

August 8, 2025

Washington Office of The Insurance Commissioner
5000 Capitol Blvd., SE
Tumwater, WA 98501

Regarding Clarifying and updating the minimum standards for claims handling (R 2025-05)

Dear Commissioner's Office:

Please see my comments below supporting the proposed changes to Washington Insurance Regulations:

Consumer Protection Act Provisions: The addition of this provision throughout these regulations will help consumers obtain remedies available under existing consumer protection laws.

WAC 284-30-320(2) A insured person should be able to open a claim in plain language by informing the insurance company of a loss. This is an important consumer protection measure guaranteeing consumers the benefit of the bargain. Many consumers do not know what "tendering a claim" means. Ensuring that no arcane or technical phrases are required to make a claim promotes society's interest and those who call their insurance company for assistance will be able to obtain the coverage that they have purchased.

WAC 284-30-330(4-5) Clarifying that refusing the pay a claim and denial are tantamount will prevent insurers from hiding behind lack of denial when they fail to make payments. To an insured person a delay or a denial are the same, they are not getting the funds needed to compensate them for their losses.

WAC 284-30-330(11) Expanding this provision from physicians to service providers will encompass more types of insurance under the prohibition and assist consumers by eliminating inefficient and duplicative requests for information.

WAC 284-30-330(14) This provision requires insurers to provide information promptly, supporting timely claims resolution and more effective service by public adjusters.

WAC 284-30-330 (20-21) These provisions related to emergency mitigation will help eliminate issues facing homeowners who see significant delays in their claim early on, sometimes waiting months for an insurer to take any action on their claim. In some cases, additional damages are caused by delays which could be prevented with adherence to the proposed section.

WAC 284-30-330 (22) This change is an essential clarification, as the damage to the property should be accurately assessed by experts without undue influence.

WAC 284-30-330 (23) This is an active problem which needs to be resolved and has personally affected my client who has made a claim for property damage when another party was at fault, but the insurer/s improperly and inaccurately reported the loss as an at fault claim which now shows up on my client's loss history. Such errors are extremely difficult for a consumer to discover or repair and the burden should fall to the insurers to get it right and fix any issues that they cause through improper reporting.

WAC 284-30-340(2) Insurance companies regularly conceal the bids and estimates that they receive from third parties and try to write down the amounts their own hired professionals determine the losses will cost, transparency will help eliminate this practice. Insurers frequently refuse to offer consumers copies of correspondence, notes, or sections of their own file, including those requested by Public Adjusters. Clarifying that the insurer must timely respond to requests for information will be invaluable for consumers who need help understanding what is happening with their claims. Since these files must be made available to the Insurance Commissioner's office under the current regulations, it should not burden an insurer to provide this information to its client.

WAC 284-30-370(1) This additional clarification will encourage insurers to timely investigate claims and explain what their investigation is waiting for. Frequently, insurers do not take any action to investigate promptly and send monthly form letters, sometimes as small as a single line. This new provision will mandate the insurer perform timely investigations or articulate accurate and real reasons the claims have not been resolved. One of the major issues faced specifically by homeowners who make claims is the exhaustion of their alternative living expense coverage while they await decisions regarding the property damage claims. The insurer wastes valuable time in evaluating the loss, delaying investigation and payments to the extreme detriment of their insured.

This is also true in cases where there is no coverage for loss of use in cases of vehicle damage, where the insured waits weeks or months for a check to buy a new vehicle and have no transportation in the interim. This is the most important and needed revision of all the changes, to protect consumers and ensure timely payment of claims.

WAC 284-30-380(7-8) This provision will assist in the resolution of property damage claims holding insurers responsible for their own evaluation of property damage. Transparency in databases and survey, material pricing, and labor rates, will allow consumers to understand the basis of the insurer's position and an opportunity to challenge it, when appropriate.

This letter outlines many of the changes that I find particularly valuable in assisting consumers and ensuring clarity. Each of the proposed changes earns the full support of this firm, they are necessary to improve consumer experience, speedy and efficient resolution of claims, and clarify the rules.

Sincerely,
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