

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 SENATE BILL 2053

By: Stanislawski

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5  
6 AS INTRODUCED

7 An Act relating to insurance; creating the Insurance  
8 Bill of Rights for the Consumer; providing short  
9 title; authorizing the request of certain information  
10 from an insurer; providing an appeals process to  
11 certain actions by an insurer; providing for  
12 codification; and providing an effective date.

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

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

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

19 B. Any person who files a claim for medical losses suffered in  
20 a motor vehicle accident with the insurer of the other party of the  
21 accident shall request such insurer to provide them with the amount  
22 of the insurer's maximum cap on the payment of medical losses. The  
23 insurer shall have two (2) working days to respond to the person  
24 filing the claim to provide them with maximum cap amounts. If the  
insurer does not respond within the specified time period, there

1 shall be no cap on medical losses for the person who filed the  
2 claim.

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

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

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