

CLAIM TIMELINE

ACT TO BE PERFORMED

Acknowledge receipt of notice of a claim to the **claimant**

Make an appropriate reply to all communications from a claimant regarding a claim which reasonably suggests that a response is expected

Provide necessary claim forms, instructions and reasonable assistance to claimant

Begin any necessary investigation of a claim

Advise the claimant of the acceptance or denial of the claim in whole or in part

If rejecting: (a) for first party claimant must list all factual and legal bases with explanation of any statute or law if applicable within insurer's knowledge; (b) for third party claimant the denial or rejection of liability must be in writing.

Provide additional written notification that the investigation remains incomplete and the reasons

COMPLIANCE TIMEFRAME

Within 15 calendar days after receipt of a notice of a claim

Within 15 calendar days following receipt of communication

Within 15 calendar days after receipt of a notice of a claim

Within 15 calendar days after receipt of a notice of a claim

Within 40 calendar days after receipt of proof of claim. Can be increased to 80 days or suspended completely if carrier has reasonable basis supported by specific information for belief that claim is false or fraudulent.

Within 40 calendar days from the first notification and no more than every 30 calendar days thereafter until the investigation is complete

REFERENCE

Cal. Code Regs. Tit. 10, § 2695.5(e)(1)

Cal. Code Regs. Tit. 10, § 2695.5(b)

Cal. Code Regs. Tit. 10, § 2695.5(e)(2)

Cal. Code Regs. Tit. 10, § 2695.5(e)(3)

Cal. Code Regs. Tit. 10, § 2695.7(b)(1)

Cal. Code Regs. Tit. 10, § 2695.7(k)

Cal. Code Regs. Tit. 10, § 2695.7(c)(1)

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ACT TO BE PERFORMED

Pay portion of the claim not in dispute

Provide written notification to claimant not represented by an attorney of any statute of limitation or other time limit upon which the carrier might rely to deny a claim. Notice must clearly state the time limit that might be expiring and its effect upon the claim.

COMPLIANCE TIMEFRAME

Immediately but no later than within 30 calendar days

No less than 60 calendar days before the date on which the time limit might expire. If notice of claim is received by carrier within the sixty days prior to expiration, the notice of expiration must be given immediately.

REFERENCE

Cal. Code Regs. Tit. 10, § 2695.7(h)

Cal. Code Regs. Tit. 10, § 2695.7(f)

Source:

<http://www.insurance.ca.gov/01-consumers/130-laws-regs-hearings/05-CCR/fair-claims-regs.cfm>

