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MISSISSIPPI DEPARTMENT OF INSURANCE BULLETIN 2005-11 October 24, 2005

On August 29, 2005, Hurricane Katrina hit the Mississippi Gulf Coast as a Category 4 hurricane, causing widespread major damage to homes and loss of personal belongings throughout a significant portion of the State.

Pursuant to the Governor's Proclamations dated August 26, 2005, and September 2, 2005, Governor Barbour declared a state of emergency invoking his emergency powers pursuant to Miss. Code Ann. § 33-15-11, and directed state agencies to discharge their emergency responsibilities as deemed necessary as set forth in the State of Mississippi Emergency Operations Plan and Executive Order No. 653, dated November 16, 1990. In accordance with the Proclamations and Executive Order, and Miss. Code Ann. §§ 33-15-11 (b)(9) and 33-15-11 (c)(4), there was a delegation of those emergency powers to the Commissioner of Insurance which allows him, in his discretion, to promulgate emergency regulations and guidelines to promote and secure the safety and protection of the citizens of this State.

With respect to personal and commercial property insurance policies covering structures in Mississippi damaged as the result of Hurricane Katrina, I hereby direct that all insurance companies grant an extension of any and all time limits for the submission of any "Notice of Claim" and/or "Proof of Loss" information by the insured to the insurance company. The time limit for submitting any "Notice of Claim" and/or "Proof of Loss" information by the insured to the insurance company is hereby extended until January 31, 2006, provided, with respect to "Proof of Loss" information, that the insurance company has requested such proof of loss not less than sixty (60) days prior to January 31, 2006. However, if an insured's policy provides for additional time beyond January 31, 2006, for filing "Notice of Claim" and/or "Proof of Loss" information, then the later date shall apply. Likewise, if an insured's policy does not prescribe a time limit for filing "Notice of Claim" and/or "Proof of Loss" information, then the January 31, 2006, extension date set forth herein shall not apply.

This extension of time does not relieve the insured from exercising reasonable diligence regarding the submission of a "Notice of Claim" and/or "Proof of Loss" to their insurance company.

If there are any questions concerning this Bulletin, contact the Mississippi Department of Insurance at (601) 359-3569.

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COMMISSIONER OF INSURANCE