



THE UNIVERSITY of TEXAS SYSTEM  
THIRTEEN INSTITUTIONS. UNLIMITED POSSIBILITIES.

## 2022 ANNUAL REPORT

# PROFESSIONAL MEDICAL LIABILITY BENEFIT PLAN

SEPTEMBER 1, 2021 – AUGUST 31, 2022

13,282	Total Physicians/Dentists Covered by Plan
7,961	Medical & Dental Faculty Covered ( <i>FTEs</i> )
1,333	Fellows Covered ( <i>FTEs</i> )
3,245	Residents Covered ( <i>FTEs</i> )
20,420	Health Care Professionals Covered ( <i>FTEs</i> )
4,211	Medical Students Covered
195	Medical Student Externships
20	New Lawsuits ( <i>excludes CMC lawsuits</i> ) <sup>1</sup>
90	New Claims ( <i>includes 2 HCP claims / excludes CMC claims</i> ) <sup>1</sup>
51	New Depositions & Trial Testimony ( <i>includes 7 HCP depositions</i> )
241	Pending Claims and Lawsuits at August 31, 2022 ( <i>includes 1 HCP claim &amp; 6 Depositions / excludes CMC claims &amp; lawsuits</i> ) <sup>1</sup>
0	Number of Trials
201	Cases Closed with No Plan Payment <sup>1</sup>
178	New TMB & Other Professional Board Matters ( <i>includes 13 HCP complaints</i> )
\$1,707,029	Administrative Costs
\$1,048,943	Medical Malpractice Defense Costs
\$3,409,257	Settlement (Indemnity) Costs <sup>2</sup>
\$870,493	TMB & Other Professional Board Defense Costs
\$1,830	Plan Average Faculty Physician Premium Occurrence (\$500,000/\$1,500,000)
\$24,068	The Doctors Co. Average Physician Premium Mature Claims-Made Rate (\$500,000/\$1,500,000)
\$18,748	ProAssurance Indemnity Co., Inc. Average Physician Premium Mature Claims-Made Rate (\$500,000/\$1,500,000)
\$13,088,781	Premiums Collected
\$40,347,545	Net Position of Professional Liability Fund

<sup>1</sup>Does not include Criminal Managed Care (CMC) physician and other health care professional services not covered under UT System Plan.

<sup>2</sup>This amount and the amount indicated for Claim and Lawsuit Liability Expenses in the Income Statement on page 9 differ slightly due to timing of payments.

## PREMIUM COMPARISONS

Plan premium rates are significantly lower than Texas commercial insurance carriers. The chart below compares UT Health Science Center-Houston Plan rates by risk class in Harris County with two commercial carriers, The Doctors Co. and ProAssurance Indemnity Co., Inc.<sup>1</sup> Although variations in risk class structures among carriers prevent a precise comparison, the chart is demonstrative of rate differences.

Risk Class		The Doctors Co.*	ProAssurance Indemnity Co., Inc.**	UT Faculty Rates***
I	General Practice No Surgery	\$13,319	\$11,378	\$516
II	General Practice Minor Surgery	\$16,643	\$15,834	\$816
III	Emergency Medicine/Minor Surgery	\$27,825	\$23,893	\$1,296
IV	General Surgery	\$46,085	\$34,361	\$2,400
IV	Anesthesiology	\$16,469	\$12,800	\$2,400
V	Gynecology Minor Surgery	Not Listed	\$14,222	\$3,552

\* Mature Claims-Made Rate (\$500,000 / \$1,500,000 Limits) Effective January 1, 2022

