



FORTRESS

FORTRESS ORGANIZATION APPLICATION

Answers must be typed or printed in ink. Please answer all questions completely. You must sign and date the application. Signature stamps or the signatures of office personnel are not acceptable. Groups of 25 or more dentists must complete the Organization Structure Form, which is attached. If additional space is needed, please use a separate sheet of paper.

1. Organization Name: _____
2. Effective Date: _____
3. Retroactive Date: _____
4. Mailing Address: _____
 Address Line 2: _____
 City: _____ State: _____ Zip Code: _____
 Phone Number: (____) _____ Fax Number: (____) _____
 Email Address: _____
5. Does the organization have a website? Yes No
 Website Address: _____
6. Does the Organization advertise? Yes No If yes, please provide a copy of the advertisement(s).
7. Name of President/Partner: _____
8. Name of Business Manager: _____
9. The organization applying for coverage is one of the following legal entities:

<input type="checkbox"/> Sole Shareholder Organization (Submit a copy of article of Incorporation)	<input type="checkbox"/> Limited Liability Company (Submit a copy of Articles of Incorporation)
<input type="checkbox"/> Partnership (Submit a copy of the partnership agreement)	<input type="checkbox"/> Multi-Shareholder Corporation (Submit a copy of Articles of Incorporation)
<input type="checkbox"/> Other (Describe) _____	
10. Federal Tax ID Number: _____
11. Does the corporation operate under any other names (Doing Business As, "DBA's")? Yes No
 If yes, please list all:
 1. _____
 2. _____
 3. _____
 4. _____

Agent: _____ Agent License Number: _____

12. Previous insurance carriers-last ten years (List most recent first)

Carrier Name	Policy Period	Limits	Claims Made	Occurrence
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>

Note: It is necessary that you provide a current written statement regarding loss history from each carrier listed above for the last ten years. Please provide a copy of the Declarations page for the most recent carrier.

13. Do you participate in the excess medical malpractice program? Yes No

14. Limits of Liability (Skip this section if the organization is in a state with a Patient Compensation Fund)

Note: The offering of the following policy limits and type of coverage by Fortress Insurance Company should not be deemed to express or imply that any particular policy limit or type of coverage is not adequate for an insured. It is the sole responsibility of each insured to select an appropriate policy type and limits of coverage.

TYPE OF COVERAGE

LIMITS OF COVERAGE

- | | |
|--------------------------------------|--|
| <input type="checkbox"/> Claims-made | <input type="checkbox"/> \$200,000 per patient/\$600,000 annual total limit
<input type="checkbox"/> \$500,000 per patient/\$1,000,000 annual total limit
<input type="checkbox"/> \$1,000,000 per patient/\$3,000,000 annual total limit
<input type="checkbox"/> \$1,300,000 per patient/\$3,900,000 annual total limit
<input type="checkbox"/> \$2,000,000 per patient/\$6,000,000 annual total limit
(Company Approval Required) |
|--------------------------------------|--|

15. Profile Questions. Include details to each question in the space provided. Attach additional, if necessary.

- | | YES | NO | |
|----|--------------------------|--------------------------|---|
| A. | <input type="checkbox"/> | <input type="checkbox"/> | Has the organization's professional liability insurance ever been canceled for non-payment of premium? If yes, indicate date(s) and reasons for such cancellation(s):

_____ |
| | | | This question does not apply to applicants in Missouri. |
| B. | <input type="checkbox"/> | <input type="checkbox"/> | Has the organization ever filed for bankruptcy? |
| C. | <input type="checkbox"/> | <input type="checkbox"/> | Has the organization's professional liability insurance ever been declined, canceled, non-renewed or issued on special terms? (Including but not limited to restrictive endorsements, surcharged premium, etc.)
This question does not apply to applicants in Missouri. |
| D. | <input type="checkbox"/> | <input type="checkbox"/> | Does/Has the organization owned and operated, participated in or directed any entrepreneurial business? If yes, indicate name(s), address(es), and type(s) of business(es): _____

_____ |

- E. Does the organization, through its employed dentists, treat or intend to treat any patient by means of unconventional therapeutics, which may be considered human experimentation, or conceivably be subject to regulatory approval? If yes, identify dentist(s) in the corporation who participate in this activity on a separate sheet of paper.
- F. Does the organization contract to any governmental facility? If yes, please provide a copy of any contract you have executed.

