

HOUSE BILL No. 4839

June 12, 2003, Introduced by Reps. Hunter, McConico, Tobocman, Accavitti, Waters, Clack, Stallworth, Zelenko, Minore, Vagnozzi, Reeves, Plakas, Condino and Hardman and referred to the Committee on Insurance.

A bill to amend 1956 PA 218, entitled
"The insurance code of 1956,"
by amending section 2127 (MCL 500.2127) and by adding section
2128.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2127. The commissioner may by rule prospectively
2 require insurers, rating organizations, and advisory
3 organizations to collect and report data ~~only~~ to the extent
4 necessary to monitor and evaluate the automobile and home
5 insurance markets in this state. The commissioner shall
6 authorize the use of sampling techniques in each instance where
7 sampling is practicable and consistent with the purposes for
8 which the data, by county, are to be collected and reported.
9 Rules promulgated pursuant to this section are in addition to,
10 and do not replace, the reporting requirements in section 2128.

1 Sec. 2128. By April 1 of each year, each insurer who issues
2 automobile insurance in this state shall file with the
3 commissioner and with the automobile insurance data collection
4 agency created in section 2128a on forms prescribed by the
5 automobile insurance data collection agency, the following
6 automobile insurance data, by territory, for the prior calendar
7 year:

8 (a) With respect to personal protection insurance coverage:

9 (i) The number of claims for personal protection insurance
10 benefits for which payment is made.

11 (ii) The number of claims for personal protection insurance
12 benefits that are closed without payment.

13 (iii) The number of claims for personal protection insurance
14 benefits that involve some form of litigation and are closed
15 without payment.

16 (iv) The number of claims for personal protection insurance
17 benefits that involve litigation and for which payment is made
18 after litigation commences, including the length of time between
19 the filing of the claim and the first payment.

20 (v) The amount of interest charges paid on claims for
21 personal protection insurance benefits and the number of cases
22 for which interest charges have been paid.

23 (vi) The litigation costs for claims for personal protection
24 insurance benefits.

25 (vii) The number of cases going to verdict and the amount of
26 the verdict in those cases where an award is made.

27 (viii) The number of verdicts of no cause of action.

1 (ix) The number of cases where attorney fees are paid, the
2 total amount of attorney fees paid, and the amount of attorney
3 fees paid for each case where fees were paid.

4 (b) With respect to property protection insurance coverage:

5 (i) The number of third party automobile bodily injury tort
6 claims closed by payment to the claimant before the commencement
7 of litigation and a breakdown of how many of these claims were
8 death threshold claims, serious impairment of body function
9 threshold claims, and permanent serious disfigurement threshold
10 claims.

11 (ii) The number of third party automobile bodily injury tort
12 claim lawsuits filed, and a breakdown of how many were filed for
13 death threshold claims, serious impairment of body function
14 threshold claims, and permanent serious disfigurement threshold
15 claims.

16 (iii) The number of third party automobile bodily injury tort
17 claims closed by payment to the claimant after the commencement
18 of litigation and a breakdown of how many of these claims were
19 death threshold claims, serious impairment of body function
20 threshold claims, and permanent serious disfigurement threshold
21 claims.

22 (iv) The dollar amount paid to claimants to settle third
23 party automobile bodily injury tort claims before and after
24 litigation had been commenced and a breakdown of the dollar
25 amounts paid for death threshold claims, serious impairment of
26 body function threshold claims, and permanent serious
27 disfigurement threshold claims.

1 (v) The number and dollar amount paid or reserved for all
2 bodily injury claims set up or opened, indicating the number and
3 dollar amount of reserves for claims remaining open at the end of
4 the reporting period.

5 Enacting section 1. This amendatory act does not take
6 effect unless Senate Bill No. ____ or House Bill No. 4840
7 (request no. 03474'03) of the 92nd Legislature is enacted into
8 law.