

Bill Summary
2nd Session of the 60th Legislature

Bill No.:	SB 1913
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Author:	Sen. Reinhardt
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Bill Analysis

SB 1913 defines “claim” as a dispute between an insurer and a policyholder relating to a material issue of fact. Claims shall not include actions instances where the insurer has a reasonable basis to suspect fraud, when there is no coverage under the policy, where the insurer has a reasonable basis to believe that the policyholder has intentionally made a material misrepresentation of fact, when the policyholder suffers no actual loss, when a claim is outside the time frames prescribed, when a claim has been paid in full prior to any mediation. The measure directs the Insurance Commissioner’s dispute resolution program to assist consumers and insurance companies effectively and timely as well as resolve disputes in a timely manner. Mediation may be requested only by the policyholder as a first-party claimant, a third party as an assignee of the policy benefits, or the insurer. The measure provides that if a settlement is reached, the policyholder shall have 3 days to rescind the settlement if the policyholder was not represented by an attorney. The measure establishes a \$100.00 penalty for any violation.

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