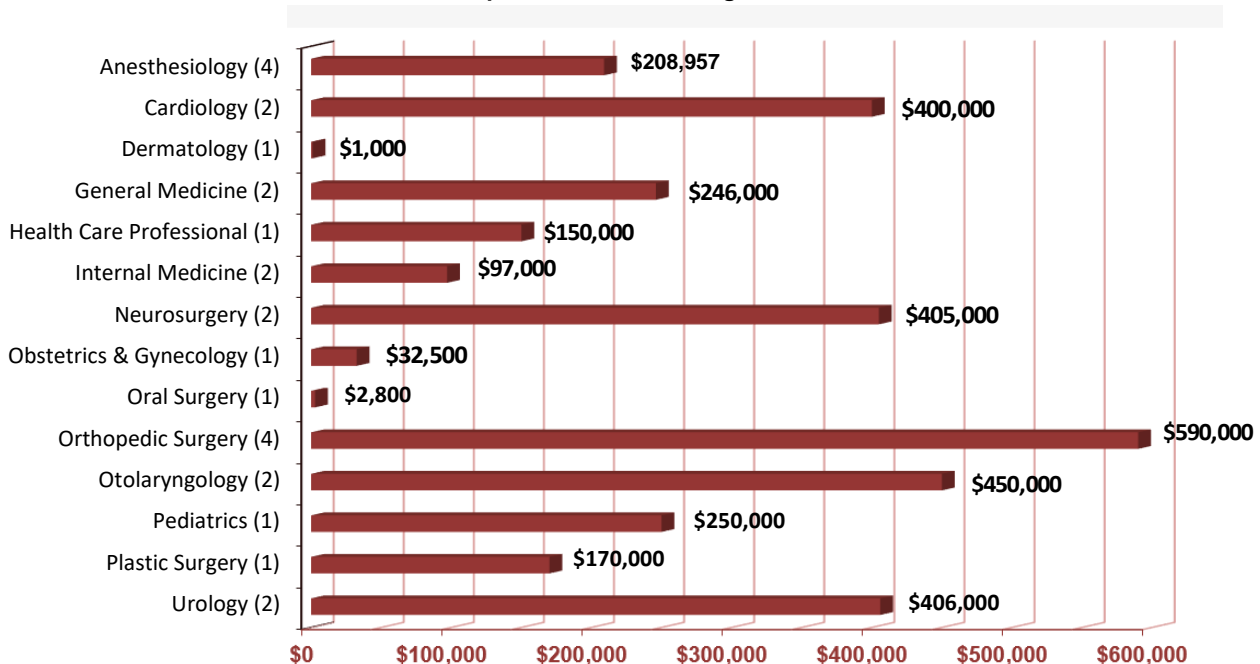
\*\* Mature Claims-Made Rate (\$500,000 / \$1,500,000 Limits) Effective February 1, 2022

\*\*\* Occurrence (\$500,000 / \$1,500,000 Limits) Effective September 1, 2021

### Indemnity Payments by Specialty<sup>2</sup>

All U.T. System Institutions

September 1, 2021 – August 31, 2022



<sup>1</sup>Commercial rates provided by Milliman.

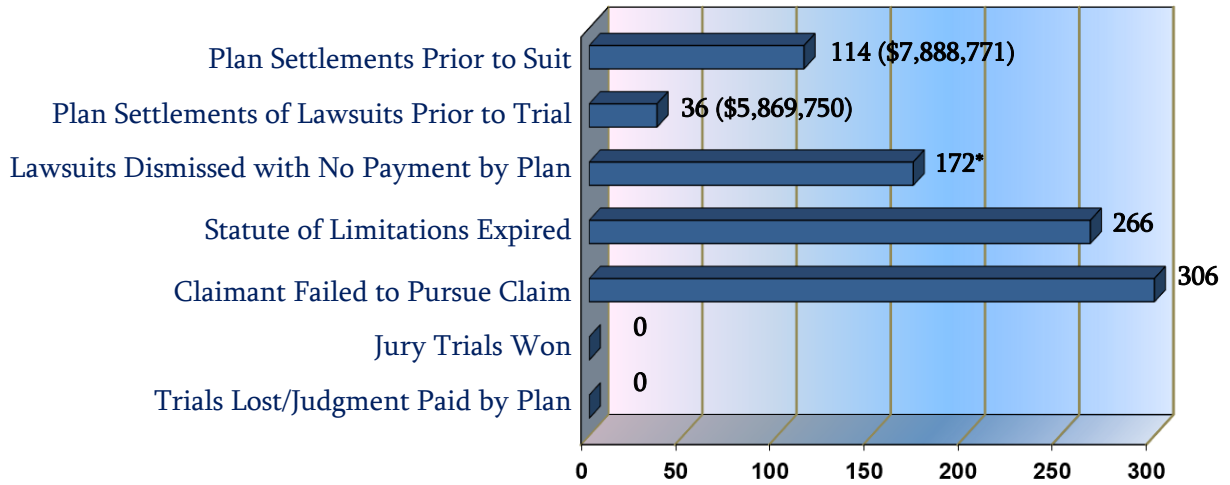
<sup>2</sup>Settlement payment amounts are based on claims closed during FY21-22.

