

1 IN THE HOUSE

BY ZAWACKI

2

HOUSE BILL NO. 514

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act requiring personal injury reports from casu-
7 alty insurers; and providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. LEGISLATIVE FINDINGS. The legislature finds that it would
10 be in the public interest to obtain additional information from casualty
11 insurers regarding settlements, awards, and costs of litigating personal
12 injury claims in the state in order to provide information that the legis-
13 lature can use to revise the state insurance statutes.

14 * Sec. 2. AS 21.09 is amended by adding a new section to read:

15 Sec. 21.09.205. PERSONAL INJURY REPORTS. (a) Each insurer
16 authorized to write casualty insurance in the state shall annually
17 record and report the insurer's closed personal injury claims and
18 other data required on a form prepared by the director.

19 (b) The form prepared by the director must require the following
20 information about the claim:

21 (1) date and location of injury, including date reported to
22 the insurer, and date the claim was closed;

23 (2) type of injury and the age and employment status of the
24 injured person;

25 (3) policy type, class, and limits;

26 (4) whether the insurer or insured were represented by an
27 attorney;

28 (5) whether the claim was settled or litigated; if litigat-
29 ed the results of litigation;

1 (6) for each litigated claim the percentage of fault at-
2 tributed to the insured and the amount paid in compensatory and puni-
3 tive damages and the amount awarded by the court in attorney fees;

4 (7) the amount paid to the claimant by the insurer, includ-
5 ing retention, deduction, excess carrier, or settlement, and by col-
6 lateral sources, and the total amount paid to the claimant;

7 (8) if a structured settlement was used, the structured
8 settlement plan and the cost of the plan;

9 (9) present and future medical expenses and wage losses;

10 (10) the total amount paid in attorney fees and paid in
11 litigating the claim; and

12 (11) other information required by the director.

13 (c) An insurer required to report under (a) of this section
14 shall include the report in the annual statement required under
15 AS 21.09.200. The director shall, by September 1 of each year, pro-
16 vide to the Legislative Budget and Audit Committee copies of the
17 reports filed by insurers under (a) of this section.

18 * Sec. 3. AS 24.20 is amended by adding a new section to read:

19 Sec. 24.20.207. CIVIL LITIGATION REPORTS. (a) The Legislative
20 Budget and Audit Committee shall prepare a report that summarizes the
21 personal injury claims data submitted to it by the director of the
22 division of insurance under AS 21.09.205.

23 (b) By February 1 of each year, the committee shall issue the
24 summary report required under (a) of this section and any additional
25 analysis of the data and send a copy of the summary and analysis to

26 (1) the president of the senate and the speaker of the
27 house of representatives;

28 (2) the governor;

29 (3) the director of the division of insurance;

1 (4) the National Association of Insurance Commissioners;

2 and

3 (5) the National Conference of State Legislatures.

4 (c) A copy of the summary and analysis prepared under this
5 section shall be available to a member of the public for a price that
6 equals the cost of printing or copying.

7 * Sec. 4. This Act takes effect immediately under AS 01.10.070(c).

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