

**NAIC**

National Association of Insurance Commissioners

# State Insurance Department Antifraud Resources Survey Report 2009







# **State Insurance Department Antifraud Resources Survey Report**

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**2009**



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# Companion Products

The following companion products provide additional information on the same or similar subject matter. Many customers who purchase the **Antifraud Resources Report** also purchase one or more of the following products:



### Antifraud Statistical Report Form

This form was developed to assist with the uniform collection of antifraud data from insurance companies on a calendar-year basis.



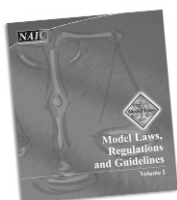
### Application and Use of Insurance Fraud-Related Databases and Sources of Information: A Guide for State Insurance Departments

Identifies sources of antifraud information, including financial regulators, law enforcement and other fraud-related entities. Membership applications for several antifraud organizations are also included.



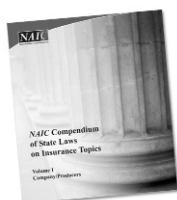
### Guidelines for Industry for Reporting Suspicious Claims or Activity to State Fraud Bureaus

Provides uniform direction to the insurance industry for the reporting of suspicious claims or activity. Specific attention is paid to the submission process, including the minimum amount of information that should appear on the reporting form and the basic types of evidence that may be used to support a report of suspicious behavior.



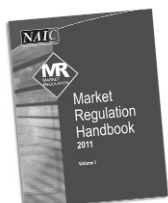
### Insurance Fraud Prevention Model Act (MDL-680)

Helps regulators investigate and discover fraudulent insurance acts more effectively, halt fraudulent acts, and assist and receive assistance from state, local and federal law enforcement and regulatory agencies in enforcing laws prohibiting fraudulent insurance acts.



### Insurance Fraud Prevention Law – Individual Compendium Chart (MC-10)

Individual chart from the *Compendium of State Laws on Insurance Topics*. Chart includes: Citation; Fraudulent Insurance Act; Immunity from Liability; Fraud Warning Required; Reporting of Suspected Fraud; Statutory Creation of Fraud Unit; Provision for Confidentiality; Insurer Antifraud Activities Required; Other Antifraud Statutes; Comments.



### Market Regulation Handbook

Provides one comprehensive source of reference material for the continuum of regulatory responses to potential market concerns. Helps market regulators conduct uniform, standardized market analysis and market conduct examinations. Updated annually.

#### How to Order

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## NAIC

### ***STATE INSURANCE DEPARTMENT ANTIFRAUD RESOURCES SURVEY REPORT***

Over the year 2009, the NAIC Antifraud (D) Task Force surveyed every state insurance department on a broad range of antifraud-related areas. Attached are the results of the survey. Results are as reported by the insurance departments and, where necessary, other state agencies. Efforts have been made to maintain the accuracy of this report. For more details contact the individual insurance departments or the NAIC.





**ANTIFRAUD TASK FORCE  
SURVEY RESULTS**



**ANTIFRAUD TASK FORCE SURVEY RESULTS**

State	Fraud Unit Structure										
	1	2	3	4	5	6	7	8	9	10	11
	Ins. Fraud Unit	A.G.'s Office	Work Comp. Div.	Other	DOI FRAUD UNIT IS:		NUMBER OF DOI ANTIFRAUD STAFF (i)				BUDGET (i)
					Law Enforcement Agency	Criminal Justice Agency	Management	Investigators	Prosecutors/Asst. AG	Support	Fraud Unit \$\$ (000 Omitted)
Alabama		Y		Y1							
Alaska	Y		Y			Y	1	4		5	
Arizona	Y				Y		1	2	1	1	1172
Arkansas	Y		Y		Y		4	8	3	4	1150
California	Y	Y	Y		Y		45	153		60	41,646
Colorado		Y	Y	Y							
Connecticut	Y	Y	Y	Y7	Y		1			1	
Delaware	Y						2	7		2	750
D.C.	Y			Y4			1	8			710
Florida	Y				Y		33	120	7	42	17,137
Georgia	Y		Y		Y		2	11		1	
Hawaii	Y					Y	1	7	3	1	
Idaho	Y		Y			Y	1	5	2	1	300
Illinois				Y15						2	
Indiana				Y4							
Iowa	Y				Y		1	3		1	449
Kansas	Y		Y			Y	1	2	1	1	
Kentucky	Y		Y		Y		1	11		5	1312
Louisiana	Y	Y	Y	Y3			2	7		2	654
Maine			Y	Y6							
Maryland	Y	Y	Y			Y	5	14	3	5	1700
Massachusetts				Y4, Y16	Y	Y	4	40		12	8300
Michigan		Y		Y7							
Minnesota	Y		Y	Y	Y		2	7		5	1520
Mississippi		Y	Y	Y1				2	1		
Missouri			Y								
Montana	Y		Y			Y	1	4	5		
Nebraska	Y		Y		Y		1	2		1	
Nevada	Y	Y	Y						3		
N. Hampshire	Y						1	2	1	1	
New Jersey		Y19	Y19	Y8						36	28001
New Mexico	Y		Y		Y		1	7	2	2	1400
New York	Y		Y		Y		17	37	2	9	
North Carolina	Y				Y		2	18		2	1940
North Dakota	Y		Y				1	1		1	
Ohio	Y					Y	5	19	1	2	2300
Oklahoma	Y	Y	Y2	Y9	Y		2	8	1	1	1017
Oregon											
Pennsylvania		Y		Y20							10,107mil
Rhode Island			Y	Y10							
South Carolina											
South Dakota	Y				Y		1	2	1	1	322
Tennessee											
Texas	Y				Y		4	27	1	12	2500
Utah	Y		Y	Y11	Y		1	10	3	3	1500
Vermont											
Virginia				Y3	Y		26	25		12	6021
Washington	Y				Y		1	5	1	2	1900
West Virginia	Y		Y3	Y1		Y	4	24	3	19	
Wisconsin											
Wyoming			Y					1			