FY 2022 IN SUMMARY

## CLOSED CASES

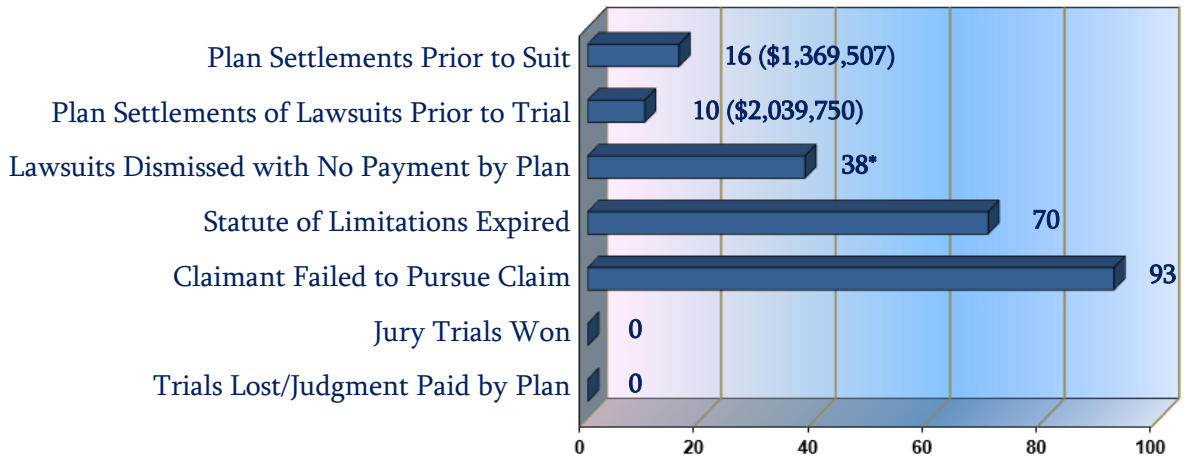
During the last five years, 894 claims and lawsuits filed against U.T. System physicians and institutions were closed, with total Plan liability payments of \$13,758,521. Eighty-three percent closed with no payment by the Plan.

### All U.T. System Institutions Closed Claims & Lawsuits September 1, 2017 – August 31, 2022



In Fiscal Year 2022, 89 percent of the cases closed required no payment by the Plan, an eight percent increase from last year.

### All U.T. System Institutions Closed Claims & Lawsuits September 1, 2021 – August 31, 2022



\*Includes Summary Judgments, Non-Suits, Dismissals, and Settlements by Co-defendants at no cost to the Plan.  
All closed case data above excludes CMC physician and health care professional services cases not covered under the Plan.

## The University of Texas at Austin

	2022	2021	2020	2019
Medical & Dental Faculty*	274	256	228	187
Fellows	0	0	0	0
Residents*	10	6	16	25
Health Care Professionals (FTE)	418	346	n/a	n/a
Open Claims & Lawsuits	12	11	10	6
New Claims	4	5	3	2
New Lawsuits	0	1	1	1
New Depositions & Trial Testimony	8	1	3	4
Settlements Paid <sup>1</sup>	\$245,000	\$247,570	\$100,000	\$0.00
New TMB Matters-Faculty	5	0	3	2
New TMB Matters-Residents	0	0	0	0
New Board Complaints – Enrolled Healthcare Professionals <sup>2</sup>	0	0	0	n/a
New Board Complaints - Med. Professionals Not enrolled in Plan <sup>3</sup>	0	0	0	1

\*Includes Student Health Center physicians/Does not include U.T. physicians within FTE adjustment due to rotations at Seton/DMC (7 faculty and 18 residents)

Note: Two of the 8 New Deposition & Trial Testimony matters for UT Austin in 2022 were opened for representation of a Plan covered Healthcare Professional.

## The University of Texas Health Science Center at Tyler & The University of Texas - Tyler

	2022	2021	2020	2019
Medical & Dental Faculty	222	208	138	105
Fellows	3	0	0	0
Residents	143	109	80	76
Health Care Professionals (FTE)	472	571	n/a	n/a
Open Claims & Lawsuits	6	6	3	2
New Claims	1	4	2	2
New Lawsuits	1	0	0	0
New Depositions & Trial Testimony	0	0	0	0
Settlements Paid <sup>1</sup>	\$0.00	\$0.00	\$0.00	\$0.00
New TMB Matters-Faculty	3	1	4	1
New TMB Matters-Residents	0	0	0	0
New Board Complaints – Enrolled Healthcare Professionals <sup>2</sup>	1	0	0	n/a
New Board Complaints - Med. Professionals Not enrolled in Plan <sup>3</sup>	0	0	0	0

