



# OKLAHOMA

## Insurance Consumer

# BILL OF RIGHTS

### Home and Automobile Owners' Bill of Rights

#### ★ 1. Credit Information

An insurance company cannot deny you insurance solely on the basis of credit information.  
36 O.S. §§ 950 et. seq.

#### ★ 2. 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

#### ★ 3. 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

#### ★ 4. 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

#### ★ 5. 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

#### ★ 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 or if further investigation is necessary. The denial of a claim must be given to the claimant in writing. 36 O.S. § 1250.7

#### ★ 7. Notice of Cancellation or Nonrenewal

Every insurance company shall give at least ten (10) days notice prior to the date of cancellation and thirty (30) days notice prior to the date of nonrenewal of the insurance policy.  
OAC 365: 15-1-14

#### ★ 8. 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

#### ★ 9. 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)

#### Insurance Commissioner John D. Doak

Five Corporate Plaza 3625 N.W. 56th Street, Suite 100  
Oklahoma City, OK 73112 | 1.800.522.0071 | [OID.OK.GOV](http://OID.OK.GOV)

## Homeowners' Rights

★ **OK-MAP** The Oklahoma Market Assistance Program Association (OK-MAP) was created 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

### ★ 1. 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

### ★ 2. 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

## Automobile Owners' Rights

### ★ 1. 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

### ★ 2. 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

### ★ 3. 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)

### ★ 4. 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 actuarial justification. 36 O.S. § 941(B)

### ★ 5. 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

*The Bill of Rights is a summary of your legal rights under Oklahoma insurance laws and the Oklahoma Insurance Department rules. The Bill of Rights does not address your responsibilities. Your responsibilities concerning your insurance can be found in your policy.*

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