

# STATE OF COLORADO

DEPARTMENT OF REGULATORY AGENCIES

## DIVISION OF INSURANCE

1560 Broadway, Suite 850  
Denver, Colorado 80202



### Bulletin No. B-5.17

## Reporting Of Malpractice Claims Against A Licensed Architect Or Corporation Or Partnership Or A Group Of Persons Practicing Architecture

### I. Background and Purpose

The purpose of this bulletin is to prescribe the form that insurers are required to use in reporting architect malpractice claims to the Colorado State Board of Licensure for Architects, Professional Engineers and Professional Land Surveyors. During the 1988 legislative session, the Colorado General Assembly enacted legislation, "Concerning regulation of the practice of architecture, and in connection therewith providing for the continuation of the Colorado State Board of Examiners of Architects, and repealing various rules and regulations." Among other things, the act directed insurers who sell malpractice insurance for architects in Colorado, to report any malpractice claims against a licensed architect or a corporation, partnership, or group of persons practicing architecture which is settled or in which judgment is rendered against the insured within 90 days after the effective date of such settlement or judgment. The law further requires the commissioner of insurance to prescribe the form used to report architect malpractice claims to the Colorado State Board of Licensure for Architects, Professional Engineers and Professional Land Surveyors.

Bulletins are the Division's interpretations of existing insurance law or general statements of Division policy. Bulletins themselves establish neither binding norms nor finally determine issues or rights.

### II. Applicability and Scope

This bulletin applies to all insurers including surplus lines, marketing or selling architect malpractice insurance in Colorado. The requirement for reporting architect malpractice settlements or judgments to the Colorado State Board of Licensure for Architects, Professional Engineers and Professional Land Surveyors has been in effect since July 1, 1988.

### III. Division Position

Existing law requires insurers to report information relating to each malpractice claim against a licensed architect or corporation, partnership, or group of persons practicing architecture that is settled or in which judgment is rendered against the insured within ninety days after the effective date of the settlement or judgment. The prescribed form for reporting architect malpractice claims is included in this bulletin and reproduction by insurers is authorized. Insurers may print the form on their own stationary but should maintain the order, format and content as specified.

It is the responsibility of the insurer to ensure that its employees and producers are instructed on the requirements of § 10-1-122 C.R.S.

#### **IV. Additional Division Resources**

##### **For More Information**

Colorado Division of Insurance  
Rates and Forms Section  
1560 Broadway, Suite 850  
Denver, CO 80202  
Tel. 303-894-7499  
Internet: <http://www.dora.state.co.us/insurance>

#### **V. History**

- Originally issued as bulletin 03-06, August 1, 2006.
- Reissued May 8, 2007.

PROFESSIONAL LIABILITY INSURANCE INSURERS REPORT OF ARCHITECT SETTLEMENT  
OR JUDGMENT  
PURSUANT TO §10-1-122, C.R.S.

Submit Report to: Colorado State Board of Licensure for Architects, Professional Engineers and  
Professional Land Surveyors  
1560 Broadway, Suite 1350  
Denver, CO 80202

1. Name of Insurance Company & Contact Name	2. Address & Telephone Number	3. Claim File Identification
4. Name of Architect	5. Address & Telephone Number	6. License Number
7. All previous malpractice claims settled by this company or other companies on behalf of Architect (include dates and settlement values).		
8. Name of Claimant	9. Address and Telephone Number	
10. Claimant's Counsel	11. Address and Telephone Number	
12. Defense Counsel	13. Address and Telephone Number	
14. Names of other Architects who were alleged to have acted improperly in this case.		
15. Summarize the facts upon which this case is based include date and location of occurrence. <u>Attach all claims reports.</u>		
16. Indicate if there was a life safety issue to this claim.		
17. Briefly identify the Architect's action, if any, which caused the problem at issue in this claim.		
18. Summarize the expert witnesses' reports. <u>Attach all experts' reports.</u>		
19. Date of Settlement	20. Indemnity paid for this defendant	21. Total indemnity paid (for all defendants)