

[Agency Name]

INSURANCE DISASTER RESPONSE PLAN

[Date]

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Introduction

In the event of a disaster that requires an extraordinary response, the [state insurance regulatory entity] has adopted the following disaster response plan.

What this document provides

Following a disaster, this document provides a template for departments of insurance (DOIs) to use when assisting consumers. In advance of a disaster, this document also provides guidance to insurers and other licensees.

This document details how a DOI can work with other agencies to assist consumers, including:

- Federal agencies
- State or local agencies
- The NAIC
- Other state DOIs

This document does not provide information regarding a Continuity of Operations Plan (COOP). Check to see if your department has a COOP that provides detailed information regarding how it is to be implemented.

The purpose of the disaster response plan

The purpose of the disaster response plan is to:

- Provide states with information regarding quick and effective responses to meet the insurance information needs of its citizens.
- Provide information regarding the coordination of resources with other state agencies to mitigate the effects of a disaster.

The disaster response plan will be activated by the commissioner, director or superintendent. It will be implemented by the disaster or incident management team.

Information the disaster response plan provides

This disaster response plan template provides information to assist state insurance departments in responding to disasters. This disaster response plan is scalable to respond to disasters affecting:

- Limited areas within the state.
- Several locations throughout the state.
- The entire state.

NAIC Disaster Assistance Program

The NAIC Disaster Assistance Program is a series of services provided by the NAIC to any member jurisdiction experiencing the aftermath of a disaster where additional support is needed.

The NAIC can provide the following services following a disaster:

- Disaster Relief Call Center
- Disaster Recovery Center (DRC) Insurance Regulator Staff
- Communications Services
- NAIC Coordinated Data Call

Services are provided once a formal request is made by an NAIC member (a jurisdiction's appointed/elected insurance commissioner) to the NAIC officers, asking them to direct NAIC senior management to allocate budgeted funds and resources toward their need for disaster relief assistance. The day-to-day project is then overseen by the NAIC Director of Member Services who coordinates a variety of NAIC department staff overseeing operations and volunteers throughout the length of services needed.

Ways a jurisdiction can prepare to receive NAIC assistance

Jurisdictions can prepare information that will better facilitate NAIC assistance after a catastrophic event. These items may be incorporated as part of your jurisdiction's Business Continuity Plan. Jurisdictions need to consider how they want calls and complaints tracked by NAIC volunteers and provide templates, if appropriate.

The following are some high-level action items to do prior to contacting the NAIC:

- Identify your critical staff and who will be coordinating with the NAIC.
- Assess the level of impact to your staff. This level of impact may determine the support you need from the NAIC.
- Assess the functionality of your systems and facilities—i.e., phone, internet, other communications and office—after the event.
- Assess access to power and your critical infrastructure.
- Assess business impact analysis; i.e., the minimum you need to function.
- If possible, consider the type of assistance you may need: call center overflow, onsite regulatory staff support, website, or remote office. However, the NAIC is also prepared to consider new services to meet your unique needs.
- Document how a trusted third party may access your communications systems: phone and internet.

- Prepare and provide talking points for the NAIC, frequently asked questions (FAQ), jurisdiction guidelines—i.e., emergency adjuster licensing rules—which can be shared with call center staff and onsite DRC volunteers.
- Share jurisdiction-issued bulletins and how we are to handle them.

NAIC services set-up time after approval of assistance

The NAIC is ready to help at any time after a member has requested assistance.

- Call center: within 24–48 hours after contact.
- DRC volunteers may be available within 48–72 hours after contact.
- Communications services are available within 24–48 hours after contact and member approval of information.
- NAIC Coordinated Data Call within 24–48 hours after contact.

Additional information

Where possible, the NAIC may reach out to a member jurisdiction prior to an imminent disaster to offer information about our program or answer any questions they may have about systems that may be affected in the event of a disaster.

NAIC Research and Government Relations departments are able to participate in briefings with the Financial and Banking Information Infrastructure Committee (FBIIC), the Federal Emergency Management Agency (FEMA), and Homeland Security to share information from, and to, NAIC jurisdictions.

The National Insurance Producer Registry (NIPR) and/or the Interstate Insurance Product Regulation Commission (Compact) are able to assist affected jurisdictions who may need emergency adjuster licenses and/or help processing product filings.

Disaster relief call center

The NAIC works with your department's technical team to connect a 1-800 NAIC telephone line and/or computer system—State Based Systems (SBS)—with your jurisdiction's consumer phone line and/or complaint tracking system.

- Call center is staffed with experienced insurance department regulator volunteers capable of answering consumer concerns.
- Call center is flexible enough to handle your entire call volume, allowing your staff to assist people in the field.
- Call center may also be set to roll-over to state insurance regulator volunteers whenever you experience call overflow.

Cost:

- There is no cost to your jurisdiction for this service.
- The NAIC covers the cost for the 1-800 phone line; call center equipment, facilities and coordination; and the travel/lodging reservations and expense for state insurance regulator volunteers.
- Your fellow members/commissioners provide their state insurance regulator staff as volunteers.

DRC insurance regulator staff

The NAIC facilitates and coordinates insurance department regulator volunteers to staff your designated DRC location(s).

- Volunteers cover one to two week shift rotations to man the daily operation of the DRC.
- The NAIC will arrange travel and lodging for the assigned state insurance regulator volunteers.
- If needed, the NAIC can help provide loaner laptops or cell phones for state insurance regulator volunteer use at a DRC location.

Cost:

- There is no cost to your jurisdiction for this service.
- The NAIC covers the cost of the loaner equipment and travel/lodging expenses for the state insurance regulator volunteers.
- Your fellow members/commissioners proffer their state insurance regulator staff as volunteers.

To deploy this service, an insurance department staff/disaster coordinator contacts Trish Schoettger, NAIC Director of Member Services at tschoettger@naic.org or 816.783.8506. She will coordinate a call with the member/commissioner, NAIC President, and NAIC Chief Executive Officer (CEO) or Chief Operating Officer (COO) to utilize these services.

NAIC-hosted insurance department website

In the case where the affected jurisdiction has lost the use of its facility or their website becomes inoperable, the NAIC can act as an interim host for the jurisdiction's insurance department website. If needed, the NAIC can also serve as a resource to communicate your updated status to other jurisdictions and/or agencies or change information.

Cost:

- There is no cost to your jurisdiction for this service.
- The NAIC covers the cost of hosting the site.

NAIC-coordinated data call

The NAIC assists states with data calls related to the collection of claims data following disasters. Data calls are typically conducted weekly immediately after a disaster and then biweekly or monthly as a higher percentage of claims close.

Preparation

The steps to preparation

A DOI needs to promptly and efficiently respond to a disaster. Effective response to a disaster requires preparation and planning, including:

- Identifying appropriate staff to perform necessary activities.
- Training appropriate staff.
- Identifying available resources.
- Identifying any resource shortfalls and how these might be addressed.

Important planning considerations

Preparedness for disasters requires identifying resources and expertise in advance and planning how these can be used in a disaster. Planning considerations include:

- Putting procedures in place for internal tracking and reimbursement costs expended by the DOI in response to a disaster.
- Designating a team of individuals and assigning responsibilities to ensure that everyone on the team understands their roles and responsibilities during a disaster situation.
- Updating plans and procedures based upon post-mortem evaluation of the DOI's performance in prior disaster response efforts.

Available training

As a part of efforts to prepare for response to disasters, state DOIs and agencies participate with local jurisdictions and private entities in exercises and training.

Staff should be periodically trained on how to assist consumers during a disaster.

Training regarding information on FEMA assistance programs and the National Flood Insurance Program (NFIP) is recommended.

FEMA has free courses available to emergency management teams. These courses can be found by using the following link: <https://training.fema.gov/is/>.

The NFIP has developed a reference guide on flood-related issues for state insurance regulators and other officials. This document can be found using the following link: https://www.fema.gov/media-library-data/1525272377818-3cb0cf795a73c135c8543d2459e12c80/NFIPDeskReferencev18_508_V4.1.pdf.

Insurance contact information that a DOI should regularly collect

It is important for a DOI to maintain current insurance company contacts for insurers licensed to do business in the state, including non-admitted surplus lines insurers. Some states may maintain contact information in SBS, another database, or through a Microsoft Outlook contact list obtained by an annual request.

Partnerships with private volunteer organizations can also be useful in coordinating response after a disaster. [State Insurance Department] should identify consumer or non-profit organizations that would be open to a partnership.

Insurance company contacts:

Following a disaster, a DOI will likely need to contact insurers. The contact information should include:

- Insurers doing business in a state.
- A primary contact and a secondary contact (both would likely be a member of the insurer's disaster response team).
- High-level senior management to respond to questions or issues promptly.

Requirements of insurance company contacts

After a disaster, state insurance regulators will need to be able to contact insurers for information. Contacts should:

- Be able to provide coverage data and loss statistics, by county or region, according to a standardized format developed by the DOI.
- Be knowledgeable regarding their internal information systems and sources and authorized to access such systems so that applicable and timely information can be provided upon the request of the DOI.
- Be able to respond to requests for information from legislators, the governor's office, FEMA officials, or press inquiries.

Other necessary contacts

DOIs will need contacts for local, state and federal officials (these should be maintained and updated).

Contacts will report other disaster information to the DOI, including lists of company claim offices and phone numbers, adjuster information, and company toll-free numbers, etc.

Types of information that should be ready for dissemination in the event of a disaster

Following a disaster, a DOI will be responsible for helping consumers regarding claims. Some of the items a DOI will want to have on hand to provide to consumers include:

- Consumer brochures.
- Consumer alerts.
- Insurer contacts for consumers.
- Other forms of information relating to preparation and response to all types of disasters (this information should be updated prior to a disaster).

The NAIC's Transparency and Readability of Consumer Information (C) Working Group created a document to help guide consumers through a claim following a disaster. This document can be passed out following a disaster: <https://content.naic.org/sites/default/files/inline-files/Claim%20Disaster%20Guide%20-%20Generic%20FINAL%207%2023%202019.pdf>.

Types of data a DOI should collect regarding disasters

A DOI should define the appropriate area in their department responsible for creating and maintaining a database that holds coverage data and loss statistics collected from insurers. If a DOI does not have the resources to maintain a database, the NAIC can provide this service.

Information to be collected (generally collected by ZIP code) includes such items as the:

- Number of claims reported
- Number of claims closed with and without payment
- Paid losses
- Incurred losses

Data collection tools the NAIC can provide

The NAIC can provide the data template adopted by the NAIC Property and Casualty (C) Committee and Executive (EX) Committee and Plenary if the DOI does not have its own data call template. This template can be found on the Catastrophe Insurance (C) Working Group's webpage under the Related Documents tab. The link to the webpage is: https://www.naic.org/cmte_c_catastrophe.htm.

