

1975 WL 29125 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

September 22, 1975

*1 Honorable John W. Lindsay
Chief Insurance Commissioner
South Carolina Department of Insurance
Post Office Box 4067
Columbia, South Carolina 29240

Dear Commissioner Lindsay:

You have asked my opinion as to whether the Joint Underwriting Association established under a 1975 Joint Resolution bearing Ratification Number 183 may afford 'incidental' or 'fringe' coverages in conjunction with premises or operations liability insurance on premises where medical services are rendered by the insured or applicant.

In our review of the Joint Resolution we find nothing that would prevent the Joint Underwriting Association from providing these coverages. Your attention is directed to SECTION 3(1) of the Joint Resolution which reads as follows: 'To issue, or cause to be issued, policies of insurance to applicants including incidental coverages, such as, but not limited to, premises or operations liability coverage on the premises where services are rendered, all subject to limits of liability as specified in the plan of operation but not to exceed one million dollars for each claimant under one policy and three million dollars for all claimants under one policy in any one year.'

We believe that this section is sufficiently broad so as to afford the Joint Underwriting Association authority to include these coverages with the premises liability insurance offered to health care providers in South Carolina.

Very truly yours,

Daniel R. McLeod
Attorney General

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