



# Oklahoma Insurance Consumer Bill of Rights

This Bill of Rights is a summary of your legal rights under Oklahoma insurance laws and Oklahoma Insurance Department rules that apply to homeowners and automobile owners who purchase insurance.

This Bill of Rights does not address your responsibilities. Your responsibilities concerning your insurance can be found in your policy. Failure to meet your obligations may affect your rights. Consumers should read their policies and ask questions of their agent. Consumers should file all policy updates or changes that are received from their insurance company or agent together in a secure location.

Several of your rights regarding home and auto insurance are the same. Differences are shown on the other side of this page.

## Home and Automobile Owners' Bill of Rights

- ★ **Credit Information.** An insurance company cannot deny you insurance solely on the basis of credit information. 36 O.S. §§ 950 et. seq.
- ★ **Acceptance or Denial of Application.** Every insurance company must give written notice that an insurance applicant is accepted or denied as an insured within forty-five (45) business days after receiving the application. 36 O.S. § 1241.
- ★ **Cancellation by Insured.** Every insurance policy shall contain a provision describing the process for premium refund if the insured cancels the policy before the end of the policy period. 36 O.S. § 1241.1.
- ★ **Claim Inquiry.** An insurance company cannot increase premiums, cancel or nonrenew a policy solely on the basis of a policyholder inquiring about making a claim or requesting information about a possible claim, if the policyholder does not submit a claim. 36 O.S. § 1241.2.
- ★ **Acknowledgment of Receipt of Claim.** Every insurance company shall acknowledge receipt of a claim to the policyholder within thirty (30) business days. 36 O.S. § 1250.6
- ★ **Claims Accepted or Denied.** Every insurance company shall advise policyholders within forty-five (45) days after the proof of loss is filed of the acceptance or denial of a claim. If investigation cannot be reasonably completed within such time, the insurance company shall notify the claimant within forty-five (45) business days after receipt of the proof of loss that more time is needed. The denial of a claim must be given to the claimant in writing. 36 O.S. § 1250.7.
- ★ **Notice of Cancellation or Nonrenewal.** Every insurance company shall give at least ten (10) days notice prior to the date of cancellation and twenty (20) days notice prior to the date of nonrenewal of the insurance policy. OAC 365: 15-1-14.
- ★ **Response to Claimant.** Every insurance company shall adequately respond to a written communication from a claimant within thirty (30) days after receipt of the communication. 36 O.S. § 1250.4.
- ★ **Filing a Complaint.** Consumers have the right to request assistance with a claim or file a complaint with the Consumer Assistance/Claims Division. The insurance company or professional must provide an adequate response to the Division within thirty (30) days after receipt of an inquiry from the Division. 36 O.S. § 1250.4(B).



## Homeowners' Rights

- ★ **First Claim.** No insurance company shall cancel, nonrenew or increase the premium of a homeowner's policy which has been in effect more than forty-five (45) days, solely because the policyholder filed a first claim against the policy. 36 O.S. § 3639.1.
- ★ **Weather Related Claims.** Homeowners' policies and any other personal residential insurance coverage shall not reflect a surcharge for weather related claims. OAC 365: 15-7-26.
- ★ **OK-MAP.** The Oklahoma Market Assistance Program Association (OK-MAP) was created by the voluntary efforts of insurance companies and operates under the auspices of the Oklahoma Insurance Department. It is a mechanism created to respond to a need to assist homeowners in Oklahoma who have difficulty obtaining homeowners' insurance. For further information, view the OK-MAP website; [www.mapsprogram.com](http://www.mapsprogram.com), call (405) 842-9883 or email [okmap@iiaok.com](mailto:okmap@iiaok.com). 36 O.S. § 6412

## Automobile Owners' Rights

- ★ **Accident Prevention Course.** Every insurance company shall give a discount for three years to any insured persons who successfully complete a defensive driving course approved by that insurance company. 36 O.S. § 924.1
- ★ **No Fault Accident.** An insurance company cannot assign driving record points, cancel, refuse to issue or renew, or charge a higher premium to an insured involved in a collision who was not at fault in the accident. 36 O.S. § 941(A).
- ★ **Lower Liability Limits.** An insurance company cannot cancel, refuse to issue or renew, or charge a higher premium to an insured for the reason that the insured had lower liability limits with a previous insurer without actual justification. 36 O.S. § 941(B)
- ★ **Traffic Record.** An insurance company cannot increase premiums, cancel a policy, or refuse to issue or renew a policy based on a traffic record that is more than three (3) years old. 36 O.S. § 942.
- ★ **Traffic Charges.** An insurance company cannot increase premiums, cancel a policy, or refuse to issue or renew a policy based on traffic tickets if the insured: (1) was acquitted of the charge; (2) was arrested and no charges were filed; or (3) was arrested and the charges were dismissed. 36 O.S. § 943



**PROTECTING  
OKLAHOMA**

**JOHN D. DOAK**  
INSURANCE COMMISSIONER

**OKLAHOMA  
INSURANCE  
DEPARTMENT**

### CONTACT US:

**OKC Office:**  
Five Corporate Plaza  
3625 NW 56th, Suite 100  
Oklahoma City, OK 73112

**Tulsa Office:**  
Triad II  
7645 E. 63rd St. Suite 102  
Tulsa, OK 74133

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