The NAIC coordinated data call

The NAIC assists states with data calls related to the collection of claims data following disasters. Data calls are typically conducted weekly immediately after a disaster and then biweekly or monthly as a higher percentage of claims close. The length of time that data is collected is usually dependent upon the severity of the event. For example, a minor hurricane, like Irma, will not necessitate weekly reporting, even in the beginning. Having the NAIC assist with a data call could require a confidentiality agreement if the state does not already have one that would encompass the data call.

Types of information a DOI, in coordination with Public Affairs, should maintain, update, post on the state's website, and distribute via social media

- https://www.insureuonline.org/disaster_prep_flood.pdf
- https://www.insureuonline.org/disaster_prep_tornado.pdf
- https://www.insureuonline.org/disaster_prep_hurricanes.pdf
- https://www.insureuonline.org/disaster_prep_wildfires.pdf
- https://www.insureuonline.org/disaster_prep_earthquakes.pdf
- https://www.insureuonline.org/home_inventory_checklist.pdf
- https://www.naic.org/documents/consumer_alert_wake_of_the_storm.htm
- https://www.naic.org/documents/consumer_alert_flood_insurance_understanding_risk.htm

Resources required for emergency response

The availability and capability of resources needs to be determined and includes the following:

- People
- Facilities
- Materials and supplies
- Funding
- Information regarding threats or hazards

Periodically review resources dedicated to the Disaster Response Team to make certain that there are enough cell phones, laptops, and other equipment and materials available for staff.

Disaster Recovery Team Personnel within the DOI should be identified to act as first responders if the DOI is required to respond to an emergency.

DOI employees are divided into those who will work outside of the office and those who will work at the DOI in an onsite or offsite call center.

Contact information for members of the team should be maintained.

Employees should receive periodic training and updates on procedures for assisting consumers in the event of a disaster.

The DOI shall maintain Disaster Recovery supplies and information for use by the Team.

Brief description of the Major Incident Management Functions (See org chart template - Appendix 1)

COMMAND

Sets the incident objectives, strategies and priorities. Has overall responsibility for the incident.

OPERATIONS

Conducts operations to reach the incident objectives. Establishes tactics and directs all operational resources.

PLANNING

Supports the incident action planning process by tracking resources, collecting/analyzing information, and maintaining documentation.

LOGISTICS

Arranges for resources and needed services to support achievement of the incident objectives.

FINANCE AND ADMINISTRATION

Monitors costs related to the incident. Provides accounting, procurement, time recording and cost analysis.

Keep in mind, larger states may have more resources available than smaller states. See important note to DOIs.

Disaster Response/Incident Management Team

Response Leadership Team (Your State Emergency Management Agency would call this the Command Support Staff)

The purpose of this team is to:

- Provide direction before, during and after a disaster.
- Ensure periodic review and assessment of the State Disaster Response Plan and hold the incident management team accountable for implementation.
- Test and update the plan on a regular and consistent basis.

Location

This team is located at the [Home office] unless an alternative location is needed.

Duties:

Upon notification of a significant disaster, the commissioner, superintendent or director will notify this team to begin implementation of the Disaster Response Plan.

Identify which other disaster response units should be activated.

Members:

The response leadership team should include the following:

- Incident Commander (IC) (commissioner, director, superintendent, chief deputy or their designee).
- Public Information Officer (PIO) (the person that handles media and communication requests).
- Safety Officer (SO) (this person is the human resources (HR) chief manager).
- Finance /Administration Section Chief.
- Legal Counsel (LC).
- Emergency Operations Center (EOC) Liaison Officer (ELO) (this could be your lead consumer affairs staff member).
- Any other positions, as required, who report directly to the IC (they may have an assistant or assistants, as needed).

Incident Commander (IC) – (may be the Agency Head or their designee)

The IC is responsible for all incident action plans (IAPs) and activities to sustain critical functions and services. These tasks include:

- Developing strategies and tactics before the execution of action plans in the event of a disaster.
- Ordering and releasing resources.
- Conducting incident operations.

The IC is responsible for:

- Managing all incident operations.
- Ensuring overall incident safety.

- Assessing the situation and notifying internal teams and departments.
- Appointing others.
- Carrying out all ICS management functions until they delegate a function.
- Providing information services to internal and external stakeholders.
- Managing all operations at the disaster site.

It is possible for the IC to accomplish all management functions during the aftermath of a small event.

The IC only creates the sections that are needed. If a section is not staffed, the IC will personally manage those functions.

Public Information Officer (PIO)

The PIO is responsible for interfacing with the public, industry, media, and/or other agencies with incident-related information requirements.

The PIO is responsible for:

- Drafting and issuing all public announcements.
- Making all press releases.
- Establishing an event-specific webpage (if needed).
- Sending event-specific updates out via social media and posting them online.
- Giving all interviews with the communications media relative to the incident and the Agency's action plan to address the situation. The PIO establishes communications with PIOs in other State Agencies and the Governor's Media Office to convey situation status, progress toward resolving the incident, and any actions needed in support of or to address the situation.

The PIO works directly with the IC and Agency Head on all sensitive communications and may seek advice and counsel from other members of the Command Support Staff on legal or personnel matters and from the Section Chiefs on background relating to the situation and the actions the Agency are taking.

Safety Officer (SO)

The SO monitors incident operations and advises the IC on all matters relating to operational safety, including the health and safety of agency personnel.

The SO is responsible for:

- Monitoring conditions and developing measures for assuring safety of personnel.
- Advising the IC about incident safety issues.
- Conducting risk analyses.
- Implementing safety measures.
- Monitoring building accessibility.
- Communicating with the IC and staff.

Legal Counsel (LC)

The LC is the member of the Incident Command Support Team who provides legal counsel to the IC.

Examples of support would include:

- Providing advice relative to Agency jurisdiction and contractual obligations.
- Completing other tasks as assigned by the IC.

The LC may also be asked to:

- Review any public statements to be issued by the PIO.
- Provide opinion and guidance on employee relations-based issues.
- Provide opinion and guidance on issues that relate to the Agency mission and the public.

Emergency Liaison Officer (ELO)

The ELO is the point of contact for representatives of other governmental agencies, nongovernmental organizations, and the private sector.

The ELO provides a liaison between the DOI and the state's Department of Emergency Management and Homeland Security (DEMHS), especially when the DEMHS has elected to activate its EOC.

A close working relationship between the Agency and the EOC is required for timely communication and action appropriate to directives received. The ELO will represent the Agency at the EOC and establish ongoing communications and scheduled status reviews with the Agency Incident Command.

Roles and Responsibilities

Financial & Administration Section Chief

The Financial and Administration Section Chief is a member of the Incident Command General Staff. This person is also the leader of the Administration Section. In the context of the COOP, the Financial and Administration Section Chief is responsible for the internal processes within the Agency, including financial and human resource functions, which are necessary to enable the critical functions being addressed by the Operations Section.

The Administration Section Chief sustains or recovers processes to maintain the fiscal integrity of the Agency and ensure that essential human resource processes are sustained. The Administration Section Chief works closely with the Operations and Logistics Sections to identify requirements and assess available options.

The Finance/Administration Section Chief is responsible for:

- Analyzing all financial, administrative and cost aspects of an incident.
- Maintaining daily contact with agency administrative headquarters on finance and administration matters.
- Meeting with assisting and cooperating agency representatives.
- Advising the IC on financial and administrative matters.
- Developing the operating plan for the Finance/Administrative Section.
- Coordinating finances at the local level.
- Establishing or transitioning into an existing Finance/Administrative Section.
- Supervising and configuring section with units to support, as necessary.
- Negotiating and monitoring contracts.
- Timekeeping.
- Analyzing cost.
- Compensating for injury or damage to property.
- Documenting reimbursement (e.g., under mutual aid agreements and assistance agreements).

The Finance/Administration Section is set up for any incident that requires incident-specific financial management.

The Time, Compensation/Claims, Cost and Procurement Units may be established within this section.

Finance and Administration Section Team Leads

The Finance and Administration Section Team Leads should be a qualified member of the Incident Command General Staff. This person reports to the Administration Section Chief.

Finance and Administration Section Team Leads are responsible for:

- The coordination of the initial action plan execution and recovery efforts for one of the Administration Section Teams.
- Business continuity interruption preparedness.
- Response coordination.
- Post-interruption corrective action based on lessons learned for the functions that are part of the normal operational responsibilities of the work group.

In the National Incident Management System (NIMS) these Team Leads often head branches or divisions.

Section Chiefs will determine the organization appropriate under respective sections.

Logistics Section Chief

This Logistics Section Chief is a member of the Incident Command General Staff and the leader of the Logistics Section.

The Logistics Section Chief is responsible for:

- Overseeing the resources and processes needed to sustain or recreate the work environment for Operations and Administration Section functions (in the context of the COOP), including facility, technology, equipment and supplies.
- Addressing plant, tool, technology and information security (including the Health Insurance Portability and Accountability Act of 1996 [HIPAA]) requirements for the Incident Command.
- Working closely with the Operations and Administration Sections to identify requirements and assess available options.

The Logistics Section is responsible for all services and support needs, including:

- Ordering, obtaining, maintaining and accounting for essential personnel, equipment and supplies.
- Providing communication planning and resources.
- Setting up food services for responders.
- Setting up and maintaining incident facilities.
- Providing support transportation.
- Providing medical services to incident personnel.

Operations Section Chief

Typically, the Operations Section Chief is the person with the greatest tactical expertise in dealing with the problem at hand. The Operations Section Chief is a member of the Incident Command General Staff and the leader of the Operations Section. This person is responsible for the sustenance or recovery of the functions within the agency that serve the citizens of the state. The Operations Section Chief may have one or more Deputies who are qualified to fill this position.

The Operations Section Chief is responsible for:

- Directly managing all incident tactical activities.
- Implementing the IAP.
- Developing and implementing strategies and tactics to carry out the incident objectives.
- Organizing, assigning and supervising the tactical response resources.
- Having one or more Deputies who are qualified to assume these responsibilities. (This is recommended where multiple shifts are needed, as well as for succession planning).

Operation Section Team Leads

An Operation Section Team Lead is a qualified member of the Incident Command General Staff who reports to the Operation Section Chief. This individual is responsible for the coordination of the initial action plan and recovery effort of the Operation Section Teams.

Operation Section Team Leads are responsible for:

- Pre-incident preparedness.
- IAP coordination.
- Post-incident corrective action based on lessons learned for the functions that are part of the normal operational responsibilities of the work group.