**ANTIFRAUD TASK FORCE SURVEY RESULTS**

State	Types of Fraud and Misconduct Investigated						
	12	13	14	15	16	17	18
	Property/Casualty Claims	Life Ins. Claims	Health/Disab. Claims	Workers' Comp Claims	Insider	Unauth. Entities	Agent/Broker
Alabama							
Alaska	Y	Y	Y	Y	Y	Y	Y
Arizona	Y	Y	Y	Y	Y	Y	Y
Arkansas	Y	Y	Y	Y	Y	Y	Y
California	Y	Y	Y	Y	Y	Y	Y
Colorado	Y	Y	Y	Y	Y	Y	Y
Connecticut	Y	Y	Y	Y	Y	Y	Y
Delaware	Y	Y	Y	Y	Y	Y	Y
D.C.	Y	Y	Y	Y	Y	Y	Y
Florida	Y	Y	Y	Y	Y	Y	Y
Georgia	Y	Y	Y	Y	Y	Y	Y
Hawaii	Y						Y
Idaho	Y	Y	Y	Y	Y	Y	Y
Illinois					Y	Y	Y
Indiana					Y	Y	Y
Iowa	Y	Y	Y	Y	Y	Y	Y5
Kansas	Y	Y	Y	Y	Y	Y	Y
Kentucky	Y	Y	Y	Y	Y	Y	Y
Louisiana	Y	Y	Y	Y	Y	Y	Y
Maine							
Maryland	Y	Y	Y	Y	Y		Y
Massachusetts	Y	Y	Y	Y	Y	Y	Y
Michigan	Y	Y	Y		Y	Y	Y
Minnesota	Y	Y	Y	Y	Y	Y	Y
Mississippi	Y	Y	Y	Y	Y	Y	Y
Missouri	Y	Y	Y	Y	Y	Y	Y
Montana	Y	Y	Y	Y	Y	Y	Y
Nebraska	Y	Y	Y	Y	Y	Y	Y
Nevada	Y	Y	Y	Y	Y	Y	Y
N. Hampshire	Y	Y	Y	Y			Y
New Jersey	Y	Y	Y	Y	Y	Y	Y
New Mexico	Y	Y	Y	N	Y	Y	Y
New York	Y	Y	Y	Y	Y	Y	Y
North Carolina	Y	Y	Y	Y	Y	Y	Y
North Dakota	Y	Y	Y		Y	Y	Y
Ohio	Y	Y	Y		Ymc	Ye	Ye
Oklahoma	Y	Y	Y		Ymc	Y	Y
Oregon							
Pennsylvania	Y	Y	Y	Y	Y	Y	Y
Rhode Island							Y
South Carolina							
South Dakota	Y	Y	Y	Y	Y	Y	Y
Tennessee							
Texas	Y	Y	Y	Y	Y	Y	Y
Utah	Y	Y	Y	Y	Y	Y	Y
Vermont							
Virginia	Y			Y	Y	Y	Y
Washington	Y	Y	Y		Y	Y	Y
West Virginia	Y	Y	Y	Y	Y	Y	Y
Wisconsin							
Wyoming	Y	Y	Y	Y	Y	Y	Y

