

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SECOND LEGISLATURE

Legislative Document

No. 1324

H. P. 974

House of Representatives, February 19, 1965

Referred to Committee on Judiciary. Sent up for concurrence and ordered printed.

JEROME G. PLANTE, Clerk

Presented by Mr. Danton of Old Orchard Beach by request.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-FIVE

AN ACT Relating to Payment of Accident and Health Insurance Claims.

Be it enacted by the People of the State of Maine, as follows:

R. S., T. 24, § 803, sub-§ 2, ¶ A, sub-¶ (8), amended. Subparagraph (8) of paragraph A of subsection 2 of section 803 of Title 24 of the Revised Statutes is amended to read as follows:

‘(8) A provision as follows:

TIME OF PAYMENT OF CLAIMS. Indemnities payable under this policy for any loss other than loss for which this policy provides any periodic payment will be paid immediately upon receipt of due written proof of such loss. Subject to due written proof of loss, all accrued indemnities for loss for which this policy provides periodic payment will be paid (insert period for payment which must not be less frequently than monthly) and any balance remaining unpaid upon the termination of liability will be paid immediately upon receipt of due written proof. **The failure of an insurer to pay the claim within 5 days of the receipt of a written proof of loss shall constitute a denial of liability by the insurer and a waiver of the first sentence of subparagraph (11). In the event of a final judgment for the claimant against the insurer for the loss, the claimant shall recover of the insurer twice the amount of the judgment rendered against the insurer unless the refusal by the insurer to pay the claim shall be found just and reasonable.’**