

OIC Rules Coordinator

From: Eddie Morfin <eddie@morfinlawfirm.com>
Sent: Monday, August 4, 2025 1:11 PM
To: OIC Rules Coordinator
Subject: Minimum Standards for Claims Handling (R 2025-05)

External Email

I would like to commend the OIC for the proposed rule changes that are very necessary. Great job!

I agree with the changes to WAC 284-30-330, and would like to see clarification that a violation of any of those provisions is a violation of the IFCA.

I have seen firsthand that insurers are making arbitrary adjustments to total loss vehicle claims due to “condition” adjustments, and they not only make one, but two on the valuation reports, and they do not corroborate or verify the condition of any vehicles. The proposed rule requiring substantiation of the condition adjustment is a much-needed change.

I have challenged insurers many times to just pay claimants instead of forcing them to hire me to force insurers to do what they should be doing. I am not sure what could be done there, but if there was a way to track which insurance companies have a significantly higher incidence of lawsuits, it would show which insurers are using litigation as a sword against claimants to try to chill claim values and try to dissuade claimants from bringing claims, or forcing them to settle for less. A cause of action for Bad Faith against third party insurers in this type of situation, similar to an IFCA first party suit, could help.

Also, I have seen many claimants being tricked into or convinced to settle their claims over the phone with a recording. The claimants are not advised as to the finality of the settlement, their questions are not answered, they are misled as to what the payment is for, they are not told to seek out independent legal counsel, and are not even given a release to review with an attorney. I think that this practice should not be allowed.

I think that under WAC 284-30-350, maybe the requirement or non-requirement for a UM/UIM release by first party insurers can be clarified. I believe that it is not legally or contractually required, but UM/UIM insurers keep asking for them before they will send a UM/UIM benefits check.

Loss of Use benefits under a UM/UIM policy should also be mandatory—otherwise, claimants are not getting all losses that a tortfeasor would legally be required to pay the injured party.

Thanks!

Best regards,

Edwardo (Eddie) Morfin

Attorney at Law, Morfin Law Firm
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Kennewick, WA 99336

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From: Eddie Morfin <eddie@morfinlawfirm.com>
Sent: Wednesday, August 6, 2025 5:42 PM
To: OIC Rules Coordinator
Subject: R2025-05 First Prepublication draft comment

External Email

I wanted to make sure my comments went to the right place, so I changed the Subject of the email.

Again, I like the changes proposed, and I think that they will be very helpful to insurance consumers.

However, I would also like something that tracks when insurance companies use litigation as a sword, to chill and depreciate claims, rather than pay what is rightfully owed. I think that if we were to just track which insurance companies are sued the most, it would be very telling.

Additionally, I would like to see clarification that violation of even just one insurance regulation under WAC 284-30-330 can be a basis for an IFCA violation lawsuit.

Thanks.

Best regards,

Edwardo (Eddie) Morfin

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