**ANTIFRAUD TASK FORCE SURVEY RESULTS**

State	DOI Antifraud Software and Database Access			DOI Access to FBI Criminal History Database		Notes
	19	20	21	22	23	
	Track & Report	National Ins. Crime Bureau	State & Local Police, Court & DMV Records	Criminal Investigative Matters	Non-Criminal Regulatory matters (per Pub. L.544 & state code)	
Alabama						
Alaska		Y	Y	X1	21.27.040	
Arizona	Y	Y	Y	X	ARS 20-142	
Arkansas	Y	Y	Y	X	Y	
California	Y	Y	Y	X		
Colorado	Y	N	Y			
Connecticut	Y	Y	Y	Xwc		
Delaware	Y	Y	Y			X=
D.C.	Y	Y	Y	X5		
Florida	Y	Y	Y	X	624.34	
Georgia	Y	Y	Y	X	Y	
Hawaii	Y	Y	Y	X2		
Idaho	Y	Y	Y	X4	41-1011	
Illinois						X1=
Indiana			Y			
Iowa	Y	Y	Y	X		
Kansas	Y	Y	Y	X4		
Kentucky	Y	Y	Y	X4		
Louisiana	Y	Y	Y	X4		
Maine						
Maryland		Y	Y	X1		
Massachusetts	Y	Y	Y	X1		X2=
Michigan			Y		500.249A	
Minnesota	Y		Y	X4		
Mississippi			Y	Xag		
Missouri		Y	Y	X4	45.543	
Montana	Y	Y	Y	X1		
Nebraska	Y	Y	Y	X		
Nevada	Y					
N. Hampshire	Y	Y				
New Jersey	Y19	Y19	Y19	Xag	17:17-10, 17B:18-42	
New Mexico	Y	Y	Y	X	59A-11-2	
New York	Y	Y	Y	X		
North Carolina	Y	Y	Y	X	58-7-37	
North Dakota	Y	Y		X4		
Ohio	Y	Y	Y	X1		
Oklahoma	Y	Y	Y			
Oregon						
Pennsylvania		Y20	Y20	Xag	Act 147 of 2002	
Rhode Island				Xsp		
South Carolina						
South Dakota	Y	Y	Y	X		
Tennessee						
Texas	Y	Y	Y	X	411.087, .106	
Utah		Y	Y	X		
Vermont						
Virginia	Y	Y	Y	Xsp		
Washington	Y	Y	Y	X	48.17.090, 48.06.040	
West Virginia	Y	Y	Y	X		
Wisconsin						
Wyoming						Xwc1=

**ANTIFRAUD TASK FORCE SURVEY RESULTS**

State	24	25	26	27	28	29	30	31	32	33	34
	State Criminal Ins. Fraud Laws	State Civil Ins. Fraud Laws	Use NAIC AFTF 18 U.S.C. 1033 Guidelines	18 U.S.C. 1033 Consent Granted	Fraud Hotline	Restitution Provisions	The State Offers Reward	Fraud Unit Reporting	Fraud Plan Required by DOI	Annual Report Required by DOI	CE Required by DOI
Alabama			Y	Y							
Alaska	Y		Y					D			
Arizona	Y	Y	Y	Y		Y		B			
Arkansas	Y		Y		Y	Y		A, B, C	Y		Y
California	Y	Y	Y		Y	Y		A, B, C	Y	Y	Y
Colorado	Y	Y	Y	Y		Y		B		Y	Y
Connecticut	Y	Y	Y	Y	Y	Y		B		Y	
Delaware	Y	Y	Y	Y	Y	Y	Y	B			
D.C.	Y	Y	Y	Y		Y		A	Y	Y	
Florida	Y	Y	Y	Y	Y	Y	Y	A, B, D	Y		Y
Georgia	Y		Y	Y		Y		A, B			Y
Hawaii	Y				Y	Y		B, C			
Idaho	Y		Y	Y	Y	Y		A			
Illinois	Y	Y	Y	Y		Y		A, C			
Indiana	Y	Y	Y	Y		Y					
Iowa	Y		Y	Y		Y		A			
Kansas	Y	Y	Y	Y	Y	Y		A	Y		
Kentucky	Y		Y	Y		Y		A	Y		
Louisiana	Y		Y	Y	Y	Y		A, B			
Maine	Y	Y	Y	Y		Y			Y		
Maryland	Y		Y		Y	Y		B	Y	Y	Y
Massachusetts	Y	Y			Y	Y	Y	B			
Michigan	Y		Y	Y		Y					
Minnesota	Y	Y	Y	Y	Y	Y		A	Yg		
Mississippi	Y		Y	Y				C, D			
Missouri	Y	Y	Y	Y				A			
Montana	Y	Y	Y	Y	Y	Y		A			
Nebraska	Y	Y	Y	Y		Y	Y	B			
Nevada		Y	Y	Y				B			
N. Hampshire	Y			Y	Y	Y		A	Y		
New Jersey	Y	Y	Y	Y	Y19	Y	Y	B	Y		
New Mexico	Y	Y	Y		Y	Y		B	Y		
New York	Y	Y	Y	Y	Y	Y		A	Y	Y	Y
North Carolina	Y	Y	Y	Y	Y	Y		A			
North Dakota	Y		Y	Y		Y		A			
Ohio	Y		Y	Y	Y	Y		A	Y		
Oklahoma	Y		Y	Y	Y	Y		B			
Oregon											
Pennsylvania	Y	Y			Y	Y		B	Y		
Rhode Island	Y	Y			Y	Y		B			
South Carolina											
South Dakota	Y	Y				Y		B, C		Y	
Tennessee											
Texas	Y		Y	Y	Y	Y		A			
Utah	Y	Y	Y	Y	Y	Y		B			
Vermont											
Virginia			Y	Y	Y		Y	B			
Washington	Y	Y	Y	Y	Y			B, C	Y	Y	Y
West Virginia	Y		Y	Y	Y	Y		A			
Wisconsin											
Wyoming			Y	Y				A			

