

West Virginia Office of Consumer Advocate Offices of the WV Insurance Commissioner 2025 Annual Report

To the Honorable Governor Patrick J. Morrissey:

The purpose of this Annual Report is to comply with W.Va. Code §33-2-16 (d) which reads:

(d) On or before the first day of each regular session of the Legislature, the Director [Office of Consumer Advocacy] shall file with the Governor, the Clerk of the Senate and the Clerk of the House of Delegates a report detailing the actions taken by the division in the preceding calendar year.

The Office of the Consumer Advocate is presently staffed with the Director, Attorney II and a Paralegal. There are vacancies in the Investigator, Nurse III and Financial Analyst positions.

Throughout the years, the Office of the Consumer Advocate has maintained a great working relationship with the West Virginia Offices of the Insurance Commissioner while still providing zealous representation for numerous West Virginia insurance consumers.

In 2025, the Office of Consumer Advocate served the interests of the West Virginia insurance consumer and fulfilled the expanded duties conferred upon the Office in the tort reform measures passed in 2005 in Senate Bill 418. A large portion of the Office of the Consumer Advocate's time and resources was devoted to first- and third-party administrative cases.

During 2025, the efforts of the Office of the Consumer Advocate on behalf of West Virginia insurance consumers yielded financial awards totaling \$51,026.68 which went directly

into the pocket of the consumer as well as several other important actions directly benefiting the West Virginia insurance consumer.

During the entirety of the undersigned's tenure, the Office of the Consumer Advocate has been involved in obtaining financial settlements totaling \$4,703,578.03 on behalf of West Virginia insurance consumers. These awards go directly into the pocket of the consumer. The Office of the Consumer Advocate is very proud of this accomplishment.

In the healthcare arena in 2025, the Office of the Consumer Advocate reviewed 49 Certificate of Need Applications. The Office of the Consumer Advocate was also previously charged with reviewing Rate Review Applications before the West Virginia Health Care Authority. After passage of SB 68, the WV Health Care Authority's ability to establish and regulate hospital rates ceased in 2017. As such, the Office of the Consumer Advocate did not review Rate Review Applications.

In the past, the Office of the Consumer Advocate along with other Departments in the WVOIC would attend a number of State festivals as a means of interacting with and disseminating information to West Virginia insurance consumers. The WVOIC opted not to attend any State festivals in 2025. The Office of the Consumer Advocate hopes that the WVOIC will be attending Conferences and State Festivals in 2026.

The Office of the Consumer Advocate participated in mandatory continuing legal education with a focus on insurance and consumer related education.

The Office of the Consumer Advocate kept abreast of any legislation that would affect West Virginia Consumers. When needed, representatives from the Office of the Consumer Advocate reviewed legislation and attended or watched via live web camera legislative hearings in both the House of Delegates and the Senate.

The Office of the Consumer Advocate also kept abreast of any cases before both the West Virginia Supreme Court of Appeals and the West Virginia Intermediate Court of Appeals regarding insurance law issues. The Consumer Advocate read any pertinent opinions and attended or watched via live web camera oral arguments at the Supreme Court and Intermediate Court when insurance related cases were on either Court's docket.

Finally, the Office of the Consumer Advocate maintained progress toward the ongoing goal of consumer outreach and education. The Office achieved progress by fielding hundreds of calls and contacts from consumers. These contacts were responded to directly and/or referred to the proper agency for response.

Representing Consumers in First and Third-Party Administrative Hearings

In 2025, the Office of the Consumer Advocate provided formal representation to insurance consumers in eighty-six (86) consumer complaints before the West Virginia Insurance Commissioner's Office.

Thirty-Seven (37) of these consumer complaints were third party complaints, forty-nine (49) of these consumer complaints were first party complaints. First party complaints are complaints filed by a consumer against their own insurer, while third party complaints are complaints filed by a consumer against another person's insurer. In addition to formal representation, the Office of the Consumer Advocate assisted and advised hundreds of West Virginia consumers throughout the year, be it via email inquiries, telephonic inquiries, office visits, or other means. This assistance has directly benefited those consumers and in many cases has resolved the consumers' insurance issues or queries without requiring the filing of an actual consumer complaint with the WVOIC.

Whenever a case is received by the Office of the Consumer Advocate, it is evaluated carefully. A number of different things can occur at this time including, but not limited to; the

consumer can opt to not request representation; a consumer can request representation, but after careful review of the case the Office of the Consumer Advocate can decline to represent; the consumer can request representation and the Office of the Consumer Advocate can accept; or the Office of the Consumer Advocate can assist the consumer in deciding whether or not they want to obtain private counsel because the damages in the matter merit a civil lawsuit.

