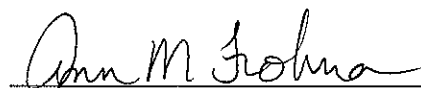


BEFORE THE DEPARTMENT OF INSURANCE
STATE OF NEBRASKA

IN THE MATTER OF THE NEBRASKA)
HOSPITAL-MEDICAL LIABILITY ACT) SURCHARGE DETERMINATION
SURCHARGE FOR 2010) FOR THE YEAR 2010

The Director of Insurance for the State of Nebraska, as Administrator of the Excess Liability Fund, conducted a public hearing on November 17, 2009, as required by Neb. Rev. Stat. §44-2830, to consider adjusting the amount of the surcharge for the year 2010. Pursuant to §44-2830, the Director is to adjust the amount of the surcharge provided for under §44-2829 on January 1 of each succeeding year to maintain the Excess Liability Fund at a level which is sufficient to pay all anticipated claims for the next year and to maintain an adequate reserve for future claims. On the basis of the public hearing giving due regard to the size of the existing Fund, the number and size of potential claims against the Fund, the number of participating providers, change in the cost of living, and sound actuarial principles, the Director hereby sets the surcharge for the year 2010, effective January 1, 2010, at thirty-five percent (35%) for all health care providers.

Dated this 17th day of November 2009.



ANN M. FROHMAN
Director of Insurance for the State of
Nebraska and Administrator of the
Excess Liability Fund