**ANTIFRAUD TASK FORCE SURVEY RESULTS**

State	Insurer Antifraud Provisions						
	Required Reporting of Fraud			Reporting Forms Used			
	35	36	37	38	39	40	41
Reporting of Fraud Claims	Workers' Comp	Insider	2003 NAIC Form	Accept NAIC Form	Accept NAIC Online Reporting	Accept NICB Form	
Alabama					Y	Y	
Alaska	Y	Y	Y	Y	Y	Y	Y
Arizona	Y	Y	Y		Y	Y	Y
Arkansas	Y	Y	Y	Y	Y	Y	
California	Y	Y	Y		Y		Y
Colorado	Y	Y	Y		Y		
Connecticut	Y	Y	Y		Y	Y	Y
Delaware	Y	Y	Y	Y	Y	Y	Y
D.C.	Y	Y	Y	Y	Y	Y	Y
Florida	Y	Y	Y		Y		Y
Georgia	Y	Y	Y		Y	Y	Y
Hawaii	Y				Y	Y	Y
Idaho	Y	Y	Y	Y	Y	Y	Y
Illinois					Y	Y	Y
Indiana					Y	Y	
Iowa	Y	Y	Y	Y	Y	Y	Y
Kansas	Y	Y	Y	Y	Y	Y	Y
Kentucky	Y	Y	Y	Y	Y		
Louisiana	Y	Y	Y		Y	Y	
Maine	Y	Y	Y		Y	Y	
Maryland	Y	Y	Y		Y	Y	Y
Massachusetts	Y	Y	Y	Y	Y	Y	Y
Michigan						Y	Y
Minnesota	Y	Y	Y		Y	Y	Y
Mississippi					Y	Y	Y
Missouri	Y	Y	Y		Y	Y	Y
Montana	Y	Y	Y		Y	Y	Y
Nebraska	Y	Y	Y		Y	Y	Y
Nevada	Y		Y				
N. Hampshire	Y	Y			Y	Y	Y
New Jersey	Y	Y	Y				
New Mexico	Y	Y	Y		Y	Y	Y
New York	Y	Y	Y		Y		
North Carolina	Y	Y	Y	Y	Y		Y
North Dakota	Y	Y	Y	Y	Y	Y	Y
Ohio	Y		Y14		Y	Y	Y
Oklahoma	Y	Y	Y14		Y	Y	Y
Oregon							
Pennsylvania	Ya		Yaa				
Rhode Island	Y	Y	Y	Y	Y		Y
South Carolina							
South Dakota					Y	Y	Y
Tennessee							
Texas	Y	Y	Y		Y		Y
Utah	Y	Y	Y		Y	Y	Y
Vermont							
Virginia	Ypc	Y			Y		Y
Washington	Y	Y			Y	Y	Y
West Virginia	Y	Y	Y	Y	Y	Y	Y
Wisconsin							
Wyoming					Y	Y	

**ANTIFRAUD TASK FORCE SURVEY RESULTS**

	Immunity Provisions		Info. Sharing Provisions		Printed Fraud Warnings		
	42	43	44	45	46	47	48
State	Reporting	Sharing	State-Insurer	Insurer-Insurer	Claim Forms	Application Forms	Claim Checks
Alabama	Y						
Alaska	Y		Y		Y	Y	
Arizona	Y	Y	Y	Y	Y		
Arkansas	Y	Y	Y			Y	
California	Y	Y	Y	Y			Y
Colorado	Y	Y	Y	Y	Y	Y	
Connecticut	Y	Y	Y	Y			
Delaware	Y				Y		
D.C.	Y	Y	Y	Y	Y	Y	
Florida	Y	Y	Y	Y	Y	Y	
Georgia	Y	Y	Y				
Hawaii	Y	Y	Y	Y	Y	Y	
Idaho	Y	Y	Y				
Illinois	Y		Y				
Indiana		Y					
Iowa	Y	Y	Y	Y			
Kansas	Y	Y	Y				
Kentucky	Y	Y	Y	Y	Y	Y	
Louisiana	Y	Y	Y	Y	Y	Y	Y
Maine	Y	Y	Y	Y	Y	Y	
Maryland	Y				Y	Y	
Massachusetts		Y	Y		Y		
Michigan	Y	Y	Y	Y			
Minnesota	Y	Y	Y		Y	Y	Y
Mississippi			Y				
Missouri	Y		Y				
Montana	Y	Y		Y			
Nebraska	Y	Y	Y	Y			
Nevada	Y			Y			
N. Hampshire	Y	Y	Y	Y	Y		
New Jersey	Y	Y	Y	Y	Y	Y	
New Mexico	Y		Y	Y	Y	Y	
New York	Y	Y	Y	Y	Y	Y	
North Carolina	Y	Y	Y	Y			
North Dakota	Y	Y	Y				
Ohio	Y	Y	Y	Y	Y	Y	
Oklahoma	Y	Y			Y	Y	
Oregon							
Pennsylvania	Y	Y	Y21	Y	Y	Y	
Rhode Island	Y						Y
South Carolina							
South Dakota	Y	Y	Y	Y			
Tennessee							
Texas	Y				Y	Y	Y
Utah	Y		Y	Y			
Vermont							
Virginia	Y	Y	Y	Y	Y	Y	
Washington	Y	Y	Y		Y	Y	
West Virginia	Y	Y	Y				
Wisconsin							
Wyoming	Y		Y	Y			



