

SB 2053

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THE STATE SENATE
Monday, February 22, 2010

Senate Bill No. 2053
As Amended

SENATE BILL NO. 2053 - By: Stanislawski of the Senate and Sullivan of the House.

[insurance - creating Insurance Bill of Rights for the Consumer - authorizing request of information - appeals process - codification - effective date]

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3629.1 of Title 36, unless there is created a duplication in numbering, reads as follows:

A. This section shall be known and may be cited as the "Insurance Bill of Rights of the Consumer".

B. Any person who files a claim for medical losses suffered in a motor vehicle accident with the insurer of the other party of the accident shall request such insurer to provide them with the amount of the insurer's maximum cap on the payment of medical losses. The insurer shall have two (2) working days to respond to the person filing the claim to provide them with maximum cap amounts. If the insurer does not respond within the specified time period, there shall be no cap on medical losses for the person who filed the claim.

1 C. If the person chooses not to accept such caps, the person
2 shall have the right to appeal to the insurer for a higher amount.
3 The insurer shall hear and decide the appeal within thirty (30) days
4 of such appeal being made.

5 SECTION 2. This act shall become effective November 1, 2010.

6 COMMITTEE REPORT BY: COMMITTEE ON RETIREMENT & INSURANCE, dated
7 2-18-10 - DO PASS, As Amended and Coauthored.