

LYNCH & ASSOCIATES P.C.

Claims Handling for Oklahoma Property & Casualty Insurance

ACT TO BE PERFORMED	COMPLIANCE TIMEFRAME	REFERENCE
Acknowledge receipt of claim to the first or third-party claimant and identify the person handling the claim	Within 30 days / 20 business days after receipt of a notification of claim. [Note: statute calls for 30 days, administrative code calls for 20 business days.]	36 Okl.St. Ann. § 1250.6(A) OK ADC 365:15-3-5(a)
Make an appropriate reply to all pertinent [written] communications from a first or third-party claimant which reasonably suggests that a response is expected	Within 30 days / 20 business days following receipt of communication. [Note: Statute calls for 30 days response to “written” communications, administrative code calls for 20 business days without the limitation on “written” communications.]	36 Okl.St. Ann. § 1250.4(C) OK ADC 365:15-3-5(c).
Provide necessary claim forms, instructions and assistance to first -party claimant	Within 30 days / 20 business days after receipt of a notification of claim. [Note: Statute calls for 30 days, administrative code calls for 20 business days.]	36 Okl.St. Ann. § 1250.6(B) OK ADC 365:15-3-5(d)
Advise the first-party claimant in writing of the acceptance or denial of the claim or if additional time is needed to complete investigation	Within 45 [business] days after receipt of a properly executed proofs of loss. [Note: Administrative code adds “business.”]	36 Okl.St. Ann. § 1250.7(A) OK ADC 365:15-3-7(a)(1)
Complete the investigation of a claim	Within 60 days / 45 business days after notification of the claim is received unless cannot be reasonably completed. [Note: statute calls for 60 days, administrative code calls for 45 business days.]	36 Okl.St. Ann. § 1250.7(C) OK ADC 365:15-3-6
Give written notification to the first-party claimant that specifically states the need and reasons for additional time required to complete the investigation	Within 60 days / 45 business days after notification / receipt of proof of loss. [Note: Statute calls for 60 days, administrative code calls for 45 business days and changes “notification” to “receipt.”]	36 Okl.St. Ann. § 1250.7(A) OK ADC 365:15-3-7(a)(1)
Provide additional written notification to the first-party claimant that the investigation remains incomplete and the reasons	Within 60 days /45 business days from the receipt of proofs of loss. Unless in case of fraud or arson, the time for investigation may not exceed 120 days after receipt of proof of loss. [Note: Statute calls for 60 days, administrative code	36 Okl.St. Ann. § 1250.7(C) OK ADC 365:15-3-7(c)

	calls for 45 business days and does not include the language regarding arson and the 120 day limit]	
Provide written notification to the first or third-party claimant not represented by an attorney that his/her rights might be affected by a statute of limitation or a policy or contract time limit	For first-party claimant at least 30 days and for third-party claimant at least 60 days before the date on which the time limit might expire	36 Okl.St. Ann. § 1250.7(E) OK ADC 365:15-3-7(e)

(Current as of August 2008) - **This chart is not to be used as a substitute for reviewing the actual statutes and regulations.**