

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 115

H.P. 79

House of Representatives, January 17, 1995

An Act to Require Insurance Companies to Provide Loss Information to Insured Groups.

Reference to the Committee on Banking and Insurance suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative CAMPBELL of Holden.
Cosponsored by Representatives: BAILEY of Township 27, FARNUM of South Berwick,
JOSEPH of Waterville, LANE of Enfield, LEMONT of Kittery, ROBICHAUD of Caribou,
VIGUE of Winslow, Senators: CASSIDY of Washington, HALL of Piscataquis.

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

4 **Sec. 1. 24 MRSA §2307-B** is enacted to read:

6 **§2307-B. Loss information**

8 **1. Definitions.** As used in this section, unless the
10 context otherwise indicates, the following terms have the
12 following meanings.

14 **A. "Insurance policy"** means the insurance policy relating
16 to the loss information requested pursuant to this section.

18 **B. "Loss information"** means the name of the insured, the
20 date of the loss, the date the claim was received by the
22 insurer, a description of the loss, any amount paid by the
24 insurer on account of the loss, any amount reserved for the
26 loss and whether the claim is open or closed.

28 **2. Request for information.** Every insurer shall provide
30 all loss information concerning an insurance policy to its
32 insured within 30 calendar days of the receipt of a written
34 request from the insured or an insurance agent or other
36 authorized representative of the insured. An insurer may not
38 cancel or refuse to renew an insurance policy for the nonpayment
40 of premium during any period within which the insurer fails to
42 provide the loss information requested under this section, unless
44 the insured requests that information fewer than 45 calendar days
46 prior to the expiration date of the insurance policy.

48 **3. Transmittal of request.** If an insured requests loss
information from an insurance agent or other authorized
representative, the representative or agent shall transmit the
request for loss information to the insurer within 4 working days.

36 **Sec. 2. 24-A MRSA §2803-A** is enacted to read:

38 **§2803-A. Loss information**

40 **1. Definitions.** As used in this section, unless the
42 context otherwise indicates, the following terms have the
44 following meanings.

46 **A. "Insurance policy"** means the insurance policy relating
48 to the loss information requested pursuant to this section.

B. "Loss information" means the name of the insured, the
date of the loss, the date the claim was received by the
insurer, a description of the loss, any amount paid by the

2 insurer on account of the loss, any amount reserved for the
3 loss and whether the claim is open or closed.

4 **2. Request for information.** Every insurer shall provide
5 all loss information concerning an insurance policy to its
6 insured within 30 calendar days of the receipt of a written
7 request from the insured or an insurance agent or other
8 authorized representative of the insured. An insurer may not
9 cancel or refuse to renew an insurance policy for the nonpayment
10 of premium during any period within which the insurer fails to
11 provide the loss information requested under this section, unless
12 the insured requests that information fewer than 45 calendar days
13 prior to the expiration date of the insurance policy.

14 **3. Transmittal of request.** If an insured requests loss
15 information from an insurance agent or other authorized
16 representative, the representative or agent shall transmit the
17 request for loss information to the insurer within 4 working days.

18 Sec. 3. 24-A MRS §4224-A is enacted to read:

19 **§4224-A. Loss information**

20 **1. Definitions.** As used in this section, unless the
21 context otherwise indicates, the following terms have the
22 following meanings.

23 A. "Group contract" means the group contract relating to
24 the loss information requested pursuant to this section.

25 B. "Loss information" means the name of the insured, the
26 date of the loss, the date the claim was received by the
27 insurer, a description of the loss, any amount paid by the
28 insurer on account of the loss, any amount reserved for the
29 loss and whether the claim is open or closed.

30 **2. Request for information.** Every insurer shall provide
31 all loss information concerning a group contract to its insured
32 within 30 calendar days of the receipt of a written request from
33 the insured or an insurance agent or other authorized
34 representative of the insured. An insurer may not cancel or
35 refuse to renew a group contract for the nonpayment of premium
36 during any period within which the insurer fails to provide the
37 loss information requested under this section, unless the insured
38 requests that information fewer than 45 calendar days prior to
39 the expiration date of the group contract.

40 **3. Transmittal of request.** If an insured requests loss
41 information from an insurance agent or other authorized

2 representative, the representative or agent shall transmit the
3 request for loss information to the insurer within 4 working days.

4

6 **STATEMENT OF FACT**

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8 This bill requires insurance companies and HMO's to provide
9 loss information to insured groups who request the information.
10 Currently, insurance companies and HMO's are not required by law
to disclose loss information, although some may provide this
information to groups of more than 50 persons.