

BEFORE JAMES A. DODRILL, INSURANCE COMMISSIONER  
OF THE STATE OF WEST VIRGINIA

*In the Matter of:*

**COVID-19 INSURANCE EMERGENCY**

Emergency Proceeding: 20-EO-01

**EMERGENCY ORDER**

**NOW COMES JAMES A. DODRILL**, Insurance Commissioner for the State of West Virginia (hereinafter “Commissioner”), by virtue of the authority vested in him pursuant to W.Va. Code § 33-2-10a, who does **FIND** and **DECLARE** as follows:

On March 13, 2020, the President of the United States declared a National Emergency in relation to the novel Coronavirus 2019 (COVID-19) pandemic;

Due to recommendations and guidance by the federal Centers for Disease Control and other state and federal public health organizations, including the West Virginia Department of Health and Human Resources, Bureau for Public Health, many citizens, including employees of insurers and other regulated entities, may be self-quarantining, working remotely or otherwise practicing social distancing in order to stem the spread or transmission of COVID-19 in the United States;

Insurers and other regulated entities must assess and review their plans of preparedness and plans for continuity of operations to manage the risk of disruption to their operations arising from COVID-19 and actively seek to mitigate the risk of harm to policyholders and claimants;

As a result, the Commissioner recognizes that insurers and other regulated entities may have a limited or otherwise adversely impacted workforce available as a result of the pandemic or may further request or require that their employees limit their direct or personal contact with others, including vendors, third-party contractors, claimants or policyholders;

The Commissioner further recognizes that these workforce limitations and personal contact restrictions may cause disruption to an insurer's or other regulated entity's normal claims handling operations and procedures; and

It is the opinion of the Commissioner that the COVID-19 pandemic constitutes an insurance emergency in the State of West Virginia pursuant to W.Va. Code § 33-2-10a.

It is, therefore, **DECLARED** that an insurance emergency exists in the State of West Virginia, and it is hereby **ORDERED** that that normal time frames for claim handling and settlement as set forth in West Virginia Code of State Rules Title 114, Series 14, Section 5 and subsections 6.2, 6.3, 6.7, 7.3.c, and 7.5 are suspended in the State of West Virginia until further notice.

It is further **ORDERED** that insurers and other regulated entities shall continue to adjust claims as expeditiously as possible during this insurance emergency, and shall utilize all possible methods of adjusting claims remotely, such as telephone, email, facsimile, mobile applications, satellite imagery or 3D mapping, all the while striving to meet normal time frames for the adjustment and resolution of claims whenever possible. The Commissioner recognizes that some claims must be adjusted in person and that strict adherence to normal time frames may be impractical in those certain circumstances and others related to staffing and social distancing because of the COVID-19 crisis. Insurers should prioritize claims adjustment and resolution strategies during this insurance emergency to ensure that high priority claims are addressed before lower priority claims.

It is further **ORDERED** that this Emergency Order shall remain in full force and effect until further notice.

**ENTERED** this 13<sup>th</sup> day of March, 2020.



---

James A. Dodrill  
Insurance Commissioner