



South Carolina Department of Insurance

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TO: All Insurers, Health Maintenance Organizations, Adjusters, Producers, and Other Persons Licensed and Authorized to Transact the Business of Insurance within the State of South Carolina

FROM: Michael Wise *Michael Wise*
Director of Insurance

RE: *Additional Assistance for Insureds and Covered Persons Directly Impacted by Tropical Storm Helene*

DATE: October 1, 2024

As you are aware, the Governor declared a state of emergency due to Tropical Storm Helene on September 25, 2024. Tropical Storm Helene has caused damage across many counties in South Carolina and substantially impacted some South Carolina insureds. The State of South Carolina is in the process of assisting South Carolinians directly impacted by Tropical Storm Helene with the recovery from this disaster and other emergency conditions.

As a part of the state's recovery efforts, this bulletin is to advise all insurers, HMOs, and other licensed or authorized entities and persons that the Director of Insurance expects the insurance industry to work with those South Carolina citizens and businesses directly impacted to provide relief from certain insurance requirements.

This relief may include, but is not limited to, the following:

- Extension on premium payment deadlines.
- Allowing additional time before nonrenewal(s) or cancellations become effective.
- Providing extensions on proof of loss deadlines.
- Granting waivers of limitations relating to the use of out-of-network providers.
- Allowing one early or replacement refill for prescription drugs.
- Waiving fees, penalties or other charges relating to an insured's temporary inability to submit premium payments or otherwise respond as a result of this disaster event.

Insurers are also reminded of their obligations under Title 38 and other applicable provisions of the South Carolina Code of Laws. Insurers and licensees that do not comply with South Carolina law are subject to enforcement action in accordance with §38-2-10 or other applicable South Carolina law. Any exception or relief offered to consumers as described in this bulletin will not

be considered unfairly discriminatory if it is focused on providing additional consumer protections for insureds and consistently applied to all insureds that are directly impacted by this disaster event.

Questions relating to this bulletin may be directed to CATInfo@doi.sc.gov.

Bulletins are the method by which the Director of Insurance formally communicates with persons and entities regulated by the Department. Bulletins are departmental interpretations of South Carolina insurance laws and regulations and provide guidance on the Department's enforcement approach. Bulletins do not provide legal advice. Readers should consult applicable statutes and regulations or contact an attorney for legal advice or for additional information on the impact of that legislation on their specific situation.