# **ANTIFRAUD STATUTES**



	Fraud Reporting Statutes	Immunity Provisions	Insurance Fraud Prevention Laws
Alabama	§36-19-42	§36-19-43	§§ 36-19-40 to 36-19-44
Alaska	§§ 21.36.390(a); 21.36.365; 21.89.050(a)	§§ 21.36.390(c); 21.36.365; 21.89.050(h)	§§ 21.36.280; 21.36.360 to 21.36.410
Arizona	§§ 20-466(G), 20-1902	§§ 20-466(K); 20-463(B) & 20-1903	§§ 20-458; 20-463; 20-466 to 20-466.04
Arkansas	§§ 23-66-505(a); 11-9-106(a)(1)&(d)(6)	§§ 23-66-506 & 11-9-106(d)(6)	§§ 23-66-501 to 23-66-512; Reg. 66 § 8
California	CA Ins. Code §§ 1872.4(a); 1874.2(b); 1875.2; 1877.3(b); 1879.5	CA Ins. Code §§ 1872.5; 1874.4; 1875.4; 1877.5; 1879.5	Pen § 550; §§ 1871 to 1879.8
Colorado	§§ 10-1-128, C.R.S., 10-4-1003 C.R.S.	§§ 10-1-128, 10-4-1005, C.R.S.	§§ 10-1-128, 10-1-129, 10-4-1001 TO 10-4-1009, C.R.S. Bulletin 10-01, 04-03, 09-04 and Regulation 6-5-1
Connecticut	§§ 38a-988(f); 38a-356(a); 38(a)318(b); 53-445(a)	§§ 38a-966; 38a-356(c); 38a-318(c); 53-445(d)	§§ 53-440 to 53-445; 03-152; Bulletin MC-16-95
Delaware	Title 18 § 2408; Title 16 § 6811(b)	Title 18 § 2409; §§ 6811(3) & 6810(a)(5)	tit. 18 §§ 2401 to 2414
D.C.	§§ 4-317(b); 22-3225.8(a)	§§ 4-317(c) & 22-3225.13	§§ 22-3225.1 to 22-3225.13
Florida	§§ 626.989(6); 633.175(2); 440.105(1)(a)	§ 626.989 (4)(c) & (4)(d), FS; § 633.175(4), FS; § 440.105(b), FS; § 440.105(2), FS	§§ 316.066(C-F); 119.105; 400.9935; 440.105; 456.054; 624.15; 624.310(8); 624.401(4); 626.112; 626.561; 626.8738; 626.902; 626.9541(l)(u); 626.989 to 626.9891; 626.9892; 626.99275; 775.0844; 812.014; 817.034; 817.234; 817.2341; 817.236; 817.2361; 817.413; 817.50; 817.505; 831.01; 831.02; 860.15 (3), Rule 69D-2.001-005
Georgia	§§ 33-1-16(f); 33-1-16(g); 34-9-24(d); 25-2-33(d)	§§ 33-1-16(d); 33-1-16(g); 34-9-24(d); 25-2-33(c)	§§ 33-1-9; 33-1-16 to 33-1-17; 34-9-24; AG Opinion 97-20(WC)
Hawaii	§§ 132-4.5(b); 431:10C-307.7(h); 431:10C-307.7(d)	§§ 132-4.5(c) & 431:10C-307.7(d)	§§ 386-98(WC); 431:2-204; 431:2-301.8; 431:10C-307.7 to 431:10C-307.8(Auto); 431:14A-11b
Idaho	§§ 41-290; 41-292(2)	§ 41-292(5)	§§ 41-290 to 41-298
Illinois	215 § 145(b); 215 §5/155.24(c); 215 § 5/1014	215 § 145/1(c); 215 § 5.155.24(h); 215 § 5/1022	Ins. Code: §§ 5/132.7; 5/155.23 to 5/155.24; 5/401.5; Criminal Code 5/46-1
Indiana	§§ 27-1-3-22(c); 27-1-15.6-15(a); 27-2-13-3(a); 27-2-19-6(a); 27-2-14-2	§§ 27-1-3-22(c); 27-1-15.6-15(d); 27-2-13-4(c); 27-2-19-7(b); 27-2-14-4(c)	§§ 27-1-3-22; 27-2-16-3; 27-2-19-1 to 27-2-19-9
Iowa	§§ 507E.6	§§ 507E.7(1) & 100A.2(5)	§§ 507E.1 to 507E.8
Kansas	§§ 40-2118; 40-2119; 31-403(b); 44-5122(b); 40-4909(2)	§§ 40-2119; 40-2413; 31-403(e); 44-5123	§§ 40-2;118 to 40-2;119
Kentucky	§§ 304.47-050(1), (2),(8); 304.407-060	§ 304.47-060	§§ 304.47-010 to 304.47-080; Reg. 47:010 to 47:030
Louisiana	Tit. 22 § 1926; Tit. 40 § 1568.2(B); Tit. 23 § 1200.2(B); Tit. 40 § 1424	Tit. 22 § 1928; Tit. 40 § 1568.2(C); Tit. 23 § 1220.2(C); Tit. 40 § 1425	22:1921 - 22:1929.1; 40:1421 - 1429
Maine	24-A §§ 2186(4); 2187(3); 2215; 25 § 2412(2)	24-A §§ 2187(5) & 2218; 25 §§ 2411(3) & 2412(5)	tit. 24-A §§ 2178 to 2179; 2183; 2186 to 2187; Reg. ch 920
Maryland	MD Ins. Code § 27-802(a)	MD Ins. Code § 27-802(c)	§§ 27-401 to 27-408; 27-801 to 27-804; Ins § 8-321.1; Health § 79-706(v)
Massachusetts	175I § 13; 148 § 32	175I § 21 & 148 § 32	§§ 175H:1 to 175H:8; Ch. 427 § 13 Uncodified (1996); 464 (2000)
Michigan	§§ 500.4507(2); 500.4509(1); 29.4(3) & (5)	§§ 500.4509(1); 500.4509(3) & 29.4(6)	§§ 500.4501 to 500.4511; 752.1008a
Minnesota	§§ 60A.952(2); 60A.954(1); 299F.054(2); 176.861(2)	§§ 60A.952(3); 299F.054(4); 176.861(3)	§§ 60A.951 to 60A.956; 5228.0100 to 5228.0130; 45.0135; 609.52; 609.611; 176.178
Mississippi	§ 7-5-307	No statutory immunity granted	§§ 7-5-301 to 7-5-311

