

OIC Rules Coordinator

From: Jaime Cumming <jcumming@pearsonlawfirm.com>
Sent: Friday, August 1, 2025 12:14 PM
To: OIC Rules Coordinator
Subject: R2025-05 First Prepublication draft comment

External Email

Dear Office of the Insurance Commissioner,

I am writing as a Washington State personal injury attorney and a consumer to express my strong support for R2025-05. This proposed regulation represents a necessary and overdue effort to improve transparency, accountability, and fairness in how insurers interact with first- and third-party claimants.

My practice focuses on advocating for clients who are often navigating complex claims while dealing with the trauma of injury, displacement, and financial uncertainty. The reforms in R2025-05 directly address systemic barriers my clients face, including:

- **Delayed or inadequate communication from insurers**, which undermines timely access to care and resolution.
- **Unclear regulatory language in existing WACs**, leading to inconsistent enforcement and allowing insurers to sidestep responsibilities.
- **Restricted access to claim files**, leaving consumers without the tools to fully understand or respond to decisions impacting their rights.
- **Reliance on databases over investigation**, resulting in unjust denials and eroding public trust in the claims process.
- **Rejection of legitimate mitigation costs during emergencies**, punishing policyholders for protecting their property under crisis conditions.
- **Appraisal interference and opaque vehicle damage evaluations**, which disadvantage vulnerable consumers and suppress fair recovery.

The harmonization of WAC language with established Washington case law is particularly important. Courts have affirmed that even one violation of these regulations may constitute an unfair practice under the Consumer Protection Act or reflect insurer bad faith. R2025-05 ensures that statutory intent is not just acknowledged—but enforceable.

I urge the OIC to adopt R2025-05 in full. These changes do not merely update regulatory language—they protect families, promote integrity, and restore fairness to a system that should serve the people it insures.

Thank you for your leadership on behalf of Washington consumers.

Sincerely,

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