16. Please provide information on all claims/suits reported within the last ten years, including the following:

- A.
- Complete narrative of each claim (Use Supplement Incident/Claim Form included in application).
 - Reserves on pending claims (both indemnity and expense).
 - Payments on any closed claim/suit (both indemnity and expense)

B. Please provide total premium paid, by year, for the last ten years.

1.	\$
2.	\$
3.	\$
4.	\$
5.	\$
6.	\$
7.	\$
8.	\$
9.	\$
10.	\$

ORGANIZATION CENSUS

17. Please provide census information on dentists who are partners, shareholders, officers, directors, employees or independent contractors. Attach additional sheet, if necessary.

Codes: 01-Partner 02-Shareholder 03-Officer 04-Director 05-Employee 06-Independent Contractor

Name/Code	Specialty	Is this the Dentist's primary practice location? (Yes or No)
1.		
2.		
3.		
4.		
5.		

6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		
16.		
17.		
18.		
19.		
20.		
21.		
22.		
24.		
25.		

18. Allied Health Personnel Yes No

Note: Coverage is limited to the scope of employment. Limits of liability are offered on a shared basis.

A. Dental Assistants Total Number _____

B. Dental Hygienists Total Number _____

C. Other Total Number _____

List Names and identify by line letter (A, B, or C).

19. Practice Information

List all current practice locations in this section. Include all locations whether or not Fortress Insurance is desired at that location. If additional space is required to show more than three practice locations, use a separate sheet of paper. Please include facility code(s) to identify all that are applicable.

(Facility Codes (Please Indicate all that Apply)).

- | | |
|------------------------|---|
| 01-Government Location | 05- Surgicenter |
| 02-HMO, IPA, PPO | 06- Commercial Laboratory |
| 03-Hospital | 07- Industrial Clinic |
| 04-Dentist Office | 08- Dental Management Services Organization |
| | 09- Other |

A. Facility Code: _____
Address: _____
Address Line 2: _____
City: _____ State: _____ Zip Code: _____
Country: _____ Telephone Number: (____) _____
Name of Business Manager:
(If other than listed in question 8). _____
Is this your primary office location? Yes No

B. Facility Code: _____
Address: _____
Address Line 2: _____
City: _____ State: _____ Zip Code: _____
Country: _____ Telephone Number: (____) _____
Name of Business Manager:
(If other than listed in question 8). _____
Is this your primary office location? Yes No

C. Facility Code: _____
Address: _____
Address Line 2: _____
City: _____ State: _____ Zip Code: _____
Country: _____ Telephone Number: (____) _____
Name of Business Manager:
(If other than listed in question 8). _____
Is this your primary office location? Yes No

ORGANIZATION STRUCTURE FORM
(FOR GROUPS OF 25 OR MORE)

Describe the Organization's...

A. Referral policy: _____

B. Compensation policy, including incentives: _____

C. Quality control procedures: _____

D. Employment qualifications for employed dentists or dentist specialist: _____

E. Risk management procedures, include how incidents or patient complaints are handled: _____

F. Anesthesia/sedation procedures, include emergency procedures: _____

G. Medical History and Informed Consent Forms: _____

H. Collection and write-off procedures, include the amount written-off for each of the last 3 years: _____

I. Business or market segments that represent greater than 10% of the organizations annual revenues (i.e., Medicare, Medicaid): _____

Provide the following:

J. Latest audited financial statement: _____

K. Total revenues for the last 3 years: _____

L. Total number of employed dentists for each of the last 3 years: _____

HIPAA STATEMENT

Under the Health Insurance Portability and Accountability Act of 1996 ("HIPAA") Privacy and Security Regulations, the organization is a "covered entity" and we are a "business associate" of the organization. In performance of services under this policy, we sometimes must use and/or disclose individual identifiable health information ("Protected Health Information including Electronic Protected Health Information") that is maintained in any form or medium by the organization. We agree to abide by the obligations set forth in the HIPAA Privacy and Security Regulations and only use and/or disclose the Protected Health Information as permitted or required.

