



STATE OF WEST VIRGINIA
Offices of the Insurance Commissioner

Allan L. McVey
Insurance Commissioner

July 14, 2025

Maureen Lewis, Director
Administrative Law Division
West Virginia Secretary of State's Office
State Capitol Building
1900 Kanawha Blvd., East
Charleston, WV 25305

FILED
2025 JUL 14 P 1:36
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

Re: 114 CSR 22, *Medical Malpractice Annual Reporting Requirements*
114 CSR 23, *Medical Malpractice Loss Experience and Loss Expense Annual Reporting Requirements*

Ms. Lewis:

Please be advised that the West Virginia Legislature passed Senate Bill 856 during the 2025 regular legislative session. This bill became effective on July 11, 2025, and specifically repealed W. Va. Code §§ 33-20B-6 and 33-20B-8. Included in the repeal was a provision in W. Va. Code § 33-20B-6, which required the commissioner to promulgate legislative establishing procedures for the fair and appropriate evaluation and determination of the past loss experience and prospective or projected loss experience of medical malpractice insurers.

The Insurance Commissioner promulgated two legislative rules regarding the statutory rulemaking mandate: 114 CSR 22, *Medical Malpractice Annual Reporting Requirements*, and 114 CSR 23, *Medical Malpractice Loss Experience and Loss Expense Annual Reporting Requirements*. Because the enabling legislation requiring the rules was repealed, and this agency no longer has authority or need for the rules, I am asking the Secretary of State to repeal the rules effective immediately.

Agency Name: Offices of the Insurance Commissioner
Title and Series: Title 114, Series 22
Name of Rule: *Medical Malpractice Annual Reporting Requirements*
Effective Date: April 4, 1988
Date of Repeal: July 14, 2025

Agency Name: Offices of the Insurance Commissioner
Title and Series: Title 114, Series 23
Name of Rule: *Medical Malpractice Loss Experience and Loss Expense Annual Reporting Requirements*
Effective Date: April 8, 2002 (previous version effective April 4, 1988)
Date of Repeal: July 14, 2025



Should you need any additional information or have any questions, please do not hesitate to contact me or Erin Hunter, Deputy Commissioner and General Counsel, regarding this matter. Ms. Hunter can be reached directly at (304) 414-8487.

Sincerely,

A handwritten signature in cursive script that reads "Allan L. McVey".

Allan L. McVey
CPCU, ARM, AAI, AAM, AIS
Insurance Commissioner