The Office of the Consumer Advocate is proud of the representation that it has provided to consumers. Further, the Office of the Consumer Advocate is also proud of the countless hours that have been spent assisting consumers in evaluating their claims and assisting them in exploring all their options including possibly retaining private counsel when it is in their best interests. This assistance has directly benefited hundreds of consumers every year and in many cases has resolved the consumer's insurance issuers or queries without requiring the filing of a formal consumer complaint.¹

Third Party Complaints

The Office of the Consumer Advocate worked thirty-seven (37) third party cases in 2025. The results of said cases are as follows:

A total of \$49,379.91 was awarded directly to West Virginia Consumers in the form of settlements in ten (10) of the consumer complaints.

In eleven (11) consumer complaint cases, the consumer opted to obtain private counsel for representation.

In nine (9) consumer complaint cases, the Consumer failed or declined to request representation.

¹ A detailed breakdown of the work performed by the Office of the Consumer Advocate each week is available for review.

In four (4) consumer complaint cases, the Consumer opted to withdraw the consumer complaint.

In nine (9) consumer complaint cases, the Consumer failed to request representation.

In three (3) consumer complaint cases, the matters were still pending at the end of the year and the matters carried over into 2026.

THIRD PARTY COMPLAINTS

HANDLED BY THE OFFICE OF THE CONSUMER ADVOCATE IN 2025

RESPONDENT	THIRD PARTY COMPLAINANT	RESOLUTION
The Travelers Indemnity Company	Karen Pethtel	Consumer retained private counsel
Old Republic Insurance Company	David Howell	Consumer retained private counsel
Progressive Classic Insurance Company	Danny Martin	Consumer opted to withdraw consumer complaint
Encompass Home & Auto Insurance Company	Kimberly Kelley	Consumer retained private counsel
Philadelphia Insurance Company	Elizabeth Parsell	Consumer opted to withdraw consumer complaint
Encompass Home & Auto Insurance Company	Mallory Jones	Consumer opted to withdraw consumer complaint
Zurich American Insurance Company, Inc.	John Towle	Consumer retained private counsel
Trisura Insurance Company	Miranda Pifer	Consumer retained private counsel
State Farm Mutual Automobile Insurance Company	Matt Perno	Settled
Erie Insurance Property & Casualty Company	Grace Tinney	Consumer retained private counsel
Allstate Property & Casualty Insurance Company	Alexis Stout	Consumer failed to request representation
The Phoenix Insurance Company	John Wiles	Consumer retained private counsel
Allstate Property & Casualty Insurance Company	Robbie Pearson	Settled
State Farm Mutual Automobile Insurance Company	William Powers	Consumer retained private counsel
Erie Insurance Property & Casualty Company	Erica McVey	Settled
State Auto Property & Casualty Company	Robert Thompson	Consumer retained private counsel

Liberty Mutual Personal Insurance Company	Patrick Strickland	Settled
Allstate Property & Casualty Company	Geoffrey Stone	Settled
Progressive Classic Insurance Company	Jessica Shroads	Settled
Erie Insurance Property & Casualty Company	Dustin Duraso	Consumer retained private counsel
Allstate Property & Casualty Company	Todd Rabbitt	Consumer failed to request representation
Erie Insurance Property & Casualty Company	Scott Hunter	Consumer failed to request representation
Liberty Mutual General Insurance Company	Justin Horstman	Settled
Union Insurance Company	Ricky Humphreys	Settled
United Services Automobile Association	Clarissa Pierson	Consumer failed to request representation
Erie Insurance Company	Ethan Haynes	Consumer failed to request representation
LM General Insurance Company	Edward Henry	Settled
Garrison Property & Casualty Insurance Company	Cherry Huynh	Consumer failed to request representation
Progressive Classic Insurance Company	Henrietta Franken	Settled
Progressive Classic Insurance Company	John Browning	Pending
Erie Insurance Company	Michael Coltogirone	Consumer retained private counsel
State Farm Mutual Automobile Insurance Company	James Hill	Pending
State Farm Mutual Automobile Insurance Company	Linda Greathouse	Consumer opted to withdraw complaint
Agency Insurance Company	Dawn Cobern	Consumer failed to request representation
The Travelers Indemnity Company of Connecticut	Daniel Linville	Consumer failed to request representation
Grange Insurance Company	Roger Garrett	Consumer failed to request representation
Safeco Insurance Company of America	Jennifer Thomas	pending

First Party Complaints

The Office of the Consumer Advocate worked forty-nine (49) first party cases in 2025. The results of said cases are as follows:

A total of \$1,646.77 was awarded directly to West Virginia Consumers in the form of settlements in one (1) of the consumer complaints.