We may use/or disclose Protected Health Information in our possession for proper management, administration and/or to fulfill any present or future legal responsibilities provided that the disclosures are required by law; or that such uses are permitted under state and federal confidentiality laws; or that we have received assurances of the confidential handling of such Protected Health Information under HIPAA Privacy and Security Regulations.

We will require all subcontractors and agents that perform the services we are obligated to perform under this policy to adhere to the same restrictions and conditions on the use and/or disclosure of Protected Health Information that apply to the organization and to us for any Protected Health Information that they received, use or have access to.

Upon termination of this policy, the protections of this policy will remain in force and we shall make no further uses and disclosures of Protected Health Information except for the proper management and administration of our business or as required by law.

PRIOR ACTS CERTIFICATION

If the organization requires "Prior Acts" coverage ("Nose Coverage") for their professional liability exposure, the organization must inform all prior carriers of any incident or circumstances that might lead to a claim being made against the organization. Please provide written documentation that verifies that the organization has informed all prior carriers of such incidents and circumstances. It is not the intent of the Fortress Policy to cover known patient injuries. The organization's prior carriers should cover incidents/claims arising out of these injuries. Please read and sign the following statement.

As an authorized representative of the organization, I certify that I am not aware of any incidents or circumstances, which might result in a claim, except those listed in this application for insurance. I understand that the organization's Fortress Policy will not provide coverage for such incidents of which the organization is aware regardless of whether the organization has reported them to their prior insurance carriers.

Authorized Representative _____	Title _____
Signature _____	Date _____

SUPPLEMENTAL INCIDENT/CLAIM FORM

If additional forms are needed, please photocopy prior to completion.

Patient's Name: _____

Organization's Insurance Carrier: _____

Please provide verification that this incident/claim has been reported to your prior/current carrier.

Healthcare Provider: _____

Healthcare Provider's Carrier: _____

Date(s) of Treatment: _____

Allegations (if any): _____

Present Status: (Check One)

No claim yet made

Claim made, suit not filed

Claim made, suit pending

Claim closed

If this claim has been closed, please note the method of closing and the amount paid (if any):

Suit dismissed or defense verdict

Suit settled \$ _____

Judgment \$ _____

Description of Incident: _____

Please give a complete narrative description. Include the following in the description along with any other information that would be pertinent; attach additional sheets, if necessary.

◆ Treatment involved

◆ Result of treatment and the condition of the patient

◆ The Organization's reply to the allegation

ACKNOWLEDGEMENT

As an authorized representative of the organization, I, the undersigned, hereby declare that all answers and statements herein given are true and complete to the best of my knowledge and I have not omitted or withheld any fact or circumstance, which would be relied upon in the determination by Fortress Insurance Company ("Company") in granting liability insurance. I understand that this Application, Supplemental Incident/Claim Form, if included, and any documents provided, are made a part of the policy that is issued. Further, the organization agrees to abide by any recommendations of the Company with regard to loss prevention issues.

As an authorized representative of the organization, I authorize any state board of examiners or licensers, hospital board or committee, insurance company, professional society, past or present business or medical associate or private person that may have any record or knowledge concerning any of the answers or statements made herein to release such information to the Company or its assigns. I authorize the use of a copy of this Acknowledgement in lieu of its original.

As an authorized representative of the organization, I understand the execution of this application is not a guarantee of coverage and that the Company may, in its sole and absolute discretion, accept or reject this application for professional liability insurance coverage.

This acknowledgement shall be governed and interpreted in accordance with the laws of the state in which this policy is issued.

Any person who knowingly and with intent to defraud any insurance company or other person files an application for insurance or statement of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime, and shall also be subject to a civil penalty not to exceed five thousand dollars and the stated value of the claim for each such violation.

Authorized Representative _____ Title _____

Signature _____ Date _____



NEW YORK DISCLOSURE FORM CLAIMS-MADE POLICY

IMPORTANT NOTICE TO POLICYHOLDER

**ALTHOUGH THIS DISCLOSURE FORM IS ATTACHED
TO YOUR APPLICATION AND TO YOUR DECLARATIONS PAGE,
PLEASE NOTE - THIS DISCLOSURE FORM IS NOT YOUR POLICY!**

THIS DISCLOSURE MERELY DESCRIBES SOME OF THE MAJOR FEATURES OF OUR CLAIMS-MADE POLICY FORM. READ YOUR POLICY CAREFULLY TO DETERMINE RIGHTS, DUTIES, AND WHAT IS AND IS NOT COVERED. ONLY THE PROVISIONS OF YOUR POLICY DETERMINE THE SCOPE OF YOUR INSURANCE PROTECTION.