Planning Section Chief

The Planning Section Chief is a member of the Incident Command General Staff and leader of the Planning Section. This individual is responsible for the development of the Business Continuity Plan and COOP document and works closely with the IC, General Staff (other Section Chiefs), and Command Support Staff to ensure that critical functions and their resource requirements are identified and that preparatory actions are taken. The Planning Section Chief ensures that communications information needed to execute the COOP has been captured.

In the continuity plan action period, the Planning Section Chief is responsible for:

- Serving as a coach to Incident Command.
- Ensuring that regular crisis action plan review sessions are held.
- Ensuring that outstanding issues are identified.
- Ensuring that appropriate alternatives are considered.
- Ensuring that action assignments are clearly distributed.

The Planning Section Chief may have one or more Deputies who are qualified to assume these responsibilities. This is recommended where multiple shifts are needed, as well as for succession planning.

The major activities of the Planning Section may include:

- Collecting, evaluating and displaying incident intelligence and information.
- Preparing and documenting IAPs.
- Tracking resources assigned to the incident.
- Maintaining incident documentation.
- Developing plans for demobilization.

Deputy

The Deputy is a fully qualified individual who, in the absence of a superior, can be delegated the authority to manage a functional operation or perform a specific task. In some cases, the Deputy acts as relief for a superior; therefore, the Deputy must be fully qualified in the position.

Deputies can be assigned to the IC, Command Support Staff, and the Section Chief positions.

Statistics Operational Network Task Group

The purpose of this group is to facilitate an analysis of a catastrophe with insurance companies and the [agency name] whenever a catastrophic event occurs.

The Statistics Operational Network Task Group will be located [insert location of home office or other designated location] unless otherwise chosen due to necessity.

The Statistics Operational Network Task Group is charged with the responsibility of creating a “contact list” of insurance community liaisons. This contact list will allow for prompt contact of people within the insurance industry who should be able to provide coverage data and loss statistics, by region, according to any standardized format developed by [agency].

The Team Lead should be knowledgeable of company internal information systems and sources authorized to access such systems so that applicable and timely information can be provided to [agency] or emergency response agencies upon request.

Members of this Task Group should include divisions that perform data collection/analysis, market conduct, and financial regulation.

Consumer Operational Team Lead

The Consumer Operational Team Lead works with the PIO to provide consumers with the information needed to contact their insurance companies and the fundamentals to file a claim and convey necessary information to the Emergency Response Team.

A Consumer Information Task Group will be located [insert location of home office or other designated location] unless otherwise selected by the Disaster Executive Committee due to necessity.

If a disaster is declared, a consumer hotline should be immediately activated, but consideration may be needed to relocate it. The hotline:

- Should be able to ramp up to provide a 24-hour service.¹
- Should operate utilizing four six-hour shifts.

Branch offices might initially be made operational through the use of cell phones until other landlines are established.

Hotline staff should:

- Have a list of 800 numbers of the major property/casualty (P/C) insurers in the state.
- Have the list of Emergency Response Task Group key personnel.
- Have other emergency agency numbers to be used in the event of a disaster.
- Be provided with a communications kit, which will be used to tell consumers about claim procedures.

Members should include:

- Consumer services unit senior management.
- Internal resource senior management.

Communications Operations Task Group

The purpose of this group is to work with the PIO to create a central source for media information relevant to disaster insurance and the disaster plan response activities.

This Group:

- Prepares news releases about the steps to take before, during and after a disaster.
- Produces brochures about preparedness.
- Dispatches speakers to various locations, as needed.
- Maintains contact with all media.

¹ It may not be necessary to operate 24 hours a day, but it is likely that the hotline may need to be open for hours longer than the agency is typically open. The agency will need to be prepared for these circumstances.

The Communications Team will be [insert location of home office or other designated location] unless otherwise chosen by the Disaster Executive Committee due to necessity.

The Communications Operations Task Group is responsible for:

- Developing a consistent message to be communicated to consumers.
- Distributing advisories and brochures to units of government throughout the state so that they may reproduce them for local residents. (The NAIC may be contacted for assistance in bulk reproduction).

The Communications Task Group should:

- Be in constant contact with the [State Emergency Management Agency's Communications Team] to coordinate media announcements.
- Contact news organizations throughout the state with a Media Advisory.
- Notify news agencies that [agency name] is the primary source for obtaining and forwarding information relative to insurance and a disaster.
- Be in constant touch with the Emergency Response Task Group and branch offices to coordinate the information flow.

Much of the information will be obtained from the designated liaison persons of the Emergency Response Task Group.

This system ensures that information being supplied to the media is consistent, accurate, and up-to-the-minute.

The Communications Task Group is:

- Responsible for ensuring that messaging is consistent.
- Responsible for developing an Outreach Team to operate quickly and efficiently in affected areas to answer questions in town meetings and other informational gatherings.
- Responsible for supplement information provided through the media and other sources about how to quickly and effectively prepare insurance claims information.

Members include:

- Senior media or communications staff.
- Legislative personnel.
- Key agency staff with public speaking experience.

Logistics Task Group

The purpose of this Task Group is:

- To consult with other task groups regarding the DOI's logistical and technical capabilities, and requirements, to enable the efficient execution of the DOI's State Disaster Response Plan.
- To coordinate with the Emergency Response Task Group regarding logistical and technical capabilities for Emergency Response Task Group and/or field or temporary offices.
- To coordinate with other areas regarding logistical and technical capabilities for hotline and other consumer communication needs.

The Logistics Task Group will be [insert location of home office or other designated location] unless otherwise chosen by the Disaster Executive Committee due to necessity.

The duties of the Logistics Task Group are:

- To identify resource needs of the other task groups regarding the DOI's logistical and technical capabilities and requirements to enable the insurance department to respond better and faster to disasters and include these in the implementation plan.
- To coordinate technical requirements for an alternate designated facility to ensure its immediate activation in case the DOI's home or central office is damaged/destroyed in a disaster and include these in the implementation plan.

Members include:

- Senior staff from internal resource or budget.
- Senior staff from the information technology (IT) unit.
- Senior staff from any branch office locations.

Branch Office(s)

Branch offices will be responsible for addressing and solving problems where possible and overseeing operations in their responsibility area.

While the composition and basic duties will be the same as those of the Emergency Response Task Group, the branch office(s) will deal with the local problems and handle them from a closer vantage point.

Branch offices will be established at the existing location of the branch offices, unless the Emergency Response Task Group indicates a more appropriate location.

The branch office will be responsible for:

- Channeling information within the zone for which the branch office is responsible.
- Forwarding requests for speakers and press contacts to the Communications Task Group.
- Obtaining general insurance information and all written material explaining how to prepare claims from the Consumer Services Task Group.

- Routinely reporting to the Emergency Response Task Group about daily activities.
- Sending all problems that cannot be worked out locally to the Emergency Response Task Group for review.
- Obtaining DOI brochures.

Members include senior staff from branch office location(s).

Where serious disputes or problems arise, the branch office will forward these back to the Emergency Response Task Group; otherwise, the branch office will manage its own operation and report only.

It is imperative that senior staff remain at the Branch Office Operations center for command purposes.

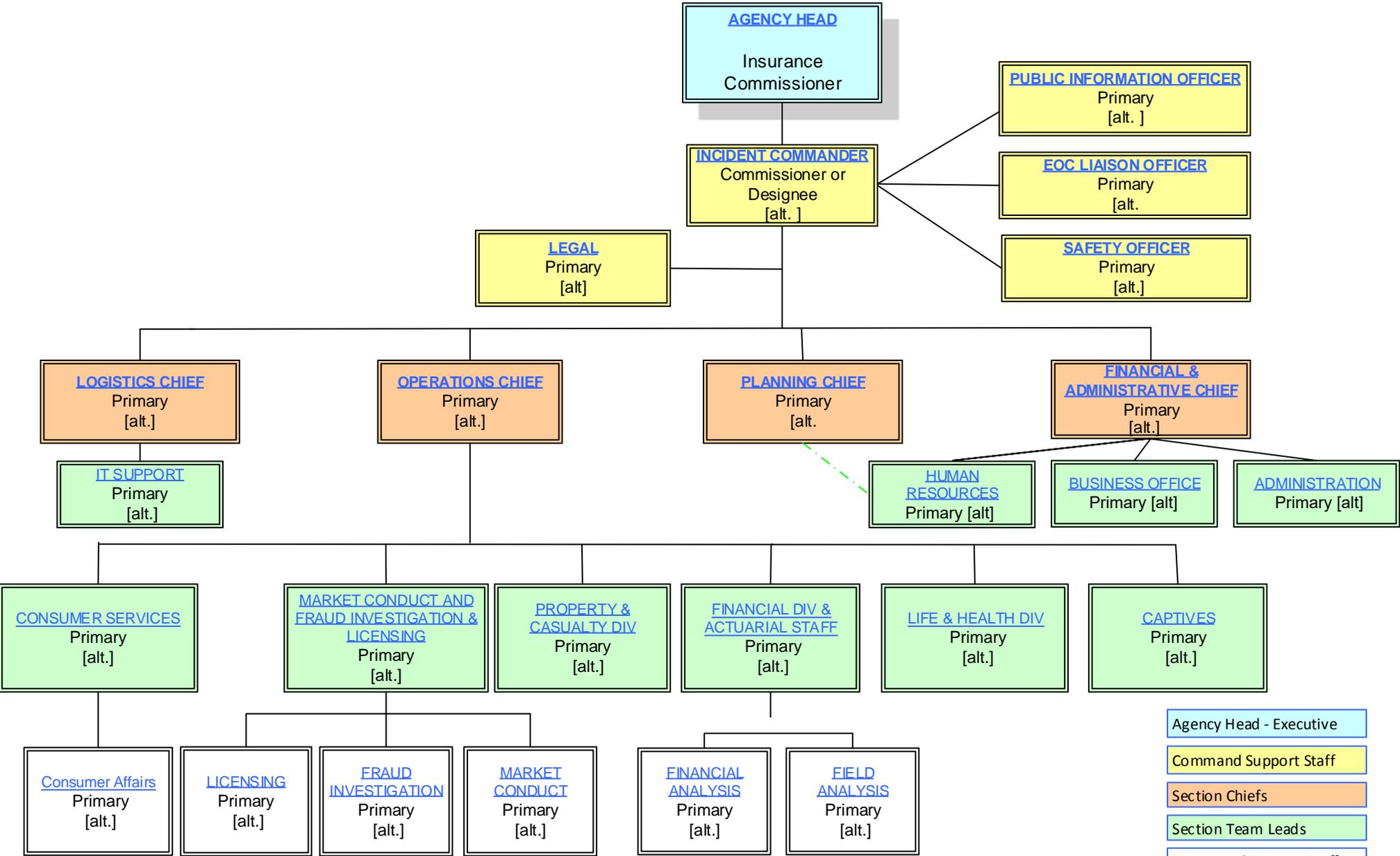
These centers fall under the direction of the Emergency Response Task Group.

