

ASSEMBLY BILL

No. 2264

Introduced by Assembly Member Knight

February 24, 2012

An act to amend Section 1873 of the Insurance Code, relating to insurance information.

LEGISLATIVE COUNSEL'S DIGEST

AB 2264, as introduced, Knight. Insurance fraud: release of information: other unlawful activity.

Existing law requires an insurer, or agent authorized by that insurer to act on behalf of the insurer, upon written request, to release to a requesting officer of an authorized governmental agency, as defined, any or all relevant information deemed important to the authorized governmental agency that the insurer may possess relating to any specific insurance fraud.

This bill would also require the insurer, or agent authorized by that insurer to act on behalf of the insurer, to release to the authorized governmental agency any or all relevant information deemed important to the authorized governmental agency that the insurer may possess relating to any other unlawful activity uncovered in the course of an insurance fraud investigation, including, but not limited to, information about an illegal activity not related to insurance fraud.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1873 of the Insurance Code is amended
2 to read:

3 1873. (a) Upon written request to an insurer by officers
4 designated in subdivisions (a) and (b) of Section 830.1 and
5 subdivision (a) of Section 830.2, and subdivisions (a), (c), and (i)
6 of Section 830.3 of the Penal Code, an insurer, or agent authorized
7 by that insurer to act on behalf of the insurer, shall release to the
8 requesting authorized governmental agency any or all relevant
9 information deemed important to the authorized governmental
10 agency that the insurer may possess relating to any specific
11 insurance fraud *or any other unlawful activity uncovered in the*
12 *course of an insurance fraud investigation.* Relevant information
13 may include, but is not limited to, all of the following:

14 (1) Insurance policy information relevant to the insurance fraud
15 under investigation, including, but not limited to, any application
16 for a policy.

17 (2) Policy premium payment records ~~which~~ *that* are available.

18 (3) History of previous claims made by the insured.

19 (4) Information relating to the investigation of the insurance
20 fraud, including statements of any person, proof of loss, and notice
21 of loss.

22 (5) Complete copies of both sides of payment drafts.

23 (6) *Information about an illegal activity not related to insurance*
24 *fraud that is uncovered when investigating an allegation of*
25 *insurance fraud.*

26 (b) The provisions of subdivision (a) shall not operate to
27 authorize disclosure of medical information not otherwise
28 authorized for disclosure pursuant to law.

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