In three (3) consumer complaint cases, the consumers retained private counsel.

In thirty-one (31) consumer complaint cases, the Consumer failed to request representation.

In four (4) consumer complaint cases, the consumer opted to withdraw the consumer complaint.

In ten (10) consumer complaint cases, the matters were still pending at the end of the year and the matters carried over into 2026.

FIRST PARTY COMPLAINTS
HANDLED BY THE OFFICE OF THE CONSUMER ADVOCATE IN 2025

RESPONDENT	FIRST PARTY COMPLAINANT	RESOLUTION
Liberty Mutual Insurance Company	Michael Young	Settled
State Farm Mutual Automobile Insurance Company	Carmel Barker	Consumer retained private counsel
Farmers & Mechanics Mutual Insurance Company of WV	Brandon Pinney	Consumer failed to request representation
Farmers & Mechanics Mutual Insurance Company of WV	Andrew Smith	Consumer failed to request representation
Trumbull Insurance Company	Judy Fling	Consumer failed to request representation
Foremost Insurance Company Grand Rapids, Michigan	Michelle Caldwell	Consumer failed to request representation
Foremost Insurance Company Grand Rapids, Michigan	Bradford Keeton	Consumer failed to request representation
Allstate Property & Casualty Insurance Company	Stanley Hammack	Consumer failed to request representation
American Economy Insurance Company	Wade & Cassandra Harvey	Consumer failed to request representation
Allstate Vehicle & Property Insurance Company	Heidi Schimmelpfenning	Consumer failed to request representation
Independence American Insurance Company	Josh Gamber	Consumer failed to request representation
Progressive Max Insurance Company	William Beller	Consumer failed to request representation
Allstate Vehicle & Property Insurance Company	Judith Renzelli-Fumich	Consumer opted to withdraw complaint
State Farm Fire & Casualty Company	Donald Fraley	Consumer failed to request representation

Allstate Vehicle & Property Insurance Company	Nabil Hajar	Consumer opted to withdraw complaint
State Farm Mutual Automobile Insurance Company	Debra Richards	Consumer failed to request representation
Allstate Vehicle & Property Insurance Company	William Spradlin	Consumer opted to withdraw complaint
USAA Casualty Insurance Company	Jamie Althage	Consumer retained private counsel
American Economy Insurance Company	Zachery Black	Consumer failed to request representation
Erie Insurance Property & Casualty Company	Gloria Dunlap	Consumer failed to request representation
United Services Automobile Association	Celeste Stotler	Consumer failed to request representation
State Farm Fire and Casualty Company	Charles Stump	Consumer failed to request representation
Progressive Classic Insurance Company	Tracy Samosky	Consumer failed to request representation
State Farm Fire and Casualty Company	Brenda Donegan	Consumer retained private counsel
State Farm Fire and Casualty Company	Vanessa and Andrew Wagner	Consumer failed to request representation
Erie Insurance Property & Casualty Company	Austin Whittaker	Consumer failed to request representation
State Farm Fire & Casualty Company	Margaret Vance	Consumer failed to request representation
State Farm Fire & Casualty Company	Jacob Foster	Consumer failed to request representation
United States Fire Insurance Company Cover Genius Insurance Services, LLC	Elizabeth LaRue	Consumer failed to request representation
State Farm Fire & Casualty Company	Karen Jones	Consumer failed to request representation
Erie Insurance Company	Douglas McCloskey	Consumer failed to request representation
Farmers & Mechanics Mutual Insurance Company of WV	Steve Redden	Consumer opted to withdraw complaint
American Select Insurance Company	Christina Durate	Consumer failed to request representation
Nationwide Mutual Insurance Company	Richard Davis	Consumer retained private counsel
State Farm Fire & Casualty Company	Greg & Vicki Lilly	Consumer failed to request representation
Philadelphia Indemnity Insurance Company	Bill Carter	Consumer failed to request representation
State Farm Fire & Casualty Company	Debra Fields	Consumer failed to request representation
State Farm Fire & Casualty Company	Christina Lee	Consumer failed to request representation
Chubb Indemnity Insurance Company	Jared Simpson	Consumer failed to request representation

