

Obtained summary judgment for USAA against a putative class action alleging that USAA's time limitation on Med-Pay benefits violated Colorado law and that USAA failed to disclose the time limitation.

2017

WTO obtained summary judgment for USAA against a putative class action alleging USAA's time limits on medical payments ("Med-Pay") coverage violated Colorado law and that USAA failed to disclose the time limitation on Med-Pay coverage. In 2013, the lead plaintiff was injured in an auto accident and sustained injuries that required medical attention. USAA reimbursed covered medical expenses for the plaintiff's treatment through the Med-Pay coverage in his auto insurance policy until the plaintiff's treatment exceeded the one-year limit on Med-Pay benefits in his policy. USAA denied reimbursement for treatment more than one year after the accident because the policy includes a one-year limitation on Med-Pay benefits. The plaintiff alleged that USAA's time limit violated the Colorado Med-Pay Statute and that USAA failed to disclose that it imposes a one-year limitation on its Med-Pay policies.

The Court granted summary judgment to USAA on all claims, finding that the policy complied with Colorado law, that USAA properly disclosed the time limitation to its insureds,

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and that USAA did not misrepresent the policy's terms in its summary disclosure forms.