

a risk-loss trust is a trust fund, it is a pot of money. That trust then takes the money in the trust and invests it, turns over the profit, keeps it inside the trust for the limited purposes that the trust is constructed for and in this case the trust is constructed to stop or to pay for risks that come to fruition and, therefore, breed a loss for the university and the Med Center. So it is a trust that is created to pay for certain kinds of losses. To operate the risk-loss trust fund is much cheaper than to purchase the kind of insurance which heretofore we've used to allow the university to participate in the medical malpractice program. Every other facility has had to purchase insurance. The university, however, came to Senator Lindsay, I'm sure, and then to the Banking Committee saying, we are a major player, we have a lot of money in our budget, we're capable of putting aside the money in a risk-loss trust, it is cheaper for us to do this, we will save about a quarter of a million dollars of taxpayers' money if we do this and it will make us also available and accessible to the medical malpractice claim limitations under law. The Insurance Department was at first skeptical upon some discussions with the university. Amendments were drawn which placated the Department of Insurance. If you take a look at your committee statement you'll find that there were no opponents to 542. There was some neutral testimony. That neutral testimony came from several different sources, but the committee amendments assuage their concerns by and large. The committee amendments are threefold. First, at the suggestion of Yvonne Leung, the State Risk Manager, the committee amended the use of the risk-loss trust so that it would be available to pay claims under the State Miscellaneous Claims Act for actual risks that we should pay off, but would not be available to pay workers compensation claims since there are existing worker compensation provisions and insurance with the university. Secondly, at the suggestion of the Department of Insurance, the Risk-loss Trust Fund, which would be anticipated to be invested in some kind of security, would have to follow the same pattern of investment that a domestic property and casualty insurance company would do. In other words, it could be no broader or no more risky in its investments than the same insurance company would have done, had the university purchased domestic property or casualty insurance as it has heretofore done. Lastly, it grants the Director of Insurance the power to make rules and regs to carry out this act and to control the use of the risk-loss trust to have, if necessary, continuing oversight on this mechanism to ensure that there is a corpus of money to pay claims and that the goals