Appendix 1

Business Continuity Org Chart

[STATE] INSURANCE DEPARTMENT

BUSINESS CONTINUITY PLAN - INCIDENT MANAGEMENT TEAM



- Agency Head - Executive
- Command Support Staff
- Section Chiefs
- Section Team Leads
- Team Lead Support Staff

Appendix 2

Response Levels and Definitions

**RESPONSE LEVELS
AND DEFINITIONS**

	Disaster Level 1	Disaster Level 2	Disaster Level 3	Disaster Level 4
Typical Damage	Exterior Damage to Private Property	Exterior Damage, Possibly Some Interior Damage, and Possibly Some Structural Damage to Private and Commercial Property. Infrastructure Damage to Telephone and Power Lines.	Exterior Damage, Interior Damage, and Structural Damage to Private and Commercial Property. Infrastructure Damage to Telephone and Power Lines. Temporary Interruption of Normal Public Services.	Significant to Massive Exterior, Interior and Structural Damage to Private and Commercial Property. Infrastructure Damage to Telephone and Power Lines and Possibly Cell Towers. Communications, Public Services Lost for Extended Time.
Insured Losses	Less than \$100 Million	Between \$100 Million and \$1 Billion	Between \$1 Billion and \$10 Billion	Greater than \$10 Billion
Types of Events	Rural Tornadoes Rural Hailstorms Rural Windstorms Local Flash Floods	Town-leveling tornadoes Suburban Hail and/or windstorms Area-wide ice storms Area-wide flash floods Rural & Residential Forest/Wildfires	Region-wide Region-wide ice storms Urban Tornadoes Major outbreak multiple tornadoes Urban Floods Urban/Suburban Fires Significant Blizzards Moderate earthquakes	Significant Earthquakes A major New Madrid EQ Significant record-breaking floods Major influenza outbreak
Geographical Extent	Localized	Localized to dispersed	Localized to widespread	Dispersed to widespread
Affected Population	Small	Small to Moderate	Small to Large	Moderate to Large
Examples	Hoisington, Kansas F4 Tornado (April 21, 2001) \$43 Billion in Damages	La Plata, Maryland F4 Tornado (April 28, 2002) \$100M in Damage	Nashville Flood (May 1, 2010) \$1.5 Billion in Damages	Great Flood of 1993 (Missouri & Mississippi Rivers) \$15–20 Billion in Damages
		Haysville/Wichita, Kansas F4 Tornado (May 3, 1999) \$150 Million in Damage	Oakland/Berkeley Firestorm (October 19, 1991) \$1.54 Billion in Damages	Northridge Earthquake (January 17, 1994) (Mag. 6.7 Mom. Mag.) \$15 Billion in Damages
		Greensburg, Kansas EF5 Tornado (May 4, 2007) \$153 million in Damage (Approx. 2,000 claims)	Tornado Outbreak in KC, Okla. City (May 2005) F3s & F4s \$3.2 Billion	FEMA Estimate for a Mag. 7.7 Earthquake in Missouri: \$30+ Billion in Damages

**DIRECTOR'S CONTACTS
TOP 20 P/C INDUSTRY CONTACT
LIST**

Carrier Name	Director's Contact Name	Director's Contact Title	Director's Contact Address	Director's Contact E-mail	Director's Contact Cell Phone #	Director's Contact Fax #

**DIRECTOR'S CONTACTS
TOP 20 COMMERCIAL/ALLIED
LINES CONTACT LIST**

Carrier Name	Director's Contact Name	Director's Contact Title	Director's Contact Address	Director's Contact E-mail	Director's Contact Cell Phone #	Director's Contact Fax #

Appendix 3

Sample Contact Lists

INSURANCE TRADE ASSOCIATION and KEY INDUSTRY GROUPS CONTACT LIST

STATE INSURANCE TRADE ASSOCIATION (SITA)

Address 1

Address 2

Executive Director:

Phone:

Fax:

E-mail Address:

Internet Address:

STATE INSURANCE AGENT ASSOCIATION

Address 1

Address 2

Executive Director:

Phone:

Fax:

E-mail Address:

Internet Address: _

NATIONAL ASSOCIATION OF MUTUAL INSURANCE COMPANIES (NAMIC)

3601 Vincennes Rd

Indianapolis, IN 46268

Key Executive: Charles Chamness, CFO

Phone: 317-875-5250

Fax: 317-879-8408

E-mail Address: lforrester@namic.org or cchamness@namic.org

Internet Address: www.namic.org

INSURANCE SERVICES OFFICE (ISO)

2828 E. Trinity Mills Road, Suite 315

Carrollton, TX 75006

Assistant Regional Manager:

Phone

Fax:

E-mail Address:

Internet Address: www.iso.com

AMERICAN PROPERTY CASUALTY INSURANCE ASSOCIATION (APCIA)

Address:

City, State, Zip:

Contact:

Phone:

Fax:

E-mail Address:

Internet Address: www.pciaa.net

INSURANCE INFORMATION INSTITUTE (III)

110 William Street

New York, NY 10038

Key Executive:

Phone:

Fax:

E-mail Address

Internet Address: www.iii.org

STATE INSURANCE GUARANTY ASSOCIATIONS

Address1

Address 2

Contact:

Phone:

Fax:

E-mail Address:

Internet Address:

NATIONAL ASSOCIATION OF INSURANCE AND FINANCIAL ADVISORS (NAIFA)

Address 1

Address 2

Contact:

Phone:

Fax:

E-mail Address:

Internet Address:

NATIONAL COUNCIL ON COMPENSATION INSURANCE (NCCI)

Address 1

Address 2

Contact:

Phone:

Mobile:

Fax:

E-mail Address:

Internet Address: _

STATE PROPERTY RESIDUAL MARKET OR FAIR PLAN

Address 1

Address 2

Manager:

Phone:

Fax:

E-mail Address:

Internet Address:

MEDIA CONTACTS (EXAMPLE FROM MISSOURI Department of Insurance)

Newspapers		
Blue Springs Examiner	dbrendel @examiner.net	(816) 229-9161
Boonville Daily News, The	news@boonvillenews.com	(660) 882-5335
Branson Daily News, The	bdn@tri-lakes.ent	(417) 334-3161
Carthage Press, The	carpress@ipa.net	(417) 358-2191
Broadcast		
Associated Press	pstevens@ap.org	
Television Stations		
KCTV	kctv@kctv.com	913-677-5555
KETC	letters@ketc.pbs.org	800-729-9966
Radio Stations		
KAAN	rodneyh@netins.net	660-425-7575
KAHR	kool967@semo.net	866-917-9797
KALM -	mail@kkountry.com	417-264-7211
KAOL	KMZU@carolnet.com	660-542-0404
KBDZ	news@suntimesnews.com	573-547-2980

Appendix 4

Example Bulletins

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Underwriting Guidelines for Personal Auto and Residential Property Insurance

To: ALL INSURANCE COMPANIES, CORPORATIONS, EXCHANGES, FARM MUTUALS, COUNTY MUTUALS, MUTUALS, RECIPROCALLS, ASSOCIATIONS, LLOYDS, OR OTHER INSURERS WRITING PROPERTY AND CASUALTY INSURANCE IN THE STATE OF TEXAS; AGENTS AND REPRESENTATIVES; AND THE PUBLIC GENERALLY

Governor Greg Abbott issued a proclamation declaring a disaster due to the effects of Hurricane Harvey. The proclamation directs that all necessary measures, both public and private, as authorized under §418.017 of the Texas Government Code, be implemented to meet that threat.

President Donald Trump issued a major disaster declaration and ordered federal aid to supplement state and local recovery efforts in the area affected by Hurricane Harvey.

Under Insurance Code §38.002, insurers must file updated underwriting guidelines with TDI each time the guidelines change.

TDI also reminds insurers of the following laws related to underwriting:

- Insurance Code Chapter 544, particularly §§544.303, 544.353, and 544.553;
- Insurance Code §551.113; and
- 28 TAC §21.1007.

Insurers that do not comply with statutory requirements are subject to enforcement action.

Questions regarding this bulletin should be directed to the Property and Casualty Lines Office by calling (512) 676-6710, or by email at CommercialPC@tdi.texas.gov.

For more information contact: CommercialPC@tdi.texas.gov

Extension of Deadline for TWIA Claimants to Demand Appraisal for Claims

To: The Texas Windstorm Insurance Association; Agents and Representatives; Adjusters; and the General Public.

The Texas Department of Insurance recently issued Commissioner's Order No. 2017-5226, extending the deadline for a policyholder to demand appraisal of a claim arising from the weather-related event, Hurricane Harvey, which occurred August 25, 2017, through August 31, 2017.

A policy claimant must timely demand appraisal to resolve disputes about the amount of loss TWIA will pay for an accepted claim or accepted portions of a claim. With the extended deadline, a claimant will have 120 days to demand appraisal after receiving TWIA's written notice accepting all or part of a claim arising from Hurricane Harvey.

TWIA's appraisal process and requirements are described in Insurance Code §2210.574 and 28 Texas Administrative Code §§5.4211-5.4222, as well as TWIA's policy contracts.

Commissioner's Order No. 2017-5226 can be found at: <http://www.tdi.texas.gov/orders/index.html>

For more information contact: CommercialPC@tdi.texas.gov

Mandatory Data Call for Information Regarding Claims Resulting from Hurricane Harvey

To: All Companies, Corporations, Exchanges, Mutuals, County Mutuals, Farm Mutuals, Reciprocal, Associations, Lloyds, or Other Insurers Writing Property and Casualty Insurance in the State of Texas, and their Agents and Representatives

The Texas Department of Insurance issues a mandatory data call for certain information related to claims resulting from Hurricane Harvey in Angelina, Aransas, Atascosa, Austin, Bastrop, Bee, Bexar, Brazoria, Brazos, Burleson, Caldwell, Calhoun, Cameron, Chambers, Colorado, Comal, DeWitt, Fayette, Fort Bend, Galveston, Goliad, Gonzales, Grimes, Guadalupe, Hardin, Harris, Hays, Hidalgo, Jackson, Jasper, Jefferson, Jim Wells, Karnes, Kerr, Kleberg, Lavaca, Lee, Leon, Liberty, Live Oak, Madison, Matagorda, Montgomery, Newton, Nueces, Orange, Polk, Refugio, Sabine, San Jacinto, San Patricio, Travis, Trinity, Tyler, Victoria, Walker, Waller, Washington, Wharton, Willacy, Williamson, and Wilson counties. TDI requests this information under Insurance Code Chapters 401 and 402.