	Fraud Reporting Statutes	Immunity Provisions	Insurance Fraud Prevention Laws
Missouri	§§ 375.992; 320.082; 589.205	§§ 375.993; 320.085 & 589.215(3)	§§ 375.991 to 375.994
Montana	§§ 33-1-1205(2); 33-1-1304; 33-19-306; 50-63-402; 33-1-1303	§§ 33-1-1210(1); 33-19-408; 50-63-405; 33-1-1303	§§ 33-1-1201 to 33-1-1211; 33-1-1301 to 33-1-1303
Nebraska	§§ 44-6605; 81-5;123;44-3;136;44-393	§§ 44-6605; 81-5;120; 81-5;126; 44-3;141	§§ 44-6601 to 44-6608; 28-631
Nevada	§§ 686A.283(1); 686A.285(1); 686a.295; 616D.550; NAC 678B.152-157	§§ 679B.115; 679B.350 & 616D.020	§§ 679B.610 to 679B.700; 686A.010-295; Reg. 679B.152
New Hampshire	§§ 417:28; 402:78(II); 405:61(III) & 153:13(II)	§§ 417:28; 402:78(III); 405:61(III); 153-13a(IV); 400A:36b	§§ 402:82; 417:23 to 417:30; 638:20
New Jersey	§§ 17:33A-9(a); 17:23A-13; 17:36-16 & 17:23-11	§§ 17:33A-9(b); 17:23A-21; 17:23-15	§§ 17:33A-1 to 17:33A-30
New Mexico	§§ 59A-16C-6(A) & (B); 41-8-3(B)	§§ 59A-16C-1, ET SEQ.	§§ 59A-16-23 AND 59A-16C-1, ET SEQ
New York	NY Ins. Law §§ 405; 319(b); 3411 (a) & (l); 1999 NY Assembly Bill #9997	NY Ins. Law §§ 406 & 3432	Ins. Law §§ 401 to 409 & NY Admin. Code tit. 11 §
North Carolina	§§ 58-39-75 & 58-79-40(b)	§§ 58-39-110 & 58-79-40(c)	
North Dakota	§§ 26.1-02-24.2; 26.1-02.1-04;26.1-02.1-06; 18-01-05.1(3) & 65-02-24	§§ 26.1-02-24.2; 26.1-02.1-04; 18-01-05.1(5) & (6); 65-02-24	§§ 26.1-02-24 to 26.1-02-24.2; 26.1-02.1-02 to 26.1-02.1-04; 65-02-23 to 65-02-26(WC)
Ohio	§§ 3999.42	§§ 3999.31(B)	§§ 2913.47; 3901.03; 3901.44; 3999.21
Oklahoma	36 § 363; 365	36 § 363	36 §§ 361 to 363
Oregon	§§ 746.665; 476.270(1); 731.737	§§ 746.685; 476.270(3); 731.737(2)	§§ 476.270; 731.314; Bulletin 98-5
Pennsylvania	40 P.S. §§ 1610.3(b) & 474.1(a); 75 Pa CSA. §§ 1817 & 1795(a); 77 P.S. § 1039.7; 18 Pa CSA § 4117	40 P.S. §§ 474.1(a) & 1610.4; 75 Pa CSA. §§ 1795(b)&(c); 75 Pa CSA § 1818; 77P.S. § 1039.7; 18 Pa CSA § 4117	§§ 40-3-901 to 40-3-921.1; 40-3-921 to 40-3-954; 77-1-1203; 75-1811 to 75-1812; Ch. 19 (w.comp)
Puerto Rico	§§ 27.260		§§ 27.190 to 27.210A
Rhode Island	§§ 27-8.1-3(d); 27-49-3(b); 42-16.1-14	§§ 27-8.1-2(d); 27-8.1-3(g); 27-49-5; 27-49-5.1; 42-16.1-16	§§ 11-18-1.1; 11-41-30; 27-49-1 to 27-49-6; 27-54-1 to 27-54-11; 27-62-1; 31-50-1 to 31-50-6; 42-16.1-12 to 42-16.1-16
South Carolina	§§ 38-55-570(A); 23-41-30(b); 38-77-1130(b)	§§ 38-55-530(E); 38-55-580(A); 23-41-20(e); 23-41-30(f); 38-77-1120(d) & 38-77-1130(e)	§§ 38-55-510 to 38-55-590
South Dakota	§§ 58-33-76; 34-32A-2; 58-4A-13; 62-4-47; 58-2-161	§§ 58-33-80; 34-32A-7; 58-2-160; 58-4A-13 & 62-4-50	§§ 58-4A-1 to 58-4A-17 & 58-33-37; 58-33-75 to 58-33-82
Tennessee	§§ 68-102-115(a); 56-47-110(b); 56-53-109(B)	§§ 68-102-115(c); & 56-47-111;56-53-110	§§ 56-53-111;56-7-708; 56-26-401 to 56-26-406; 56-47-101 to 56-47-112; Bulletin 9/20/96
Texas	§701.052	§701.051	
Utah	§§ 31A-31-105(1); 53-7-214(2); 34A-2-110(11)	§§ 31A-31-105(1); 53-7-214(4); 34A-2-110(11)	§§ 31A-31-101 to 31A-31-108; 34A-2-110; 76-6-521
Vermont	8 § 3671(b)	8 § 3672	§§ tit. 13 2024 (WC)
Virginia	§§ 52-40(A); 38.2-613; 27-85.5(B)	§§ 52-41(B) & (D); 38.2-618; 27-85.5(E)	§ 38.2-229; §§ 52-36 to 52.44
Washington	§§ 48.01.190; 48.50.040(1), 48.135.020, 48.135.040, 48.135.050	§§ 48.01.190 & 48.50.070	§§ 48.30A.005 to 48.30A.900, 48.15.020, 48.15.023
West Virginia	§ 29-3-12a(b); 33-41-3(a); 33-41-5	§§ 33-41-3(b) & 29-3-12a(c); 33-41-6	§§ 29-3-12a (fire); 33-41-1 to 33-41-3
Wisconsin	§§ 895.486(2); 102.125	§ 895.486(2) & 895.486	§ 895.486
Wyoming	§ 6-3-109(b); W.S. 26-13-201	§ 6-3-109; W.S.26-2-124	No provision.