## The University of Texas Health Science Center at Houston

	2022	2021	2020	2019
Medical & Dental Faculty	1900	1883	1788	1719
Fellows	302	286	263	255
Residents	1034	1019	1003	438
Health Care Professionals (FTE)	1460	1315	n/a	n/a
Open Claims & Lawsuits	66	76	59	49
New Claims	31	17	20	22
New Lawsuits	5	8	6	14
New Depositions & Trial Testimony	4	4	5	0
Settlements Paid <sup>1</sup>	\$1,236,361	\$440,000	\$390,795	\$913,500
New TMB Matters-Faculty	54	41	41	37
New TMB Matters-Residents	0	1	1	0
New Board Complaints - Enrolled Healthcare Professionals <sup>2</sup>	3	1	1	n/a
New Board Complaints - Med. Professionals Not enrolled in Plan <sup>3</sup>	0	0	0	0

## The University of Texas Health Science Center at San Antonio

	2022	2021	2020	2019
Medical & Dental Faculty*	1179	1142	1090	1029
Fellows*	120	125	142	137
Residents*	561	503	541	494
Health Care Professionals (FTE)	996	349	n/a	n/a
Open Claims & Lawsuits	14	32	24	21
New Claims	4	10	5	6
New Lawsuits	2	2	3	4
New Depositions & Trial Testimony	0	7	8	8
Settlements Paid <sup>1</sup>	\$310,000	\$475,000	\$500,000	\$312,857
New TMB Matters-Faculty	23	26	20	10
New TMB Matters-Residents	4	2	0	1
New Board Complaints – Enrolled Healthcare Professionals <sup>2</sup>	4	0	0	n/a
New Board Complaints - Med. Professionals Not enrolled in Plan <sup>3</sup>	0	0	0	0

\*Does not include U.T. physicians within FTE adjustment due to rotations at V.A. Hospital (in 2022 a total of 2 faculty, 207 residents and 33 fellows)

### The University of Texas M.D. Anderson Cancer Center

	2022	2021	2020	2019
Medical & Dental Faculty	1313	1276	1266	1100
Fellows	293	285	299	390
Residents	1	0	0	2
Health Care Professionals (FTE)	6416	6256	n/a	n/a
Open Claims & Lawsuits	30	52	32	36
New Claims	8	8	8	11
New Lawsuits	1	1	1	2
New Depositions & Trial Testimony	11	25	14	12
Settlements Paid <sup>1</sup>	\$429,750	\$315,000	\$245,181	\$200,000
New TMB Matters-Faculty	12	9	10	12
New TMB Matters-Residents	2	0	0	0
New Board Complaints – Enrolled Healthcare Professionals <sup>2</sup>	2	1	0	n/a
New Board Complaints - Med. Professionals Not enrolled in Plan <sup>3</sup>	0	0	0	0

Note: Three of the 11 New Deposition & Trial Testimony matters for UT M.D. Anderson in 2022 were opened for representation of a Plan covered Healthcare Professional.

### The University of Texas Southwestern Medical Center

	2022	2021	2020	2019
Medical & Dental Faculty*	2228	2130	2010	1867
Fellows	460	419	429	430
Residents*	703	761	680	717
Health Care Professionals (FTE)	5660	5089	n/a	n/a
Open Claims & Lawsuits	70	87	70	80
New Claims	27	20	17	28
New Lawsuits	4	5	5	7
New Depositions & Trial Testimony	22	8	18	39
Settlements Paid <sup>1</sup>	\$748,146	\$300,000	\$520,527	\$993,906
New TMB Matters-Faculty	27	16	23	23
New TMB Matters-Residents	0	0	3	0
New Complaints – Enrolled Healthcare Professionals <sup>2</sup>	2	1	0	n/a
New Board Complaints - Med. Professionals Not enrolled in Plan <sup>3</sup>	0	0	0	0

\*Does not include U.T. physicians within FTE adjustment due to rotations at Parkland Hospital (in 2022 a total of 0 faculty and 476 residents)

Note: The 27 New Claims for UT Southwestern Medical Center in 2022 include 2 claims against a Plan covered Healthcare Professional. Two of the 22 New Deposition & Trial Testimony matters were opened for representation of a Plan covered Healthcare Professional.