This call is designed to provide TDI with immediate access to information necessary to determine the financial and other impacts of claims related to Hurricane Harvey on the various property and casualty insurers doing business in the State of Texas, and the property and casualty industry as a whole.

TDI directs all of the above-referenced insurers and their agents and representatives to provide data using the attached Hurricane Harvey reporting forms and instructions. You must complete and return your initial response to this data call no later than October 31, 2017. Subsequent submissions are due monthly.

Certain property and casualty insurers doing business in the State of Texas will be required to file additional data related to residential property claims.

Please email completed submissions to HurricaneData@tdi.texas.gov.

For questions regarding this bulletin, please contact the Property and Casualty Actuarial Office, Data Services Team at (512) 676-6690, or HurricaneData@tdi.texas.gov.

Attachments:

[Harvey Data Call Reporting Form](#)
[Harvey Data Call Instructions](#)

For more information contact: DataCall@tdi.texas.gov

Hurricane Harvey – Underwriting Guidelines for Personal Auto and Residential Property Insurance

To: ALL INSURANCE COMPANIES, CORPORATIONS, EXCHANGES, FARM MUTUALS, COUNTY MUTUALS, MUTUALS, RECIPROCALLS, ASSOCIATIONS, LLOYDS, OR OTHER INSURERS WRITING PROPERTY AND CASUALTY INSURANCE IN THE STATE OF TEXAS; AGENTS AND REPRESENTATIVES; AND THE PUBLIC GENERALLY

Governor Greg Abbott issued a proclamation declaring a disaster due to the effects of Hurricane Harvey. The proclamation directs that all necessary measures, both public and private, as authorized under §418.017 of the Texas Government Code, be implemented to meet that threat.

President Donald Trump issued a major disaster declaration and ordered federal aid to supplement state and local recovery efforts in the area affected by Hurricane Harvey.

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TDI also reminds insurers of the following laws related to underwriting:

- Insurance Code Chapter 544, particularly §§544.303, 544.353, and 544.553;
- Insurance Code §551.113; and
- 28 TAC §21.1007.

Insurers that do not comply with statutory requirements are subject to enforcement action.

Questions regarding this bulletin should be directed to the Property and Casualty Lines Office by calling (512) 676-6710, or by email at CommercialPC@tdi.texas.gov.

Hurricane Harvey – Underwriting Guidelines for Personal Auto and Residential Property Insurance

To: ALL INSURANCE COMPANIES, CORPORATIONS, EXCHANGES, COUNTY MUTUALS, MUTUALS, RECIPROCALLS, ASSOCIATIONS, LLOYDS, OR OTHER INSURERS WRITING PROPERTY AND CASUALTY INSURANCE IN THE STATE OF TEXAS; AGENTS AND REPRESENTATIVES; AND THE PUBLIC GENERALLY

Governor Greg Abbott issued a proclamation declaring a disaster due to the effects of Hurricane Harvey. The proclamation directs that all necessary measures, both public and private, as authorized under §418.017 of the Texas Government Code, be implemented to meet that threat.

President Donald Trump issued a major disaster declaration and ordered federal aid to supplement state and local recovery efforts in the area affected by Hurricane Harvey.

TDI reminds insurers that the Insurance Code requires that when contemplating reducing business below the thresholds set out in Insurance Code §827.003, they must file a withdrawal plan with TDI for prior approval. The withdrawal plan must contain the provisions listed in Insurance Code §827.004, and TDI's approval process is described in Insurance Code §827.005. See also 28 TAC Chapter 7, Subchapter R. Insurers file withdrawal plans with the Company Licensing and Registration Office by email at CLRFilings@tdi.texas.gov.

Insurers that do not comply with statutory requirements are subject to enforcement action.

Questions regarding this bulletin should be directed to the Company Licensing and Registration Office by calling 512-676-6375, or by email at CompanyLicense@tdi.texas.gov.

For more information contact: ChiefClerk@tdi.texas.gov

Hurricane Harvey – Flood Damaged Vehicles

To: ALL PROPERTY AND CASUALTY INSURANCE COMPANIES, CORPORATIONS, EXCHANGES, MUTUALS, COUNTY MUTUALS, RECIPROCALs, ASSOCIATIONS, LLOYDS INSURERS WRITING PROPERTY AND CASUALTY INSURANCE IN THE STATE OF TEXAS; AGENTS AND REPRESENTATIVES; AND THE PUBLIC GENERALLY

Governor Greg Abbott issued a proclamation declaring a disaster due to the effects of Hurricane Harvey. The proclamation directs that all necessary measures, both public and private, as authorized under §418.017 of the Texas Government Code, be implemented to meet that threat.

President Donald Trump issued a major disaster declaration and ordered federal aid to supplement state and local recovery efforts in the areas affected by Hurricane Harvey.

Because of the recent heavy rains and flooding across Texas, the Texas Department of Insurance issues this bulletin to remind insurers of their obligations regarding losses to motor vehicles due to flood damage. Titles for flood-damaged vehicles must comply with the Texas Transportation Code.

Under Transportation Code §501.1001(a), an insurance company licensed to conduct business in Texas that acquires, through payment of a claim, ownership, or possession of a salvage motor vehicle or nonrepairable motor must surrender the properly assigned evidence of ownership and apply for the appropriate title under Transportation Code §501.097. Transportation Code §501.095 prohibits an insurer from selling a motor vehicle to which §501.095 applies unless the Texas Department of Motor Vehicles (TxDMV) has issued a salvage vehicle title or a nonrepairable vehicle title for the motor vehicle, or a comparable ownership document has been issued by another state or jurisdiction for the motor vehicle.

Transportation Code §501.09112(d) and (f) require that a salvage or nonrepairable vehicle title or a salvage or nonrepairable record of title for a vehicle that is a salvage or nonrepairable motor vehicle because of damage caused exclusively by flood must bear a notation that the TxDMV considers appropriate. The TxDMV applies the “FLOOD DAMAGE” notation to these vehicles.

TDI encourages insurers to take measures to ensure that Vehicle Identification Numbers and other pertinent information are accurate. You can find further information about salvage vehicle titles and requirements at www.txdmv.gov/salvage-nonrepairable-manual.

Direct questions about this bulletin to the Property and Casualty Lines Office by calling (512) 676-6710, or by email at CommercialPC@tdi.texas.gov.

For more information contact: ChiefClerk@tdi.texas.gov

Hurricane Harvey – Policy Nonrenewal

To: ALL INSURANCE COMPANIES, CORPORATIONS, EXCHANGES, COUNTY MUTUALS, FARM MUTUALS, MUTUALS, RECIPROCAL, ASSOCIATIONS, LLOYDS, OR OTHER INSURERS WRITING PROPERTY AND CASUALTY INSURANCE IN THE STATE OF TEXAS; AGENTS AND REPRESENTATIVES; AND THE PUBLIC GENERALLY

Governor Greg Abbott issued a proclamation declaring a disaster due to the effects of Hurricane Harvey. The proclamation directs that all necessary measures, both public and private, as authorized under §418.017 of the Texas Government Code, be implemented to meet that threat.

President Donald Trump issued a major disaster declaration and ordered federal aid to supplement state and local recovery efforts in the area affected by Hurricane Harvey.

TDI reminds insurers of their obligations under Insurance Code Chapter 551:

- Under Insurance Code 551.107 when nonrenewing a standard fire, homeowners, or farm or ranch owners policy due to a policyholder filing three or more claims under a policy in any three-year period, insurers may not consider:
 - losses caused by natural causes;
 - claims filed but not paid or payable; or
 - claims history for water damage under Insurance Code §544.353.
- Insurers may not consider a customer inquiry as a basis for nonrenewal under Insurance Code §551.113.
- All insurers should remember to comply with the requirements of Insurance Code Chapter 551 as applicable to the lines of coverage they write.

In addition, insurers should remember that practices related to nonrenewal are subject to restrictions against unfair discrimination under Insurance Code Chapter 544, Subchapters A and B.

Insurers that do not comply with statutory requirements are subject to enforcement action.

Questions regarding this bulletin should be directed to the Property and Casualty Lines Office by calling (512) 676-6710, or by email at CommercialPC@tdi.texas.gov.

For more information contact: CommercialPC@tdi.texas.gov

Hurricane Harvey – Restricting New Business for Personal Auto and Residential Property Insurance

To: ALL INSURANCE COMPANIES, CORPORATIONS, EXCHANGES, COUNTY MUTUALS, MUTUALS, RECIPROCALs, ASSOCIATIONS, LLOYDS, OR OTHER INSURERS WRITING PROPERTY AND CASUALTY INSURANCE IN THE STATE OF TEXAS; AGENTS AND REPRESENTATIVES; AND THE PUBLIC GENERALLY

Governor Greg Abbott issued a proclamation declaring a disaster due to the effects of Hurricane Harvey. The proclamation directs that all necessary measures, both public and private, as authorized under §418.017 of the Texas Government Code, be implemented to meet that threat.

President Donald Trump issued a major disaster declaration and ordered federal aid to supplement state and local recovery efforts in the area affected by Hurricane Harvey.

TDI reminds insurers that before they may restrict writing new business in response to a catastrophic natural event, they must file a restriction plan with TDI and obtain prior approval under Insurance Code §827.008. Insurers file restriction plans with the Company Licensing and Registration Office by email at CLRFilings@tdi.texas.gov.

Insurers that do not comply with statutory requirements are subject to enforcement action.

Questions regarding this bulletin should be directed to the Company Licensing and Registration Office by calling 512-676-6375, or by email at CompanyLicense@tdi.texas.gov.

For more information contact: CompanyLicense@tdi.texas.gov

Hurricane Harvey – Suspension of Certain Licensing Requirements and Fees for Certain Persons and Entities Living in the Areas Affected by the Harvey Disaster

To: TITLE AGENTS; ESCROW OFFICERS; LIFE SETTLEMENT BROKERS; LIFE SETTLEMENT PROVIDERS; PREMIUM FINANCE COMPANIES; UTILIZATION REVIEW AGENTS; AND THE PUBLIC GENERALLY

Governor Greg Abbott issued a proclamation declaring a disaster due to the effects of Hurricane Harvey. The proclamation directs that all necessary measures, both public and private, as authorized under § 418.017 of the Government Code, be implemented to meet that threat.

President Donald Trump issued a major disaster declaration and ordered federal aid to supplement state and local recovery efforts in the areas affected by Hurricane Harvey.

