

Language Access In Insurance Documents:

Concerning requirements regarding the language used in certain insurance documents.



2023 (HB23-1004)

2024 REVISIONS

<p style="text-align: center;">REQUIRES INSURANCE COMPANIES TO TRANSLATE POLICIES THROUGH CERTIFIED TRANSLATOR</p> <hr/> <ul style="list-style-type: none"> • Language Access for Customers: companies must offer policy applications, policies, and related documents in the same language they use for advertising. <ul style="list-style-type: none"> ◦ Customers have the right to request these documents in their preferred language, including for auto, homeowners, renters, and commercial insurance. • If the customer applied for the policy using their native language, the insurer must continue providing all documents and services in that language. • Translations must be certified by an accredited American Translators Association (ATA) translator 	<p style="text-align: center;">REPEALS REQUIREMENT FOR INSURERS TO PROVIDE TRANSLATED POLICY DOCS & REQUIRES ISSUANCE OF A SUMMARY DOCUMENT INSTEAD</p> <hr/> <p>Instead, the bill requires insurers:</p> <ul style="list-style-type: none"> • Provide insureds a form to select to receive a summary document in English or Spanish that: <ul style="list-style-type: none"> ◦ Is a summary form specified by the insurance commissioner to ensure consistency ◦ Briefly describes the coverages and exclusions under the policy ◦ Identifies whether or not insureds selected or declined the mandatory auto coverages or exclusions ◦ Mandatory coverages include UM/UIM insurance & whether a driver in the insured's household is excluded from the policy <p>**The bill limits the scope to (PPA) personal private auto - excludes Commercial Auto, Homeowners and Renters**</p> <p>**Adds a non-native English speaker to different two advisory boards at the Division of Insurance**</p>
<p>CONSEQUENCES OF FAILURE TO COMPLY</p> <hr/>	
<p>Mandatory Revision of the Insurance Policy: Customer can have it rewritten in preferred language to include coverage initially declined (due to language barrier).</p> <ul style="list-style-type: none"> • The insured may recover reasonable attorney fees and court costs in relation to a civil suit filed to obtain a rewrite of the insurance policy. • The Colorado Division of Insurance can take enforcement actions such as issuing cease and desist orders against insurers that do not comply with the new requirements. 	<p style="text-align: center;">HB24-1440:</p> <p>If an insurer fails to comply with the requirements for an auto insurance policy, the insured can:</p> <ul style="list-style-type: none"> • Void any mandatory coverage rejections or exclusions • Recover reasonable attorney fees and costs for reinstating or rewriting the coverage • Not be required to pay any premium for the reinstated or rewritten coverage