**The University of Texas Medical Branch at Galveston\***

	2022	2021	2020	2019
Medical & Dental Faculty	735	697	687	666
Fellows	141	135	146	106
Residents	549	541	516	505
Health Care Professionals (FTE)	4,634	4203	n/a	n/a
Open Claims & Lawsuits*	36	36	46	74
New Claims*	15	9	8	29
New Lawsuits*	6	9	7	5
New Depositions & Trial Testimony	4	6	1	0
Settlements Paid <sup>1</sup>	\$440,000	\$520,323	\$1,183,666	\$485,305
New TMB Matters-Faculty	16	12	17	11
New TMB Matters-Residents	2	1	4	7
New Board Complaints – Enrolled Healthcare Professionals <sup>2</sup>	1	1	0	0
New Board Complaints - CMC & Med. Professionals Not enrolled in Plan <sup>3</sup>	14	9	10	11

\*UTMB data does not include CMC physician and other health professional services not covered under the UT System Plan.

**The University of Texas at Rio Grande Valley**

	2022	2021	2020	2019
Medical & Dental Faculty	99	99	95	71
Fellows	14	19	12	7
Residents	244	227	218	197
Health Care Professionals (FTE)	80	88	n/a	n/a
Open Claims & Lawsuits	5	4	3	2
New Claims	0	0	0	2
New Lawsuits	1	0	0	1
New Depositions & Trial Testimony	0	2	1	0
Settlements Paid <sup>1</sup>	\$0.00	\$0.00	\$0.00	\$0.00
New TMB Matters-Faculty	3	2	3	2
New TMB Matters-Residents	0	0	0	1
New Complaints – Enrolled Healthcare Professionals <sup>2</sup>	0	0	0	n/a
New Board Complaints - Med. Professionals Not enrolled in Plan <sup>3</sup>	0	0	0	0

NOTE: All institutions' enrollment numbers are on an FTE basis.

<sup>1</sup> Settlement payment amounts are based on claims and lawsuits closed during the corresponding FY.

<sup>2</sup> 2020 Began tracking enrolled healthcare professionals, Plan coverage began July 1, 2020.

<sup>3</sup> 2019 Began tracking complaints to the Texas Medical Board and similar Professional Boards which were represented by OGC Health Law attorneys on behalf of CMC physicians and all other medical professionals, such as Physician Assistants, that were not enrolled in the Plan at that time. *This data is reflected in the last item of the tables for "INSTITUTIONS IN SUMMARY", pages 5-8.*



**Professional Medical Liability Plan**

**Statement of Net Position**

	As of	8/31/2022	8/31/2021
<b>Assets</b>			
Operating Cash		\$ (4,976,680.60)	\$ (5,080,166.44)
Investments		65,827,865.37	71,391,896.40
Prepaid Expenses		-	14,929.02
Total Assets		<u>60,851,184.77</u>	<u>66,326,658.98</u>
<b>Liabilities</b>			
Accounts Payable		\$ 52,997.50	\$ 42,399.29
IBNR		20,450,642.00	20,973,497.00
Total Liabilities		<u>20,503,639.50</u>	<u>21,015,896.29</u>
<b>Net Position</b>		<u>\$40,347,545.27</u>	<u>\$45,310,762.69</u>

**Statement of Revenues, Expenses, and Changes in Net Position**

	For the Month Ended	8/31/2022	8/31/2021
<b>Revenue</b>			
Premium Income		\$ 13,088,780.71	\$ 12,549,121.74
Interest Income		1,666,694.74	1,921,679.17
Total Revenue		14,755,475.45	14,470,800.91
Less Premium Refund		(6,000,000.00)	(6,000,000.00)
Net Revenue		8,755,475.45	8,470,800.91
<b>Expenses</b>			
Legal Expenses		\$ 1,048,943.20	\$ 996,941.08
Claim Liability Expenses		3,240,126.68	1,992,622.36
Medical Board Expenses		870,492.80	701,173.34
Administrative Expenses		1,707,028.92	1,639,454.74
Other Expenses		74,953.52	96,487.85
Total Expenses		6,941,545.12	5,426,679.37
Change in IBNR		(522,855.00)	1,361,458.00
Net Expenses		6,418,690.12	6,788,137.37
<b>Excess Revenue Over Expenses</b>		\$ 2,336,785.33	\$ 1,682,663.54
<b>Other Changes in Net Assets</b>			
Investments Market Value Increase (Decrease)		(7,300,002.75)	6,430,610.43
Transfer to special funds		-	-
Total Other Changes		(7,300,002.75)	6,430,610.43
<b>Change in Net Position</b>		\$ (4,963,217.42)	\$ 8,113,273.97
<b>Beginning Net Position</b>		45,310,762.69	37,197,488.72
<b>Ending Net Position</b>		<u>\$40,347,545.27</u>	<u>\$45,310,762.69</u>

**INCOME STATEMENT**