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114TH CONGRESS
1ST SESSION

H. R. 3456

To improve the process for claims for losses under the National Flood Insurance Program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 9, 2015

Mr. DONOVAN introduced the following bill; which was referred to the Committee on Financial Services

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A BILL

To improve the process for claims for losses under the National Flood Insurance Program, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Flood Insurance Mitigation and Policyholder Protection Act of 2015''.

SEC. 2. CLAIMS ADJUSTMENT AND ENGINEERING REPORTS.

Section 1312 of the National Flood Insurance Act of 1968 (42 U.S.C. 4019) is amended by adding at the end the following new subsection:

"(d) CLAIMS ADJUSTMENT AND ENGINEERING REPORTS.—The Administrator shall require that, in the case of any on-site inspection of a property by a claims adjustor or engineer for the purpose of assessing any claim for losses covered by a policy for flood insurance coverage provided under this title, any report shall be provided to the insured under the policy, as follows:

"(1) TIMING.—Such report may not be transmitted to any other person, employer, agency, or entity, before it is transmitted to the insured.

"(2) PROHIBITION ON ALTERATIONS; CERTIFICATION.—The report may not include alterations by, or at the request of, anyone other than such preparer and shall include a certification, signed by the preparer of the report, that it does not contain any such alterations.

"(3) TRANSMITTAL.—The report shall be transmitted to the insured in a manner as the Administrator shall provide that provides reasonable assurance that it was transmitted directly to the insured by the preparer.

"(4) REPORTS COVERED.—For purposes of this subsection, the term 'report' means any report or document in connection with such claim that is based on such on-site inspection, including any adjustment report, field report, and engineering report or survey. Such term also includes any draft, preliminary version, or copy of any such report or survey, any amendments or additions to any such report or survey,''.

SEC. 3. JUDICIAL REVIEW.

(a) GOVERNMENT PROGRAM WITH INDUSTRY ASSISTANCE.—Section 1341 of the National Flood Insurance Act of 1968 (42 U.S.C. 4072) is amended by inserting before '', may institute'' the following: ''or, in the case of a denial of a claim for losses that is appealed to the Administrator, within one year after the date of a final determination upon appeal denying such claim in whole or in part''.

(b) INDUSTRY PROGRAM WITH FEDERAL FINANCIAL ASSISTANCE.—Section 1333 of the National Flood Insurance Act of 1968 (42 U.S.C. 4053) is amended by inserting before '', may institute'' the following: ''or, in the case of a denial of a claim for losses that is appealed to the Administrator, within one year after the date of a final determination upon appeal denying such claim in whole or in part''.

SEC. 4. ISSUANCE OF GUIDELINES FOR FLOOD MITIGATION METHODS FOR BUILDINGS.

The Administrator of the Federal Emergency Management Agency shall issue the guidelines required under 1361(d) of the National Flood Insurance Act of 1968 (42 U.S.C. 4102(d)), as added by section 26(a)(1) of the Homeowner Flood Insurance Affordability Act of 2014 (Public Law 113–89; 128 Stat. 1032), not later than the expiration of the 60-day period beginning on the date of the enactment of this Act.

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