



General Assembly

Amendment

January Session, 2009

LCO No. 7659

SB0089407659HRO

Offered by:
REP. CANDELORA, 86th Dist.

To: Subst. Senate Bill No. 894 File No. 43 Cal. No. 632

(As Amended by Senate Amendment Schedule "A")

"AN ACT REQUIRING DISCLOSURE OF AUTOMOBILE LIABILITY INSURANCE POLICY LIMITS PRIOR TO THE FILING OF A CLAIM."

1 Strike subsection (b) of section 1 in its entirety and insert the
2 following in lieu thereof:

3 "(b) (1) Each written request for disclosure shall be accompanied by
4 a letter from an attorney-at-law admitted to practice in this state or an
5 affidavit of the individual that sets forth (A) the type of claim alleged
6 against the insured, (B) the date and approximate time of the alleged
7 incident that gave rise to the request for disclosure, and (C) a
8 description of the injuries alleged to have been caused by the insured.
9 An attorney-at-law who submits a letter requesting disclosure
10 pursuant to this section shall include the attorney's juris number in the
11 letter.

12 (2) Each such request shall also include: (A) A written authorization
13 for disclosure of the individual's medical records; (B) a copy of the

14 individual's medical bills and medical records from the treatment of
15 such injuries; and (C) a copy of the accident report, if available, of the
16 motor vehicle collision that allegedly caused the individual's injuries
17 or death.

18 (3) At the insured's request, an individual requesting disclosure
19 under this section shall be subject to an independent medical
20 examination not later than thirty days after the insurer provides
21 written disclosure as set forth in subsection (a) of this section."