On September 11, 2017, Governor Abbott, in accordance with § 418.016 of the Government Code, approved suspension of certain licensing requirements and fees in order to allow all Texas-licensed title agents, escrow officers, life settlement brokers, life settlement providers, premium finance companies, and utilization review agents living in the areas affected by the Harvey disaster to focus on recovery from Hurricane Harvey. The effects of the suspensions are:

The period to renew an expired license as described in the following statutes and rules is 150 days for all licenses that expire on or before December 31, 2017: §§ 651.064 and 2651.055(d) of the Texas Insurance Code, L-2.V.D of the *Basic Manual of Rules, Rates and Forms for the Writing of Title Insurance* as adopted by reference 28 Texas Administrative Code § 9.01, and 28 Texas Administrative Code §§ 3.1722(e)(2) and 19.1704(h)(2).

The late renewal fee as described in the following statutes and rules is waived for all licenses that expire on or before December 31, 2017: §§ 651.064 and 2651.055(d) of the Texas Insurance Code, L-2.V.D of the *Basic Manual of Rules, Rates and Forms for the Writing of Title Insurance* as adopted by reference 28 Texas Administrative Code §§ 9.01, and 28 Texas Administrative Code § 3.1722(e)(2).

The \$50 automatic fine associated with not completing continuing education requirements described in 28 Texas Administrative Code § 3.1723(h) is waived for the current license period for all licenses that expire between August 24, 2017, and December 31, 2017.

The suspensions will be in effect until the earlier of the dates noted above, the date the Office of the Governor terminates the suspension, or until the Harvey disaster declaration is lifted or expires.

Please direct questions regarding this bulletin to the Licensing Services Section by calling (512) 676-6475, or by email at Licensing_Harveyresponse@tdi.texas.gov.

For more information contact: License@tdi.texas.gov

Hurricane Harvey – Suspension of Certain Licensing Requirements and Fees

To: ALL INSURANCE COMPANIES, CORPORATIONS, EXCHANGES, MUTUALS, RECIPROCALLS, ASSOCIATIONS, LLOYDS, OR OTHER INSURERS WRITING PROPERTY AND CASUALTY INSURANCE IN THE STATE OF TEXAS, INCLUDING WORKERS' COMPENSATION INSURANCE; AGENTS AND REPRESENTATIVES; AND ADJUSTERS; AND THE PUBLIC GENERALLY

Governor Greg Abbott issued a proclamation declaring a disaster due to the effects of Hurricane Harvey. The proclamation directs that all necessary measures, both public and private, as authorized under § 418.017 of the Government Code, be implemented to meet that threat.

President Donald Trump issued a major disaster declaration and ordered federal aid to supplement state and local recovery efforts in the areas affected by Hurricane Harvey.

On September 6, 2017, Governor Abbott, in accordance with § 418.016 of the Government Code, approved suspension of certain licensing requirements and fees in order to allow all Texas-licensed insurance agents and adjusters who are subject to the provisions listed below to focus on assisting Texas insureds in recovering from Hurricane Harvey. The effects of the suspensions are:

The period to renew an expired license described in Insurance Code § 4003.007 is 150 days for all licenses that expire on or before December 31, 2017.

The \$25 late renewal fee described in Insurance Code § 4003.007(a)(2)(B) is waived for all licenses that expire on or before December 31, 2017.

The \$50 automatic fine associated with not completing continuing education requirements described in § 19.1016(b)(1) of Title 28 of the Texas Administrative Code is waived for the current license period for all licenses that expire between August 24, 2017, and December 31, 2017.

The suspensions will be in effect until the earlier of the dates noted above, the date the Office of the Governor terminates the suspension, or until the Harvey disaster declaration is lifted or expires.

Please direct questions regarding this bulletin to the Agent and Adjuster Licensing Office by calling (512) 676-6500, or by email at Licensing_Harveyresponse@tdi.texas.gov.

For more information contact: License@tdi.texas.gov

Hurricane Harvey – Weather-Related Event that Occurred August 25, 2017, through August 31, 2017

To: All Companies, Corporations, Exchanges, Mutuals, Reciprocal, Associations, Lloyds, or Other Insurers Writing Property and Casualty Insurance in the State of Texas, and to Other Agents and Representatives and the General Public

Under Insurance Code §542.059 and 28 TAC §5.9303, the Texas Department of Insurance has issued an order determining that the weather-related event that occurred August 25, 2017, through August 31, 2017, in Aransas, Atascosa, Austin, Bastrop, Bee, Bexar, Brazoria, Brazos, Burleson, Caldwell, Calhoun, Cameron, Chambers, Colorado, Comal, DeWitt, Fayette, Fort Bend, Galveston, Goliad, Gonzales, Grimes, Guadalupe, Hardin, Harris, Hays, Hidalgo, Jackson, Jasper, Jefferson, Jim Wells, Karnes, Kleberg, Lavaca, Lee, Liberty, Live Oak, Matagorda, Montgomery, Newton, Nueces, Orange, Polk, Refugio, San Jacinto, San Patricio, Travis, Tyler, Victoria, Walker, Waller, Washington, Wharton, Williamson, and Wilson counties is a catastrophe for the purpose of claims processing. The order is available at www.tdi.texas.gov/orders/index.html.

Claims resulting from the identified catastrophe in the counties listed above will be subject to the additional time allowed for claims processing authorized by §542.059.

This declaration is necessary due to the large volume of claims resulting directly from this catastrophe, and based on the further understanding that insurers will continue to promptly identify, evaluate, and resolve these claims. Insurers must still promptly acknowledge receipt of a claim and make appropriate assignments for the investigation of a claim. Policyholders should continue to receive the timely service that they expect and should not experience delays in receiving the benefits that they deserve because of the additional time.

For more information contact: CommercialPC@tdi.texas.gov

Hurricane Harvey – Denial of Flood Losses

To: ALL PROPERTY AND CASUALTY INSURERS, THEIR AGENTS, AND THE PUBLIC GENERALLY

Governor Greg Abbott issued a proclamation declaring a disaster due to the effects of Hurricane Harvey. The proclamation directs that all necessary measures, both public and private, as authorized under §418.017 of the Texas Government Code, be implemented to meet that threat.

President Donald Trump issued a major disaster declaration and ordered federal aid to supplement state and local recovery efforts in the area affected by Hurricane Harvey.

Many people have suffered property losses due to flood damage not covered by their insurance policies. TDI encourages insurers responding to flood loss inquiries and claims to provide additional information to their insureds about potential Federal Emergency Management Agency (FEMA) assistance and FEMA contact information including the [disasterassistance.gov](https://www.disasterassistance.gov) website. Questions regarding this bulletin should be directed to the Property and Casualty Lines Office by calling (512) 676-6710, or by email at CommercialPC@tdi.texas.gov.

For more information contact: CommercialPC@tdi.texas.gov

Hurricane Harvey – An extraordinary event; Workers’ compensation issues concerning hurricane victims or evacuees

To: ALL INSURANCE COMPANIES, CORPORATIONS, EXCHANGES, MUTUALS, RECIPROCALLS, ASSOCIATIONS, LLOYDS, OR OTHER INSURERS WRITING WORKERS’ COMPENSATION AND EMPLOYERS’ LIABILITY INSURANCE IN THE STATE OF TEXAS AND TO AGENTS AND REPRESENTATIVES AND THE PUBLIC GENERALLY AND ALL WORKERS’ COMPENSATION SYSTEM PARTICIPANTS

Hurricane Harvey has had a catastrophic impact on Texans and their property, and Gov. Greg Abbott’s disaster proclamation will help Texans rebuild and recover. The proclamation directs that all necessary measures, both public and private, as authorized under §418.017 of the Texas Government Code, be implemented to meet that threat.

For the duration of the Governor’s disaster proclamation, and with reference to claims involving workers’ compensation claimants residing in a county included in the Governor’s disaster proclamation insurance carriers must provide or continue to provide:

- Processing and delivery of benefit checks and necessary medical care, services, and supplies, including physical therapy, pharmaceutical benefits, and medical equipment,
- Waiver of penalties and restrictions related to necessary emergency and non-emergency health care provided out-of-network,
- Coverage of payment for necessary emergency and non-emergency health care services obtained out-of-network,
- Extended deadlines for medical examinations,
- Authorize payment to pharmacies for up to a ninety day supply of any prescription medication, subject to the remaining number of days authorized by the prescribing provider, for individuals regardless of the date upon which the prescription had most recently been filled, and
- Expedited change of address processing.

For system participants who reside in the counties listed in the Governor’s disaster proclamation, the Texas workers’ compensation deadlines for the following procedures are tolled through the duration of the Governor’s disaster proclamation:

- Workers’ compensation claim notification and filing deadlines,
- Medical billing deadlines,
- Medical and income benefit payment deadlines,
- Electronic data reporting deadlines, and
- Medical and income benefit dispute deadlines.

DWC also recognizes that first responders are currently on the front lines of this disaster, helping their fellow Texans. Political subdivisions should keep in mind that Section 504.055 of the Texas Labor Code states that both DWC and political subdivisions shall accelerate and give first priority to an injured first responder's claim for workers' compensation medical benefits if that first responder sustains a serious bodily injury in the course and scope of employment.

The Office of Injured Employee Counsel has a designated First Responder Liaison, Yolanda Garcia, who can be reached at 512-804-4173 or FirstResponderHelp@oiec.texas.gov.

Key contact numbers:

- To reschedule a benefit review conference or a contested case hearing, call DWC's local field office or, if the office is not available, 1-800-252-7031.
- For questions related to workers' compensation health care networks, call 866-554-4926 or 512-676-6400, Option # 7 or contact wcnet@tdi.state.tx.us.
- For other questions related to the disaster, call the Workers' Compensation Injured Employee Hotline at 1-800-252-7031.

This supersedes any prior bulletin.

Ryan Brannan

Commissioner of Workers' Compensation

Texas Department of Insurance-Division of Workers' Compensation

For more information contact: WorkersComp@tdi.texas.gov

Hurricane Harvey – Vacancy Provisions

To: ALL INSURANCE COMPANIES, CORPORATIONS, EXCHANGES, MUTUALS, RECIPROCALs, ASSOCIATIONS, LLOYDS, OR OTHER INSURERS WRITING PROPERTY AND CASUALTY INSURANCE IN THE STATE OF TEXAS; AGENTS AND REPRESENTATIVES; AND THE PUBLIC GENERALLY

Governor Greg Abbott issued a proclamation declaring a disaster due to the effects of Hurricane Harvey. The proclamation directs that all necessary measures, both public and private, as authorized under §418.017 of the Texas Government Code, be implemented to meet that threat.

President Donald Trump issued a major disaster declaration and ordered federal aid to supplement state and local recovery efforts in the area affected by Hurricane Harvey.

The Texas Department of Insurance encourages insurers to provide relief to those residents and policyholders who have been temporarily displaced, including the suspension of any vacancy provision in the policy, to allow continuing insurance coverage. This bulletin is not intended to limit the application of a vacancy provision for policyholders who have moved permanently from their home or business.

