

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

HOUSE BILL

1547

By: Representatives Ellis, Blair, Flanagin

For An Act To Be Entitled

"AN ACT TO REQUIRE PROPERTY AND CASUALTY INSURERS AND HEALTH CARE INSURERS TO REPORT ANNUALLY REGARDING CLAIMS EXPERIENCED IN THIS STATE; TO PROVIDE FOR THE FORM OF THE REPORTS AND THE INFORMATION TO BE INCLUDED THEREIN; TO REQUIRE THE COMMISSIONER OF INSURANCE TO COMPILE AND REVIEW ALL REPORTS AND TO PUBLISH A REPORT; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. (a) The Insurance Commissioner shall promulgate rules and regulations which shall require each insurer licensed to write property and casualty insurance and/or health care insurance in this State to submit an annual report on a form furnished by the Commissioner showing its direct writings in this State.

(b) The report required by this act shall include but not be limited to the following types of insurance written by such insurer:

(1) motor vehicle bodily injury liability insurance, including medical pay insurance;

(2) products liability insurance;

(3) medical malpractice insurance;

(4) architects' and engineers' malpractice insurance;

(5) attorneys' malpractice insurance;

(6) motor vehicle personal injury protection insurance;

(7) motor vehicle property liability insurance;

(8) uninsured motorist insurance;

(9) underinsured motorist insurance;

(10) workers' compensation insurance;

(11) disability insurance;

(c) The supplemental reports shall include the following data for the previous year ending on the thirty-first day of December:

- (1) direct premiums written;
- (2) direct premiums earned;
- (3) net investment income, including net realized capital gains and losses, using appropriate estimates where necessary;
- (4) incurred claims, developed as the sum, and with figures provided for, of the following:
 - (i) dollar amount of claims closed with payment, plus
 - (ii) reserves for reported claims at the end of the current year, minus
 - (iii) reserves for reported claims at the end of the previous year, plus
 - (iv) reserves for incurred but not reported claims at the end of the current year, minus
 - (v) reserves for incurred but not reported claims at the end of the previous year, plus
 - (vi) reserves for loss adjustment expense at the end of the current year, minus
 - (vii) reserves for loss adjustment expense at the end of the previous year;
- (5) litigation expenses incurred in defending against insurance claims;
- (6) actual incurred expenses allocated separately to loss adjustment, commissions, other acquisition costs, general office expenses, taxes, licenses and fees and all other expenses;
- (7) net underwriting gain or loss;
- (8) net operation gain or loss, including net investment income;
- (9) total campaign contributions for elected officials and candidates for elected office;

(d) This report shall be due by the first of March of each year, and the first report shall cover the year 1987.

(e) It shall be the duty of the Commissioner to annually compile and review all such reports submitted by insurers pursuant to this act. The filings shall be published and made available to any interested insured or citizen.

SECTION 2. All provisions of this Act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 3. All laws and parts of laws in conflict with this Act are hereby repealed.

