

1 STATE OF OKLAHOMA

2 2nd Session of the 48th Legislature (2002)

3 SENATE BILL 889

By: Morgan

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5
6 AS INTRODUCED

7 An Act relating to Unfair Claims Settlement Practices
8 Act; amending 36 O.S. 2001, Section 1250.4, which
9 relates to examination of claim files; updating
10 language; and providing an effective date.

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12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY 36 O.S. 2001, Section 1250.4, is
14 amended to read as follows:

15 Section 1250.4 A. An insurer's claim files, other than the
16 claim files of ~~the State Insurance Fund~~ CompSource Oklahoma, shall
17 be subject to examination by the Insurance Commissioner or by duly
18 appointed designees. ~~Such~~ The files shall contain all notes and
19 work papers pertaining to a claim in such detail that pertinent
20 events and the dates of ~~such~~ the events can be reconstructed. In
21 addition, the Insurance Commissioner, authorized employees and
22 examiners shall have access to any of an insurer's files that may
23 relate to a particular complaint under investigation or to an
24 inquiry or examination by the Insurance Department.

25 B. Every agent, adjuster, administrator, insurance company
26 representative, or insurer, other than ~~the State Insurance Fund~~
27 CompSource Oklahoma and its representatives, upon receipt of any
28 inquiry from the Commissioner concerning a claim or a problem
29 involving premium monies shall, within twenty (20) days after
30 receipt of ~~such~~ the inquiry, furnish the Commissioner with an
31 adequate response to the inquiry.
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1 C. Every insurer, upon receipt of any pertinent written
2 communication from a claimant which reasonably suggests that a
3 response is expected, shall, within thirty (30) days after receipt
4 thereof, furnish the claimant with an adequate response to the
5 communication.

6 D. Any violation by an insurer of this section shall subject
7 the insurer to discipline including a civil penalty of not less than
8 One Hundred Dollars (\$100.00) nor more than Five Thousand Dollars
9 (\$5,000.00).

10 SECTION 2. This act shall become effective November 1, 2002.

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