Questions regarding this bulletin should be directed to the Property and Casualty Lines Office by calling (512) 676-6710, or by email at CommercialPC@tdi.texas.gov.

For more information contact: ChiefClerk@tdi.texas.gov

Hurricane Harvey – Vacancy Provisions

To: ALL INSURANCE COMPANIES, CORPORATIONS, EXCHANGES, MUTUALS, RECIPROCALs, ASSOCIATIONS, LLOYDS, OR OTHER INSURERS WRITING PROPERTY AND CASUALTY INSURANCE IN THE STATE OF TEXAS; PREMIUM FINANCE COMPANIES; MANAGING GENERAL AGENTS; ADJUSTERS; AND THE PUBLIC GENERALLY

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President Donald Trump issued a major disaster declaration and ordered federal aid to supplement state and local recovery efforts in the area affected by Hurricane Harvey.

TDI reminds all persons, including adjusters, building and repair contractors, and insurers, that pursuant to Insurance Code §543.001, an insurer or its representative, or any other person, may not misrepresent the terms and provisions of a policy. Further, as stated in 28 Texas Administrative Code §5.9970(d) and (e), persons insured under a homeowners or dwelling policy are entitled to have their home repaired by the person of their choice.

Under Insurance Code §542.003(a), an insurer engaging in business in this state may not engage in an unfair claim settlement practice. Not attempting in good faith to effect a prompt, fair, and equitable settlement of a claim submitted in which liability has become reasonably clear constitutes an unfair claim settlement practice under Insurance Code §542.003(b)(4).

If you have questions regarding this bulletin, contact the Consumer Protection Division by calling (800) 252-3439, or the Fraud Unit at (888) 327-8818.

For more information contact: FraudUnit@tdi.texas.gov

Hurricane Harvey – Denial of Wind Losses

To: ALL PROPERTY AND CASUALTY INSURERS AND THEIR AGENTS, AND THE PUBLIC GENERALLY

Governor Greg Abbott issued a proclamation declaring a disaster due to the effects of Hurricane Harvey. The proclamation directs that all necessary measures, both public and private, as authorized under §418.017 of the Texas Government Code, be implemented to meet that threat.

President Donald Trump issued a major disaster declaration and ordered federal aid to supplement state and local recovery efforts in the area affected by Hurricane Harvey.

Insurers who deny coverage for wind losses are encouraged to inform policyholders of potential coverage under the Texas Windstorm Insurance Association (TWIA) if the loss occurred in the TWIA coverage area.

Questions regarding this bulletin should be directed to the Property and Casualty Lines Office by calling (512) 676-6710, or by email at CommercialPC@tdi.texas.gov.

For more information contact: PropertyCasualty@tdi.texas.gov

Hurricane Harvey – Credit Scoring and Credit Information

To: ALL INSURANCE COMPANIES, CORPORATIONS, EXCHANGES, MUTUALS, RECIPROCALs, ASSOCIATIONS, LLOYDS, OR OTHER INSURERS WRITING PROPERTY AND CASUALTY INSURANCE IN THE STATE OF TEXAS; AGENTS AND REPRESENTATIVES; AND THE PUBLIC GENERALLY

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President Donald Trump issued a major disaster declaration and ordered federal aid to supplement state and local recovery efforts in the area affected by Hurricane Harvey.

With the possible relocation of hurricane victims and other personal hardships sustained by residents of counties covered in the governor's proclamations, the Texas Department of Insurance reminds carriers of their obligations under §559.103 of the Texas Insurance Code. These obligations apply to the writing of personal insurance in this state, including the writing of personal insurance for Texas residents affected by the hurricane.

Section 559.103 allows an insurer to grant an exception to an insurer's rates, rating classifications, or underwriting rules for an applicant for insurance coverage or an insured for an extraordinary event. The section also requires that an insurer provide reasonable exceptions for a consumer whose credit information has been directly influenced by a catastrophic illness or injury; by the death of a spouse, child, or parent; by temporary loss of employment; by divorce; or by identity theft, on written request from an applicant for insurance coverage or an insured. The insurer may consider only credit information not affected by the event or shall assign a neutral credit score.

The Texas Department of Insurance urges insurers to avoid placing additional burdens on victims or evacuees of Hurricane Harvey and encourages insurers to accept verbal requests in lieu of written as stated in §559.103.

Section 559.103 applies to personal insurance, which includes personal automobile, residential property, residential fire and allied lines insurance policies; or a noncommercial insurance policy covering a boat, personal watercraft, snowmobile, or recreational vehicle.

Questions regarding this bulletin may be directed to the Property and Casualty Actuarial Office at (512) 676-6700, or by email to PCActuarial@tdi.texas.gov.

For more information contact: PCActuarial@tdi.texas.gov

Hurricane Harvey – Property and Casualty Rating and Underwriting

To: ALL INSURANCE COMPANIES, CORPORATIONS, EXCHANGES, MUTUALS, RECIPROCALs, ASSOCIATIONS, LLOYDS, OR OTHER INSURERS WRITING PROPERTY AND CASUALTY INSURANCE IN THE STATE OF TEXAS, INCLUDING WORKERS' COMPENSATION CARRIERS; AGENTS AND REPRESENTATIVES; PREMIUM FINANCE COMPANIES; AND THE PUBLIC GENERALLY

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President Donald Trump issued a major disaster declaration and ordered federal aid to supplement state and local recovery efforts in the area affected by Hurricane Harvey.

It is the opinion of the Texas Department of Insurance that it is inappropriate for insurers to re-rate, cancel, nonrenew, or refuse to provide coverage due solely to a policyholder's status as a victim or evacuee of Hurricane Harvey. Further, it is not reasonable to change a policyholder's rating classifications or increase their insurance rates solely because they are a victim or evacuee of Hurricane Harvey.

A carrier extending coverage has the right to earn premium on that extended coverage in accordance with statutory requirements of reasonableness.

Questions regarding this bulletin may be directed to the Property and Casualty Actuarial Office by calling (512) 676-6700, or by email at PCActuarial@tdi.texas.gov.

For more information contact: PCActuarial@tdi.texas.gov

Hurricane Harvey – Prescription Medication Coverages

To: ALL INSURERS LICENSED TO WRITE LIFE AND ACCIDENT AND HEALTH INSURANCE, HEALTH MAINTENANCE ORGANIZATIONS, WORKERS' COMPENSATION CARRIERS, AGENTS, THIRD PARTY ADMINISTRATORS, UTILIZATION REVIEW AGENTS, PREMIUM FINANCE COMPANIES, AND ALL MEWAS LICENSED IN TEXAS

Re: Hurricane Harvey – Prescription Medication Coverages

Governor Greg Abbott issued a proclamation declaring a disaster due to the effects of Hurricane Harvey. The proclamation directs that all necessary measures, both public and private, as authorized under §418.017 of the Texas Government Code, be implemented to meet that threat.

President Donald Trump issued a major disaster declaration and ordered federal aid to supplement state and local recovery efforts in the area affected by Hurricane Harvey.

With the relocation of hurricane victims and other personal hardships sustained by residents of counties covered in the governor's proclamations, regardless of where those residents have temporarily relocated, many insureds, enrollees, and certificate holders will be away from their residence locations and health care service areas. It is the opinion of the Texas Department of Insurance that all health insurers and health maintenance organizations that provide prescription medication coverage as part of any policy, certificate, or evidence of coverage should, through the duration of the governor's proclamations, authorize payment to pharmacies for up to a ninety day supply of any prescription medication for individuals regardless of the date upon which the prescription had most recently been filled

Questions regarding this bulletin may be directed to MCQA by calling (512) 676-6400, option #7, or by email at MCQA@tdi.texas.gov.

Hurricane Harvey – Commercial Automobile Insurance

To: ALL INSURANCE COMPANIES, CORPORATIONS, EXCHANGES, MUTUALS, RECIPROCALs, ASSOCIATIONS, LLOYDS, OR OTHER INSURERS WRITING PROPERTY AND CASUALTY INSURANCE IN THE STATE OF TEXAS; AGENTS AND REPRESENTATIVES; AND THE PUBLIC GENERALLY

Governor Greg Abbott issued a proclamation declaring a disaster due to the effects of Hurricane Harvey. The proclamation directs that all necessary measures, both public and private, as authorized under §418.017 of the Texas Government Code, be implemented to meet that threat.

President Donald Trump issued a major disaster declaration and ordered federal aid to supplement state and local recovery efforts in the area affected by Hurricane Harvey.

This bulletin is issued as guidance for those insurers contemplating changes in classification of commercial auto vehicles from local to intermediate or long haul, cancellation or nonrenewal of policies, or refusal to provide coverage due solely to participation in the relief effort.

The Texas Department of Insurance is of the opinion that in instances where insureds or potential insureds are temporary participants in the relief effort of Hurricane Harvey, it is inappropriate for insurers to re-rate, cancel, nonrenew, or refuse to provide coverage due solely to that participation.

Questions regarding this bulletin may be directed to Property and Casualty Actuarial Office, by calling (512) 676-6700, or by email at PCActuarial@tdi.texas.gov.

For more information contact: PCActuarial@tdi.texas.gov

Hurricane Harvey – Preauthorized Health Care, Referrals, Notification of Hospital Admissions, and Medical Necessity Reviews

To: ALL INSURERS LICENSED TO WRITE LIFE AND ACCIDENT AND HEALTH INSURANCE, HEALTH MAINTENANCE ORGANIZATIONS, AGENTS, THIRD-PARTY ADMINISTRATORS, UTILIZATION REVIEW AGENTS, PREMIUM FINANCE COMPANIES, EXCLUSIVE PROVIDER PLANS, AND MEWAS LICENSED IN TEXAS

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President Donald Trump issued a major disaster declaration and ordered federal aid to supplement state and local recovery efforts in the area affected by Hurricane Harvey.

Because of the potential storm damage to local, regional, and state-wide utilities and infrastructure, many insureds, enrollees, or certificate holders could be forced to evacuate their residence locations and health care service areas. Restrictions on insureds, enrollees, or certificate holders will result in many storm victims being without necessary health care or dental services. Insureds, enrollees, or certificate holders should not be left without their necessary health care or dental services during a disaster or threat of imminent disaster. Under these circumstances, it is the opinion of the Texas Department of Insurance that all health insurance companies and health maintenance organizations should waive penalties and restrictions on insureds, certificate holders, or enrollees when these insureds, enrollees, or certificate holders obtain necessary emergency and nonemergency health and dental services out-of-network as a result of the disaster through the duration of the governor's proclamations. Additionally, health insurance companies and health maintenance organizations should not deny payment for necessary emergency and nonemergency health and dental services that are obtained out-of-network as a result of the threat of imminent disaster through the duration of the governor's proclamations.