Your Policy is a claims-made policy. It applies only to claims made against you after the inception date and before the end of the policy period; during the policy periods of consecutive renewal policies issued by us; during the Automatic Extended Reporting Period; or if applicable, during the Extended Claims Reporting Policy.

Your claims-made Policy covers only claims actually made against you and reported to us while the Policy remains in effect, or during consecutive policy renewals. It also covers incidents reported to us during the policy period, which may give rise to a claim at some later date. All coverage under your Policy ceases upon the termination of coverage, except for the sixty- (60) day Automatic Extended Claims Reporting Period, unless you purchase the Extended Reporting Policy, which provides an unlimited extended claims reporting period.

If your Policy is terminated for nonpayment of premium or fraud in the first year the Policy was in effect, the Extended Reporting Policy will not be offered to you. Upon termination of your Policy, for any reason other than nonpayment of premium or fraud in the first policy year, the Extended Reporting Policy will be available to you.

Your claims-made Policy contains certain exceptions, reductions and limitations. Please read your Policy carefully and consult your agent or broker about any questions you might have.

During the first several years of the claims-made relationship, claims-made rates are comparatively lower than occurrence rates. You can expect substantial annual premium increases, independent of overall rate level increases, until the claims-made relationship reaches maturity. A Claims-Made Multiplier is applied to the policy premium based on the number of years of retroactive coverage provided. A policy with a Retroactive Date that is the first day of the policy period is considered Year 1 for application of the Claims-Made Multiplier. A policy with a Retroactive Date or Prior Acts Exclusion date that is one year prior to the first day of the policy period is considered Year 2. Each additional year of retroactive coverage adds one more year for the appropriate Claims-Made Multiplier as shown below:

<u>Claims-Made Year</u>	<u>Claims-Made Multiplier</u>
1	.3158
2	.6053
3	.7895
4	.8737
5 or more	1.0000

RENEWALS, "TAILS" AND EXTENDED REPORTING PERIODS

Your claims-made Policy has some unique features relating to renewal, the extended claims reporting policy period and coverage of occurrences with long periods of exposure. These special claims-made provisions are described below.

Two concepts relating to continuity of coverage under the "claims-made" policy are especially important to understand. These are the Retroactive Date and the Extended Claims Reporting Policy period.

Retroactive Date

Your Policy contains a Retroactive Date. When you have a retroactive date, there is no coverage for claims, occurrences or alleged wrongful acts that took place before your retroactive date shown in the Declarations, even if the claim is first made during the policy period.

Extended Claims Reporting Period or "Tail"

Your Policy refers to an extended claims reporting period. If a claim is made after the termination of your claims-made coverage, you may not have coverage for that claim unless you purchase an Extended Reporting Policy. The Extended Reporting Policy will be offered to you for an unlimited number of years. Within thirty- (30) days after the termination of your claims-made coverage, we will advise you in writing of the availability of, the premium for and the importance of purchasing an Extended Claims Reporting Policy. Upon termination of coverage, a sixty- (60) day Automatic Extended Claims Reporting Period is provided by your Policy. We must receive a written notice of your intent to purchase an Extended Reporting Policy within sixty- (60) days after the termination of coverage, or within thirty- (30) days from the mailing or delivery of the advisory notice, whichever is later.

If your Policy is terminated on the next anniversary date, the premium for an Extended Reporting Policy will be based on the rates in effect on the date the Policy terminates. Such rates may be subject to increase over the rates currently in effect.

Premiums are developed by applying the appropriate factor shown below to the annual premium of the expiring policy term:

<u>Length of Extended Reporting Period</u>	<u>Premium Factor</u>
Unlimited	1.55

Carefully review the policy and/or endorsement provisions regarding the available Extended Claims Reporting Policy, especially the length of coverage and price, and the time during which you must purchase or accept any offered Extended Reporting Policy. The Extended Reporting Policy we offer is unlimited in duration.