

**HB 1491-S - DIGEST**

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that an insurer engaged in the business of insurance may not unreasonably or negligently deny a claim for coverage or payment of benefits to any first party claimant.

Provides that any first party claimant to a policy of insurance who is unreasonably or negligently denied a claim for coverage or payment of benefits by an insurer may bring an action in the superior court of this state to recover the actual damages sustained, together with the costs of the action, including reasonable attorneys' fees and litigation costs.

Authorizes the superior court to, after finding that an insurer has acted unreasonably or negligently in denying a claim for coverage or payment of benefits or has violated Title 284 of the Washington Administrative Code, increase the total award of damages to an amount not to exceed three times the actual damages.