**KEY**



ANTIFRAUD TASK FORCE SURVEY RESULTS  
KEY TO SURVEY

Column Heading Descriptions

1. Insurance fraud investigations are conducted by an established insurance fraud unit of the Department of Insurance (DOI).
2. Insurance fraud investigations are conducted by the State Attorney General's Office
3. A state governmental unit outside of the DOI conducts workers' comp. insurance fraud investigations
4. Other DOI or state governmental units investigate insurance fraud.
5. The DOI fraud unit is designated as a "Law Enforcement" agency by the US Dept. of Justice – allows for qualified personnel to conduct arrests and execute search warrants, and access the FBI National Crime Information Center (NCIC) for criminal investigative purposes.
6. The DOI fraud unit is designated as a "Criminal Justice" agency by the US Dept. of Justice – allows for qualified personnel to access NCIC for criminal investigative purposes, but personnel cannot conduct arrests
7. Number of antifraud-related management personnel.
8. Number of antifraud-related investigators.
9. Number of state prosecutors/assistant AGs dedicated to prosecuting insurance fraud
10. Number of analytical, administrative, legal and other antifraud-related personnel
11. Fraud unit annual budget (\$ thousands) as provided.
- 12 – 18. Types of insurance fraud and misconduct investigated by the DOI and other state agencies
19. The DOI has access to antifraud tracking and reporting software.
20. The DOI has access to the National Insurance Crime Bureau (NICB).
21. The DOI has access to state and local police, court and motor vehicle records
22. The DOI has access to the FBI criminal history database (NCIC) for criminal investigative purposes.
23. The DOI has access to the FBI criminal history database (FIRS) for non-criminal regulatory purposes
24. The state has enacted criminal insurance fraud laws.
25. The state has enacted civil insurance fraud laws, beyond DOI-administered regulatory remedies
26. The DOI has established guidelines for dealing with 18 U.S.C. 1033
27. The DOI has granted waivers to 18 U.S.C. 1033; i.e., the DOI has granted written consent to allow certain individuals to participate in the business of insurance as allowed under 18 U.S.C. 1033
28. The DOI has an insurance fraud telephone hotline.
29. The state has enacted a law providing for restitution for insurance fraud victims.
30. The state offers a reward for reporting suspected insurance fraud.
31. The source of funding for DOI antifraud activity.
32. The DOI requires insurers to file an antifraud plan.
33. The DOI requires insurers to file an annual antifraud statistical report.
34. The DOI requires insurers to have continuing antifraud training.
- 35 – 37. Types of suspected insurance fraud that insurers are required to report to the DOI
38. Insurers report suspected insurance fraud on the 2003 NAIC fraud report form
39. DOI will accept reporting of suspected insurance fraud on the NAIC fraud reporting form
40. DOI utilizes the NAIC On-Line Fraud Reporting System (OFRS).
41. DOI will accept insurers reporting suspected insurance fraud via NICB electronic reporting to states
42. State law grants insurers and individuals immunity from prosecution for good-faith reporting of suspected insurance fraud.
43. State law grants insurers and individuals immunity from prosecution for good-faith inter-insurer sharing of suspected insurance fraud information.
44. State law allows for sharing of suspected insurance fraud information between state agencies and insurers
45. State law provides for information sharing of suspected insurance fraud information between insurers
46. Insurers must print fraud warnings on insurance claim forms.
47. Insurers must print fraud warnings on insurance applications.
48. Insurers must print fraud warnings on claim checks.

