



# LYNCH & ASSOCIATES, P.C.

Defending Insurance Companies & Self-Insureds

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## CLAIMS HANDLING FOR GEORGIA Property & Casualty Insurance

ACT TO BE PERFORMED	COMPLIANCE TIMEFRAME	REFERENCE
Acknowledge receipt of notification of <b>first-party claim</b> . If acknowledgment not in writing, note and date acknowledgment in claim file	Within 15 days from receipt of notification of claim	<a href="#">Ga. Comp. R. &amp; Regs. 120-2-52-.03(1)</a>
Provide <b>first-party claimant</b> proof of loss forms with reasonable explanations regarding their use	Within 15 days from receipt of notification of claim  Sending of forms constitutes compliance with acknowledgment requirement above	<a href="#">Ga. Code Ann. § 33-6-34(11)*</a>  <a href="#">Ga. Comp. R. &amp; Regs. 120-2-52-.03(2)</a>
Affirm or deny liability on all <b>first-party property damage claims</b> if completed proof of loss required	Within 15 days of receiving the completed proof of loss	<a href="#">Ga. Comp. R. &amp; Regs. 120-2-52-.03(3)</a>
Affirm or deny liability on all <b>first-party property damage claims</b> if completed proof of loss not required	Within 30 days from the day the claim was reported	<a href="#">Ga. Comp. R. &amp; Regs. 120-2-52-.03(3)</a>
Notify claimant that more time is needed to determine whether a <b>first-party property damage claim</b> should be accepted or denied stating the reasons that more time is needed an estimate of additional time needed to establish liability	Within 5 business days after the time in (3) above has elapsed. Total time to accept or deny liability shall not exceed 60 days.	<a href="#">Ga. Comp. R. &amp; Regs. 120-2-52-.03(5)</a>
Tender payment on <b>first-party property damage claim</b>	Within 10 days after coverage is confirmed and full amount of claim is determined and not in dispute	<a href="#">Ga. Comp. R. &amp; Regs. 120-2-52-.03(4)</a>
Tender payment where multiple coverages are involved, payments for individual coverages, not in dispute and where payee is known, if payment would terminate insurer's known liability under that individual coverage	Within 10 days	<a href="#">Ga. Comp. R. &amp; Regs. 120-2-52-.03(4)</a>

If appropriate, submit written request for arbitration to Commissioner	Upon affirmation of liability on a claim or for individual coverages where the claim involves multiple coverages and the amount payable is in dispute	<a href="#">Ga. Comp. R. &amp; Regs. 120-2-52-.03(6)</a>
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(Current as of May 2010) – **This chart is not to be used as a substitute for reviewing the actual statutes and regulations.**

\* First you must review the GEORGIA CODE – FREE PUBLIC ACCESS disclaimer and select OK – Close. The statutory link provided is to the entire Georgia Code. In order to find the specific statutory section, you will need to click the plus symbol next to Title 33. Insurance, then click the plus symbol next to Chapter 6 Unfair Trade Practices, then click the plus symbol next to Article 2. Unfair Claims Settlement Practices, and finally click the specific section referenced.

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