

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representative(s) Ross offered the following:

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3 **Substitute Amendment for Amendment (611489) (with title**
4 **amendment)**

5 Between lines 1296 and 1297, insert:

6 Section 17. (1) Upon an insurer's receiving a
7 communication with respect to a claim, the insurer shall, within
8 14 calendar days, review and acknowledge receipt of such
9 communication unless payment is made within that period of time
10 or unless the failure to acknowledge is caused by factors beyond
11 the control of the insurer which reasonably prevent such
12 acknowledgement. If the acknowledgement is not in writing, a
13 notification indicating acknowledgement shall be made in the
14 insurer's claim file and dated. A communication made to or by an
15 agent of an insurer with respect to a claim shall constitute

552409

4/26/2005 8:29:37 AM

Amendment No. (for drafter's use only)

16 communication to or by the insurer. As used in this subsection,
 17 the term "agent" means any person to whom an insurer has granted
 18 authority or responsibility to receive or make such
 19 communications with respect to claims on behalf of the insurer.
 20 This subsection shall not apply to claimants represented by
 21 counsel beyond those communications necessary to provide forms
 22 and instructions.

23 (2) Such acknowledgement shall be responsive to the
 24 communication. If the communication constitutes a notification
 25 of a claim, unless the acknowledgement reasonably advises the
 26 claimant that the claim appears not to be covered by the
 27 insurer, the acknowledgement shall provide necessary claim
 28 forms, and instructions, including an appropriate telephone
 29 number.

30 (3) Unless otherwise provided by the policy of insurance
 31 or by law, within 10 working days after an insurer receives
 32 proof of loss statements the insurer shall begin such
 33 investigation as is reasonably necessary unless the failure to
 34 begin such investigation is caused by factors beyond the control
 35 of the insurer which reasonably prevent the commencement of such
 36 investigation.

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 38 ===== T I T L E A M E N D M E N T =====

39 Between lines 107 and 108, insert:
 40 requiring insurers to review and acknowledge receipt of certain
 41 communications relating to claims; providing an exception;
 42 providing a definition; providing for nonapplication to certain

552409

4/26/2005 8:29:37 AM

Amendment No. (for drafter's use only)

43 claimants; providing procedures and requirements relating to
44 such acknowledgements; requiring an insurer to conduct certain
45 investigations under certain circumstances;

552409

4/26/2005 8:29:37 AM