1	H. B. 4486
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3 4	(By Delegates Miley, Hatfield, Ellem, Poore, Reynolds, Hunt, Walters and Manchin)
5	[Introduced February 9, 2012; referred to the
6	Committee on the Judiciary.]
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10	A BILL to amend the Code of West Virginia, 1931, as amended, by
11	adding thereto a new section, designated §33-45-2a, relating
12	to the disclosure of insurance coverage.
13	Be it enacted by the Legislature of West Virginia:
14	That the Code of West Virginia, 1931, as amended, be amended
15	by adding thereto a new section, designated §33-45-2a, to read as
16	follows:
17	ARTICLE 45. ETHICS AND FAIRNESS IN INSURER BUSINESS PRACTICES.
18	§33-45-2a. Disclosure of certain information required.
19	(a) (1) Each insurer which does or may provide liability
20	insurance coverage to pay all or a portion of any claim which might
21	be made shall provide, within thirty days of a written request of
22	the claimant, a statement, under oath, of a corporate officer or
23	the insurer's claims manager or superintendent providing the
27	following information relating to each known policy of insurance

- 1 including excess or umbrella insurance:
- 2 (A) The name of the insurer;
- 3 (B) The name of each insured;
- 4 (C) The limits of the liability coverage;
- 5 (D) A statement of any policy or coverage defense which the
- 6 insurer reasonably believes is available to the insurer at the time
- 7 of the filing of the statement;
- 8 (E) A copy of the policy;
- 9 (2) In addition, the insured, or his or her insurance agent,
- 10 upon written request of the claimant or the claimant's attorney,
- 11 shall disclose the name and coverage of each known insurer to the
- 12 claimant and shall forward the request for information as required
- 13 by this subsection to all affected insurers. The insurer shall
- 14 then supply the information required in this subsection to the
- 15 claimant within thirty days of the request.
- 16 (b) The statement required by subdivision (1), subsection (a)
- 17 of this section shall be amended immediately upon discovery of
- 18 facts calling for an amendment to the statement.

NOTE: The purpose of this bill is to require certain information pertaining to liability coverage be disclosed to the claimant or his or her attorney within thirty days of a written request.

This section is new; therefore, it has been completely underscored.