



The State of New Hampshire
Insurance Department
21 South Fruit Street, Suite 14
Concord, NH 03301

Christopher R. Nicolopoulos
Commissioner

David J. Bettencourt
Deputy Commissioner

Bulletin

Docket No.: INS 22-039-AB

TO: All Licensees
FROM: Christopher R. Nicolopoulos, Esq., Commissioner *C.N.*
DATE: July 1, 2022
Re: Reporting Suspected Cases of Insurance Fraud

Recently, the New Hampshire Insurance Department (NHID) has become aware of suspected cases of insurance fraud that licensees did not refer to the department's Fraud Unit. This violation of the law is not acceptable and hinders NHID's mission to protect New Hampshire consumers. Licensees that fail to comply are subject to administrative action and may be fined and/or barred from conducting insurance business in New Hampshire.

Pursuant to NH RSA 417:28, all licensed insurers and producers in New Hampshire must report to NHID all suspected instances of insurance fraud or insurance-related criminal activity.

NH RSA 417:28 reads:

417:28 Reporting of Fraudulent Claims by Insurers. – Any person or entity regulated under title XXXVII which has reason to believe that an insurance fraud or insurance-related criminal activity has been committed shall make a report to the unit within 60 days or within a shorter period under such circumstances as the commissioner may prescribe by rule. No waiver of any such regulated person's or entity's applicable privilege or claim of confidentiality in the documents, materials or information shall occur as a result of such disclosure to the unit. Such report shall be made on a form prescribed by the unit and shall contain the information requested and such additional information as the unit may require. The unit shall review such report and select such claims as, in its judgment, warrant further investigation. In the absence of fraud or malice, no public official or insurance company or person who furnishes information on behalf of the insurance company shall be liable for damages in a civil action or

subject to criminal prosecution for any oral or written statement made or any other action taken that is necessary to supply information required pursuant to this section.

All companies, agencies, and individuals subject to the rules and regulations of New Hampshire's insurance laws should ensure they have established policies and trained personnel to fully comply with RSA 417:28, including its response timeframe. Carriers are encouraged to make referrals via National Association of Insurance Commissioners (NAIC) or National Insurance Crime Bureau NICB/Insurance Services Office (ISO). Anyone seeking to report insurance fraud to NHID may use the form on NHID's website, as reflected within this link:

https://business.nh.gov/NCharge/Insurance/default.asp?form_name=FraudReferral

Additional questions relating to this bulletin should be addressed to Brendhan Harris, Fraud Investigator-In-Charge, at Brendhan.B.Harris@ins.nh.gov.