

HOUSE No. 1843

The Commonwealth of Massachusetts

PRESENTED BY:

Michael J. Rodrigues

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to professional liability insurance.

PETITION OF:

NAME:

Michael J. Rodrigues

DISTRICT/ADDRESS:

8th Bristol

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1069 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO PROFESSIONAL LIABILITY INSURANCE.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 15 of chapter 152 of the General Laws, as appearing in the 2002 Official Edition, is
2 hereby amended by replacing the next to last sentence with the following:- "Nothing in this section, or in
3 section 18 or 24 shall be construed to bar an action at law for damages for personal injuries or wrongful
4 death by an employee against any person other than (1) the insured person employing such employee and
5 liable for the payment of the compensation provided by this chapter for the employee's personal injury or
6 wrongful death and said persons employees, and (2) an insured employee leasing company and its client
7 company, as defined in Section 14A of this chapter, if each are in compliance with the requirements of this
8 chapter.

9 SECTION 2. Section 14A of Chapter 152 of the General Laws, is hereby amended by replacing
10 subsection 2 with the following: - "The commissioner shall establish by regulation that the employee
11 leasing company shall be the policyholder of a workers' compensation insurance policy providing coverage
12 to employees leased to client companies, and the manner and method of determining the appropriate
13 premiums of clients companies and employee leasing companies.