ANTIFRAUD TASK FORCE SURVEY RESULTS  
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Response Annotations

- (i) — Reported numbers only. Does not include non-DOI antifraud personnel; i.e., personnel in other state agencies. Support includes clerks, analysts and non-prosecuting attorneys
- (ii) — DOI antifraud staff may only include management, investigators and support staff that conduct claims-fraud investigations of a criminal nature. (CA and FL)
- A — Insurance Department
- B — Insurer Assessments
- C — Fines
- D — Other State Department
- e — Fraud plan is not required, but will be reviewed by examiners if one exists.
- Y1 — Insurance Department, Legal Division
- Y2 — State Attorney General's Office; Health & Social Services Fraud Bureau
- Y3 — State Police
- Y4 — Insurance Department, Enforcement Division
- Y5 — Bureau of Consumer and Legal Affairs
- Y6 — Department of Human Services
- Y7 — Department of Insurance, Investigative Section
- Y8 — Department of Insurance, Consumer Protection Division (monitors insurer antifraud plan compliance does not conduct fraud investigations)
- Y9 — Oklahoma State Bureau of Investigation
- Y10 — Office of Auto Theft & Insurance Fraud (State Police); State Fire Marshal for arson
- Y11 — Attorney General's Office, Medicaid Fraud Control Unit
- Y12 — VT Dept. of Banking, Insurance, Securities & Health Care — Market Conduct Division; Vermont Department of Labor
- Y13 — Insurance Department, Examinations Division
- Y14 — Agent only
- Y15 — IL DOI and state police cooperate on insurance fraud matters. IL Dept. of Public Aid & IL State Police cooperate on Medicare-fraud matters.
- Y16 — The MA Insurance Fraud Bureau was established by MA law in 1991 as an autonomous investigative agency, separate from the MA DOI, and funded by insurer assessments
- Y17 — Insurers are required to report agent terminations.
- Y18 — Limited immunity for reporting fraud and misconduct by agents
- Y19 — NJ Attorney General — Office of Insurance Fraud Prosecutor
- Y20 — PA Insurance Fraud Prosecution Authority (IFPA). The IFPA distributes funds (collected from insurer assessments) to 16 state agencies for insurance fraud investigations and prosecutions. DOI performs insurance regulatory functions only.
- Y21 — Insurers reporting suspected fraud to the PA Attorney General must cooperate fully and provide all required testimony and documents.
- Y22 — Through the rating commission bulletin for property and casualty only
- Ya — Auto insurance only
- Yaa — Auto insurance only, and involving only agents, brokers, appraisers, public adjusters and public solicitors
- Yc — External and claims fraud only
- Ye — Dept. of Insurance, Enforcement Unit
- Yf — Required to follow a fraud plan, but not required to file
- Yg — Workers' Compensation only
- Ymc — Department of Insurance, Market Conduct Unit
- Ypc — Property and casualty claims only
- Ywc — State Workers' Compensation Division







National Association of Insurance Commissioners

Formed in 1871, the National Association of Insurance Commissioners (NAIC) is a voluntary organization of the chief insurance regulatory officials of the 50 states, the District of Columbia and five U.S. territories. The NAIC has three offices: Executive Office, Washington, D.C.; Central Office, Kansas City, Mo.; and Securities Valuation Office, New York City.

The NAIC serves the needs of consumers and the industry, with an overriding objective of supporting state insurance regulators as they protect consumers and maintain the financial stability of the insurance marketplace.

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