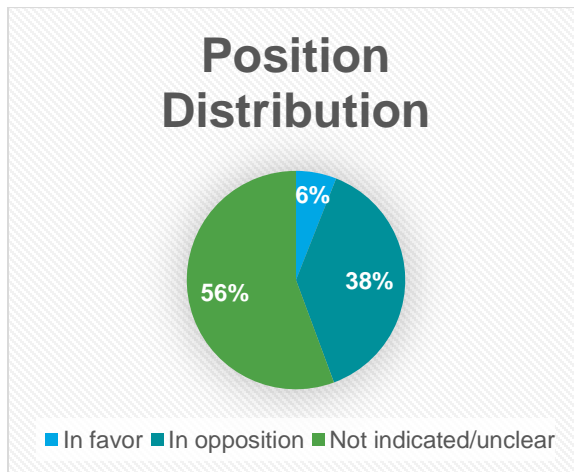


B. COMMENTATOR POSITIONS ON MANDATORY MALPRACTICE INSURANCE

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.

