



New York Public Adjusters Association

50 STATE ANALYSIS OF BAD FAITH PROTECTIONS FOR FIRST PARTY INSURANCE CONSUMERS

NEW YORK INSURANCE CONSUMERS ARE AMONG THE LEAST PROTECTED IN THE COUNTRY...
HERE'S WHY:

ONLY 3 STATES AND THE DISTRICT OF COLUMBIA LEAVE THEIR INSURED'S COMPLETELY UNPROTECTED FROM BAD FAITH CLAIMS PRACTICES.

- New Hampshire
- New York**
- Oregon
- Washington, D.C.

27 States have legislated additional protections against bad faith claims practices using a variety of formulations for punitive damages, attorney fee recovery, enhanced interest allowances, consequential damages, and treble damages.

18 of those 27 States also have a history of protecting their insurance consumers by common-law precedent in addition to the legislation enacted while 20 States have protected consumers by common-law alone.

STATES WITH STATUTORY PROTECTIONS

Alabama, Colorado, Connecticut, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Minnesota, Missouri, Montana, Nevada, New Mexico, North Carolina, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, Washington, West Virginia,

STATES WITH COMMON-LAW PROTECTIONS

Alaska, Arizona, Arkansas, California, Delaware, Hawaii, Iowa, Kansas, Michigan, Mississippi, Nebraska, New Jersey, North Dakota, Ohio, Oklahoma, Puerto Rico, South Dakota, Utah, Wisconsin, Wyoming

Data provided by the International Association of Defense Counsel Insurance and Reinsurance Committee
Verified for this submission by Wilkofsky, Friedman, Karel & Cummins, April, 2017

Senate bill 242 | Assembly bill 921