State Farm Fire & Casualty Company	William Ross	Pending
State Farm Fire & Casualty Company	Tabitha Fletcher	Pending
Nationwide General Insurance Company	Edward Petronsky	Pending
State Farm Fire & Casualty Company	Patti Hedrick	Pending
Municipal Mutual Insurance Company	Jason & Hannah Lilly	Pending
Auto Club Indemnity Company	Neville Rodney	Pending
National General Assurance Company	Elizabeth Blackburn	Pending
Progressive Max Insurance Company	Alice King	Pending
Farmers & Mechanics Mutual Insurance Company of WV	Curtis Johnson	Pending
American Select Insurance Company	C. Richard Gerber	Pending

Certificate of Need Review

The Office of the Consumer Advocate participated in the review of Certificate of Need (CON) applications before the Health Care Authority. All health care providers must obtain a CON from the West Virginia Health Care Authority to develop, add, or acquire new health care facilities and equipment. The Office of the Consumer Advocate reviews all CON applications and may intervene for the interests of West Virginia residents in the Health Care Authority's CON review process. The Office of the Consumer Advocate carefully reviewed and considered the following forty-nine (49) CON applications:

CERTIFICATE OF NEED - January 2025

FACILITY	CON NO.	REQUEST	CAPITAL EXPENDITURE
Camden-Clark Physician Corporation	24-5-13167-P	Acquisition of Primary Care Practice	\$10,000.00
Camden-Clark Physician Corporation	25-5-13169-P	Acquisition of Urgent Care Center	\$25,000.00
West Virginia University Hospitals, Inc.	25-6-13170-P	Endocrinology Relocation	\$1,830,000.00

CERTIFICATE OF NEED - February 2025

FACILITY	CON NO.	REQUEST	CAPITAL EXPENDITURE
Princeton Community Hospital	25-1-13176-P	Acquisition of Rainbow Pediatrics	\$687,000.00
Hometown Care	25-10/11-13207-PC	Personal Care Program	\$1,500.00
Omega Health Services	25-8/9-13205-BH	WV IDDW	\$500.00

CERTIFICATE OF NEED – March 2025

FACILITY	CON NO.	REQUEST	CAPITAL EXPENDITURE
Mountaineer Home Care Services	25-4/6/7-13219-PC	Personal Care Services through WV Medicaid	\$0
Charleston Area Medical Center, Inc.	25-12-13216-P	Ambulatory Health Care Facility/Mobile Screening Unit	\$0
Charleston Area Medical Center, Inc.	25-12-13215-P	Ambulatory Health Care Facility/Mobile Screening Unit	\$0
Wheeling Hospital	25-10-13217-P	Highlands Ambulatory Health Care Facility	\$30,000.00
Liberty Community Programs Wv LLC	25-8-13226-BH	Title 19 Waiver Provider	\$16,000.00
West Virginia University Hospitals, Inc.	25-6-13224-P	WVUH Laboratory Relocation	\$12,674,000.00
Wetzel County Hospital	25-5-13227-P	Sistersville Rapid Care	\$1,300,000.00

CERTIFICATE OF NEED – April 2025

FACILITY	CON NO.	REQUEST	CAPITAL EXPENDITURE
Wise Medical Staffing, Inc..	25-1/2/3/4/5/6/7/8/9/10/11-13237-PC	In Home Personal Care Services	\$1,500.00
West Virginia University Hospitals, Inc.	25-1/2/3/4/6/8/9/10/11-13238-P	Mobile Lung Cancer Screening	\$10,000.00
United Hospital Center, Inc.	25-6-13262-P	Outpatient Surgery Center	\$49,210,000.00
University Physicians & Surgeons, Inc. Cabell Huntington Hospital, Inc.	25-3-13265-P	Scott Depot Expansion	\$5,916,000.00

CERTIFICATE OF NEED – May 2025

FACILITY	CON NO.	REQUEST	CAPITAL EXPENDITURE
A Touch of Love & Care, LLC.	25-8-13271-PC	Personal Care Services	\$20,000.00
Family Senior Care, Inc.	25-2-13274-PC	Implementation of Personal Care Services	\$1,800.00
Camden-Clark Physician Corporation	25-5-13275-P	Occupational Medicine Relocation	\$250,000.00
Grant Memorial Hospital	25-8-13276-P	Physical and Occupational Therapy Services	\$717,000.00
Camden-Clark Memorial Hospital Corporation Camden-Clark Physician Corporation	25-5-13279-P	Podiatry and General Surgery Practice	\$730,000.00
Wheeling Hospital	25-10-13283-P	Regional Cancer Center	\$140,760,000.00
Hometown Care LLC	25-10/11-13288-BH	Behavior Health Services	\$1,500.00

