

**PROPOSED RULES****CHAPTER 45-15-01  
INSURANCE FRAUD**

**45-15-01-01. Insurance fraud.** A person engaged in the business of insurance having knowledge or a reasonable belief that a fraudulent insurance act has been, is being, or will be committed shall provide information concerning the known or suspected fraudulent insurance act to the commissioner in writing within sixty days of having that knowledge or reasonable belief. The information may be reported on the national association of insurance commissioners uniform suspected insurance fraud reporting form, a copy of which is attached as appendix A. Thereafter, the person engaged in the business of insurance shall promptly provide to the commissioner any additional information that the commissioner may request concerning the known or suspected fraudulent insurance act. For the purposes of this rule, a reasonable belief means that the person engaged in the business of insurance has ~~ascertained, after reviewing the facts surrounding the possible fraudulent insurance act through its internal fraud activities and processes, if such activities and processes are in place, that~~ a given fact or combination of facts which exist and that the circumstances in their totality result in a determination that more likely than not, a fraudulent insurance act ~~was~~ has been, is being, or will be committed.

**History:** Effective March 1, 2004; amended effective April 1, 2017.

**General Authority:** NDCC 28-32-02

**Law Implemented:** NDCC 26.1-02.1, 26.1-02.1-11