

**NATIONAL CONFERENCE OF INSURANCE GUARANTY FUNDS  
2019 SUMMARY OF PROPERTY AND CASUALTY INSURANCE GUARANTY ASSOCIATION ACTS  
SUMMARY BY PROVISION**

**NON-COVERED CLAIMS**

**OTHER**

Almost without exception, each state's guaranty association act provides that: amounts due a reinsurer, insurer, insurance pool or underwriting association are not covered claims, and further that any covered claim shall be reduced by amounts covered by other insurance or another guaranty association. These provisions were not included under this section; but nonetheless are also limitations on covered claims.

STATE	PRE-LIQ FEES	PUNITIVE DAM	NON-EC LOSS	LARGE DEDUCTIBLE EXCLUSION	OTHER
NAIC		X			
NCIGF		X			
AL		X			FIRST PARTY CLAIMS BY A HIGH NET WORTH INSURED; RETURN OF PREMIUM UNDER A RETROSPECTIVE RATING PLAN
AK		X			
AZ	X				
AR	X	X			INTEREST
CA	X	X			CLAIMS COVERED BY GOV'T INS OR GUARANTY
CO					
CT					NON-U.S. CLAIMS & CLAIMS OF ALIENS
DE		X			AMOUNT DUE TO HEALTH MAINTENANCE ORG., HOSPITAL PLAN CORP., PROFESSIONAL HEALTH SERVICE CORP., BAD FAITH DAMAGES
DC		X			
FL					PENALTIES OR INTEREST
FLWC					PENALTIES OR INTEREST
GA	X	X			INTEREST
HI	X	X			FEES FOR CLAIM AGAINST ASSOCIATION, INTEREST
ID		X			
IL		X			INTEREST
IN	X				INTEREST
IA	X	X		X	SIR, FINES, PEN. INT. POL W/LGE DED, 515B.2.4.B(1)(B) COVERED CLAIM DOES NOT INCLUDE ANY AMOUNT AS FOLLOWS: (2) THAT CONSTITUTES THE PORTION OF A CLAIM THAT IS WITHIN AN INSURED'S DEDUCTIBLE OR SELF-INSURED RETENTION.
KS		X			
KY		X			CERTAIN LEGAL EXPENSES
LA	X	X			PENALTIES OR INTEREST

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STATE	PRE-LIQ FEES	PUNITIVE DAM	NON-EC LOSS	LARGE DEDUCTIBLE EXCLUSION	
ME		X			CLAIMS COVERED BY GOV'T INS
MD					NO CLAIM FOR UNAUTHORIZED INSURANCE OF A PURCHASING GROUP
MA					
MI	X			X	60C.09 (2)(4) ...A COVERED CLAIM DOES NOT INCLUDE (4) ANY CLAIMS UNDER A POLICY WRITTEN BY AN INSOLVENT INSURER WITH A DEDUCTIBLE OR SELF-INSURED RETENTION OF \$300,000 OR MORE, NOR THAT PORTION OF A CLAIM THAT IS WITHIN AN INSURED'S DEDUCTIBLE OR SELF INSURED RETENTION
MN		X		x	POL WITH LGE DED OR SIR, FINES, PENALTIES, INT
MS		X			
MO	X	X	X	X	POL WITH LG DED OR SIR, FINES, PENALTIES, INT, 375.7722. (7)(C)(H) COVERED CLAIM SHALL NOT INCLUDE ANY AMOUNT THAT CONSTITUTES A PORTION OF A COVERED CLAIM THAT IS WITHIN AN INSURED'S DEDUCTIBLE OR SELF- INSURED RETENTION. Workers Compensation excluded from deductible exclusion
MT		X			
NE	X	X	X		INCURRED BUT NOT REPORTED DAMAGES
NV	X			X	INTEREST, DEDUCTIBLES, SIR'S, 687A.033 (2) THE TERM [COVERED CLAIM] DOES NOT INCLUDE: (B) THAT PART OF A LOSS WHICH WOULD NOT BE PAYABLE BECAUSE OF A PROVISION FOR A DEDUCTIBLE OR A SELF-INSURED RETENTION SPECIFIED IN THE POLICY.
NH		X			
NJ		X			PENALTIES, INTEREST, FEES FOR SUITS AGAINST THE ASSOCIATION
NJWC					
NM	X				INTEREST, SUPPLEMENTARY PAYMENTS
NY					

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NC		X			CLAIMS COVERED BY GOV'T INS OR GUARANTY, SIR'S
ND		X			
OH		X			
OK	X	X			INTEREST, FEES FOR SIUTS AGAINST THE ASSOCIATION
OR					
PA		X			
PAWC					
PR		X			
RI	X	X			
SC		X			SELF INS RETENTION, GOV'T INS, FEES FOR SUITS AGAINST ASSOCIATION, DEDUCTIBLES AND INTEREST
SD		X			
TN		X	X		
TX	X	X			PENALTIES, INTEREST, OR BAD FAITH DAMAGES
UT	X	X			INTEREST
VT	X				
VI	X				INTEREST
VA		X			CLAIMS COVERED BY GOV'T INS. OR GUARANTY, ISSUED BY SURPLUS LINES OR RRG
WA					
WV					
WI		X			CLAIMS COVERED BY GOV'T INS. OR GUARANTY
WY		x			INTEREST, SUPPLEMENTARY PAYMENT OBLIGATIONS

**DISCLAIMER**

*Although the NCIGF has made every effort to produce the most complete, up-to-date and accurate law summaries possible, this work is meant to be used for reference purposes only. It is not meant as a substitute for an official version of a state statute or for legal advice.*

*Future updated copies of this summary may be obtained by contacting Robin Webb ([rwebb@ncigf.org](mailto:rwebb@ncigf.org)) of the National Conference of Insurance Guaranty Funds, 300 N Meridian St, Ste 1020, Indianapolis, Indiana, 46204, (317) 464-8136.*