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OPINION

Revive bill that would give claimants a fair shot

A bill that would have leveled the playing field between Insurance companies and customers wrongly denied a claim went nowhere this legislative session.

Its sponsors should renew their efforts next session -- and legislative leaders should get on board.

Senate Majority Leader Joseph Bruno, whose district includes much of Saratoga County, did not allow a vote on a comprehensive bill brought forth by Sen. John De Francisco, a fellow Republican from Syracuse.

Bruno contended the measure would have resulted in higher premiums for consumers. But his real concern may have been objections from the insurance industry, which has contributed more than $70,000 to his war chest.

At the very end of the legislative session, Bruno put forward an alternative bill that addressed only a tiny piece of the problem and increased the insurance company's fine from $500 to $1,000, still a ridiculously low penalty. Besides, there was no comparable bill in the Assembly.

Bruno's bill would have been better than nothing, but DeFrancisco's version is the one that should be revived.

The main purpose of the bill is to allow customers who have been unjustly denied a claim to recover legal fees and possibly punitive damages (no greater than the amount of the claim) from the insurer.

Now, customers are discouraged from suing because the claim in question may be less than the legal fees. Knowing this, insurance companies do not have a financial incentive to do the right thing from the start.