

April 3, 2003

S 775. PRELITIGATION MEDIATION OF INSURANCE CLAIMS. *TO CONDITIONALLY REQUIRE INSURERS TO PROVIDE INFORMATION REGARDING POLICY PROVISIONS AND POLICY LIMITS PRIOR TO LITIGATION WHEN REQUESTED IN WRITING BY THE PERSONS WHO HAVE CLAIMS, OTHER THAN MEDICAL MALPRACTICE CLAIMS, SUBJECT TO INSURANCE POLICIES AND TO GIVE THESE INSURERS THE OPTION OF INITIATING PRELITIGATION MEDIATION OF THE CLAIMS.* Amends Article 3 of Chapter 58 as title indicates. Sets out conditions under which insurer is required to provide information. Amends Art. 5 of Ch. 7A to establish prelitigation mediation procedure for insurers that provided policy under new law. Effective Oct. 1, 2003, for claims regarding physical injury or property damage that arise on or after that date.

Intro. by Dalton, Hartsell.

Ref. to	GS 7A, 58
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April 14, 2003

S 775. PRELITIGATION MEDIATION OF INSURANCE CLAIMS. Intro. 4/3/03. Senate committee substitute makes the following changes to 1st edition. Adds new GS 58-3-33(a)(3) requiring that person seeking information regarding policy limits or provisions submit a copy of accident report and new sec. providing that disclosure of policy limits is not an admission that claim is covered by policy. Makes technical changes.

May 28, 2003

S 775. PRELITIGATION MEDIATION OF INSURANCE CLAIMS. Intro. 4/3/03. House committee substitute makes the following changes to 2nd edition. Deletes GS 58-3-33(a) requirement that insurer provide copy of insurance policy and amends subsection to require that insurer disclose information on policy limits for nonfleet private passenger automobile insurance policies only (was, all insurance policies). Further amends GS 58-3-33(a) to require that request for information on policy limits be made by certified mail and that insurer respond to request within 15 (was, five) business days. Amends GS 58-3-33(a)(3) to require that person requesting information submit a description of the underlying accident so that insurer can make an initial determination of its insured's liability. Amends GS 58-3-33(d) to provide that sec. is inapplicable to claims for which insurer intends to deny coverage. Amends GS 7A-38.3A(b) to require that cost of mediator be shared equally by insurer and claimant. Changes effective date to Jan. 1, 2004 (was, Oct. 1, 2003). Makes technical changes.

June 2, 2003

S 775. PRELITIGATION MEDIATION OF INSURANCE CLAIMS. Intro. 4/3/03. House amendment makes the following changes to 3rd edition. Amends GS 58-3-33(a) to provide that individual may also request information on policy's limits of coverage from insurance adjuster and that those requests that are sent directly to insurance company shall be addressed "Attention Corporate Secretary."

June 17, 2003

S 775. PRELITIGATION MEDIATION OF INSURANCE CLAIMS. Intro. 4/3/03. Conference report recommends the following changes to 4th edition to reconcile matters in controversy. Amends GS 58-3-33(b) to require that insurer provide policy limits (was, policy limits and a copy of policy) upon receipt of written request.

July 7, 2003

SL 2003-307 (S 775). PRELITIGATION MEDIATION OF INSURANCE CLAIMS. *AN ACT TO CONDITIONALLY REQUIRE INSURERS TO PROVIDE INFORMATION REGARDING POLICY LIMITS PRIOR TO LITIGATION WHEN REQUESTED IN WRITING BY THE PERSONS WHO HAVE CLAIMS, OTHER THAN MEDICAL MALPRACTICE CLAIMS, SUBJECT TO NONFLEET PRIVATE PASSENGER AUTOMOBILE INSURANCE POLICIES AND TO GIVE THESE INSURERS THE OPTION OF INITIATING PRELITIGATION MEDIATION OF THE CLAIMS.* Summarized in *Daily Bulletin* 4/3/03, 4/14/03, 5/28/03, and 6/2/03. Enacted July 4, 2003. Effective January 1, 2004.