The storm damage will also impact physicians and providers, both in the areas that are subject to evacuation requirements and in the areas to which evacuees are relocated, thus affecting the provision of health care services and the submission of claims for those services. Insureds, enrollees, or certificate holders should have access to necessary health care and dental services during a disaster, and physicians and providers should be able to provide such care and services without concern for applicable claim filing deadlines. Under these circumstances, it is the opinion of the Texas Department of Insurance that all health insurance companies and health maintenance organizations should extend, as necessary, through the duration of the governor's proclamations, any claim-filing deadlines for providers, insureds, certificate holders, or enrollees, including those set forth in Insurance Code §§1301.102 and 843.337(a), and 28 Texas Administrative Code §21.2806(a) and §21.2819.

The Texas Department of Insurance also reminds insurance companies and health maintenance organizations subject to the prompt payment of claims provisions of the Texas Insurance Code and the Texas Administrative Code relating to catastrophic events. These provisions allow payors that experience a catastrophic event to toll applicable prompt payment deadlines upon communicating to the Texas Department of Insurance the occurrence and circumstances of a catastrophic event. The payor's initial notice should be in writing and addressed to Managed Care Quality Assurance Mail Code 103-6A, Texas Department of Insurance, P.O. Box 149104, Austin, Texas 78701-9104.

In addition, the damage to infrastructure and the increased need for health care services may frustrate the ability of insureds, enrollees, or certificate holders to comply with health plan contractual provisions, which could result in many hurricane victims being without necessary health care or dental services. Insureds, enrollees, or certificate holders should not be left without their necessary health care or dental services during a catastrophic event. Under these circumstances, the Texas Department of Insurance is of the opinion that all insurance companies and health maintenance organizations should waive contractual restrictions that require insureds, certificate holders, or enrollees to obtain preauthorization, referrals, notification of hospital admissions, or medical necessity reviews for specified health care or dental services through the duration of the governor's proclamations.

Questions regarding this bulletin may be directed to MCQA by calling (512) 676-6400, option #7, or by email at MCQA@tdi.texas.gov.

Hurricane Harvey – Claims Adjusting and Adjusters

To: ALL INSURANCE COMPANIES, CORPORATIONS, EXCHANGES, MUTUALS, RECIPROCALLS, ASSOCIATIONS, LLOYDS, OR OTHER INSURERS WRITING PROPERTY AND CASUALTY INSURANCE IN THE STATE OF TEXAS, INCLUDING WORKERS' COMPENSATION INSURANCE; PREMIUM FINANCE COMPANIES; AGENTS AND REPRESENTATIVES; AND ADJUSTERS; AND THE PUBLIC GENERALLY

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President Donald Trump issued a major disaster declaration and ordered federal aid to supplement state and local recovery efforts in the area affected by Hurricane Harvey.

In the current disaster circumstances, the Texas Department of Insurance reminds carriers that Insurance Code §4101.002(b) and §4101.101 authorize carriers to immediately use nonresident and emergency adjusters to handle claims. These provisions are discussed at: www.tdi.texas.gov/licensing/agent/agemeradj.html.

With the relocation of hurricane victims and other personal hardships sustained by residents of counties covered in the governor's proclamations, TDI encourages carriers to use all available means to provide prompt and immediate relief to those residents and policyholders.

Insurance Code §4101.251 prohibits licensed adjusters from adjusting a loss related to roofing damage on behalf of an insurer if the adjuster is a roofing contractor or otherwise provides roofing services or roofing products for compensation, or is a controlling person in a roofing-related business. The section also prohibits a roofing contractor from acting as an adjuster or advertising to adjust claims for any property for which the roofing contractor is providing or may provide roofing services, regardless of whether the contractor holds a license under this chapter.

Chapter 4102 of the Insurance Code requires all persons acting as public insurance adjusters to be licensed by the department. The Insurance Code provides for both civil and criminal penalties for violating this license requirement.

Insurance Code §4102.001(3) defines a public insurance adjuster as:

- A. A person who, for direct, indirect, or any other compensation:
 - (i) acts on behalf of an insured in negotiating for or effecting the settlement of a claim or claims for loss or damage under any policy of insurance covering real or personal property;
 - or

(ii) on behalf of any other public insurance adjuster, investigates, or settles, or adjusts or advises an insured with a claim or claims for loss or damage under any policy of insurance covering real or personal property; or

B. A person who advertises, solicits business, or holds himself or herself out to the public as an adjuster of claims for loss or damage under any policy of insurance covering real or personal property.

Insurance Code §4102.151 prohibits public insurance adjusters from soliciting or attempting to solicit clients for employment during the progress of a loss-producing natural disaster occurrence.

Insurance Code §4102.158 prohibits public insurance adjusters from participating directly or indirectly in the reconstruction, repair, or restoration of damaged property that is the subject of a claim adjusted by the license holder or engaging in any other activities that may reasonably be construed as presenting a conflict of interest, including soliciting or accepting any remuneration from, or having a financial interest in, any salvage firm, repair firm, or other firm that obtains business in connection with any claim the licensee has a contract or agreement to adjust.

Insurance Code §4102.163 prohibits a roofing contractor from acting as a public adjuster or advertising to adjust claims for any property for which the contractor is providing or may provide roofing services, regardless of whether the contractor holds a license under this chapter.

Contractors are not listed among the persons exempt from the licensing requirement in Insurance Code §4102.002.

Chapter 4102 does not prohibit contractors from providing estimates or discussing those estimates and other technical information with an insurer or its adjuster.

Questions regarding this bulletin may be directed to the Agent and Adjuster Licensing Office by calling (512) 676-6500 or the Fraud Unit by calling (888) 327-8818.

For more information contact: License@tdi.texas.gov

Hurricane Harvey – Medical Equipment and Services

To: ALL INSURERS LICENSED TO WRITE LIFE AND ACCIDENT AND HEALTH INSURANCE, HEALTH MAINTENANCE ORGANIZATIONS, WORKERS' COMPENSATION CARRIERS, ALL LICENSED AGENTS, ALL THIRD-PARTY ADMINISTRATORS, ALL UTILIZATION REVIEW AGENTS, EXCLUSIVE PROVIDER PLANS, AND MEWAS LICENSED IN TEXAS

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President Donald Trump issued a major disaster declaration and ordered federal aid to supplement state and local recovery efforts in the area affected by Hurricane Harvey.

With the possible relocation of hurricane victims and other personal hardships sustained by residents of counties covered in the governor's proclamations, regardless of where those residents have temporarily relocated, many insureds, enrollees, certificate holders, and injured workers may not be able to, or have the ability to, access medical equipment, supplies, and services necessary to maintain their health. Insureds, enrollees, certificate holders, and injured workers who are residents of the subject counties, regardless of where those residents may be temporarily located, should not be without their necessary services, supplies, and equipment to maintain their health during a disaster or threat of imminent disaster and danger. It is the opinion of the Texas Department of Insurance that all health insurers and health maintenance organizations that provide health coverage or cover the payment of medical or other health care services as a part of any policy or certificate or evidence of coverage should, throughout the duration of the governor's proclamations, authorize payment for necessary medical equipment, supplies, and services regardless of the date on which the service, equipment, or supplies were most recently provided.

Questions regarding this bulletin may be directed to Managed Care Quality Assurance by calling (512) 676-6400, option #7, or by email at MCQA@tdi.texas.gov.

For more information contact: MCQA@tdi.texas.gov

Hurricane Harvey – Premium Payments Grace Period

To: ALL INSURERS LICENSED TO WRITE LIFE AND ACCIDENT AND HEALTH INSURANCE, HEALTH MAINTENANCE ORGANIZATIONS, AGENTS, THIRD-PARTY ADMINISTRATORS, UTILIZATION REVIEW AGENTS, MEWAS LICENSED IN TEXAS; ALL INSURANCE COMPANIES, CORPORATIONS, EXCHANGES, MUTUALS, RECIPROCALLS, ASSOCIATIONS, LLOYDS, OR OTHER INSURERS WRITING PROPERTY AND CASUALTY INSURANCE IN THE STATE OF TEXAS, INCLUDING WORKERS' COMPENSATION INSURANCE; AGENTS AND REPRESENTATIVES; ADJUSTERS; PREMIUM FINANCE COMPANIES; AND THE PUBLIC GENERALLY

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President Donald Trump issued a major disaster declaration and ordered federal aid to supplement state and local recovery efforts in the area affected by Hurricane Harvey.

TDI encourages carriers to provide relief to those policyholders in counties covered in the governor's proclamations, including the suspension of premium payments to allow continuing insurance coverage. In conjunction with this effort and in accordance with the governor's proclamations, TDI will work with carriers to minimize the regulatory effects of a carrier's suspension of premium payments, specifically in regard to financial review requirements. The term "suspension" is not intended to mean the forgiveness of the premium. Carriers are encouraged to work with policyholders in the collection of premiums, including payment plans

The normal premium debits from financial institutions may continue in place according to a carrier's written agreement with a policyholder, unless a problem exists with premium debits, or a policyholder's specific hardship directs a carrier otherwise. This should be weighed against the potential disruption to a carrier's business model or the inconvenience caused to the policyholder by multiple payments. It is TDI's expectation that any problems resulting from this issue will be resolved between the parties without a complaint being filed. This would include a carrier working with a policyholder to minimize the effects of any penalties or charges associated with premium debits.

Questions regarding this bulletin may be directed to the Financial Regulation Division, by calling (512) 676-6365.

For more information contact: ChiefClerk@tdi.texas.gov

Weather-Related Event that Occurred March 26, 2017 through March 27, 2017

To: All Companies, Corporations, Exchanges, Mutuals, Reciprocal, Associations, Lloyds, or Other Insurers Writing Property and Casualty Insurance in the State of Texas and to Other Agents and Representatives and the General Public

Under Insurance Code §542.059 and 28 TAC §5.9303, the commissioner of insurance has issued an order determining that the weather-related event that occurred March 26, 2017, through March 27, 2017, in the counties of Bell, Collin, Dallas, Denton, Tarrant, and Wise is a catastrophe for the purpose of claims processing. The order is available at www.tdi.texas.gov/orders/index.html. Claims resulting directly from the identified catastrophe in the counties listed above will be subject to the additional time allowed for claims processing authorized by §542.059.

This declaration is necessary due to the large volume of claims resulting directly from this catastrophe, and based on the further understanding that insurers will continue to promptly identify, evaluate, and resolve these claims. Insurers must still promptly acknowledge receipt of a claim and make appropriate assignments for the investigation of a claim. Policyholders should continue to receive the timely service that they expect and should not experience delays in receiving the benefits that they deserve because of the additional time.

For more information contact: CommercialPC@tdi.texas.gov