CERTIFICATE OF NEED - June 2025

FACILITY	CON NO.	REQUEST	CAPITAL EXPENDITURE
Family Senior Care, Inc.	25-2-13286-PC	In-Home Personal Care	\$3,800.00
Mountaineer Home Care Services, LLC	25-6/7/9-13223-PC	Personal Care Services through WV Medicaid	\$1,500.00

CERTIFICATE OF NEED – July 2025

FACILITY	CON NO.	REQUEST	CAPITAL EXPENDITURE
Camden-Clark Memorial Hospital Corporation Camden-Clark Physician Corporation	25-5-13315-P	Harbor Point Primary Care	\$349,000.00
Princeton Community Hospital	25-1-13317-P	Neurosurgeon Practice	\$55,000.00
Charleston Area Medical Center, Inc.	25-3-13323-P	Ambulatory Health Care Facility	\$140,000.00
Princeton Community Hospital	25-1-13324-P	Acquisition of Beckley Physicians Practice	\$61,000.00
Boone Memorial Hospital, Inc. d/b/a Boone Memorial Health.	25-3-13332-P	Coal River Primary Care Services	\$104,500.00

CERTIFICATE OF NEED - August 2025

FACILITY	CON NO.	REQUEST	CAPITAL EXPENDITURE
Adoration Home Health Acquisitions, LLC	25-12-13340-A	Acquisition of Amedisys Home Health Agencies	\$24,300,000.00
Adoration Hospice Care Acquisitions, LLC	25-5-13339-A	Acquisition of Housecalls Hospice	\$6,700,000.00
Boone Memorial Hospital, Inc. d/b/a Boone Memorial Health	25-3-13347-P	Ambulatory Care Center	\$104,500.00

CERTIFICATE OF NEED - September 2025

FACILITY	CON NO.	REQUEST	CAPITAL EXPENDITURE
Kinstead Family Services, LLC	25-2/3-13378-BH	CSED Waiver Wraparound Facilitation	\$10,000.00
Adoration Hospice Care Acquisitions, LLC	25-4/6/7-13379-A	Acquisition of West Virginia Hospice	\$300,000.00
WMC Physician Practices, LLC	25-11-13384-P	Acquisition of Podiatrist Practice	\$85,000.00
West Virginia University Medical Corporation	25-9-13389-P	Spring Mills Imaging Services	\$10,000.00

CERTIFICATE OF NEED - October 2025

FACILITY	CON NO.	REQUEST	CAPITAL EXPENDITURE
West Virginia University Medical Corporation	25-9-13400-P	Charles Town Imaging Services	\$10,000.00
West Virginia University Medical Corporation	25-9-13410-P	Inwood Imaging Services	\$10,000.00
Marietta Memorial Hospital	25-5-13412-P	Parkersburg Primary Care	\$500,000.00
Berkeley Medical Center	25-9-13432-P	Berkeley Springs Urgent Care Center	\$350,000.00
Linx Community Services	25-7/8-13448-BH	Behavioral Health Center	\$210,000.00

CERTIFICATE OF NEED - November 2025

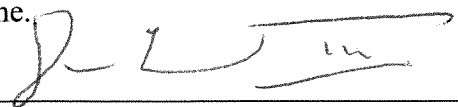
FACILITY	CON NO.	REQUEST	CAPITAL EXPENDITURE
Berkeley Medical Center	25-9-13450-P	Berkeley Springs Provider Based Clinic	\$20,000.00
Jefferson Medical Center	25-9-13455-H	Fixed Site MRI Services	\$2,550,000.00

CERTIFICATE OF NEED - December 2025

FACILITY	CON NO.	REQUEST	CAPITAL EXPENDITURE
Mercer County Opportunity Industries, Inc.	No Number Listed	West Virginia IDWW	\$1,500.00
Augusta Levy Learning Center	24-5/10/11-13131-BH	Licensed Behavioral Health Center	\$0
Camden-Clark Physician Corporation	25-5-13472-P	Development of ENT Practice	\$600,000.00
United Hospital Center, Inc.	25-6-13476-H	Inpatient Psychiatric Beds	\$10,000,000.00

Conclusion

The Office of the Consumer Advocate continues to remain dedicated to providing consumer protection and promoting consumer awareness. Further, the Office of the Consumer Advocate will track trends in the insurance industry and educate West Virginia insurance consumers regarding insurance issues and practices. The Office of Consumer Advocate remains a remarkable resource for West Virginia insurance consumers and will continue to do everything possible to protect citizens and advocate for a fair and accessible insurance marketplace for everyone.



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