

Help ensure that Oregon consumers receive the protection and insurance benefits they paid for

PLEASE VOTE YES ON HB2821

Oregon law requires you to buy Personal Injury Protection (PIP - \$15,000 of minimum coverage) to pay for medical expenses incurred in an automobile accident. Under current law, if the accident is the fault of another driver, your insurance company is reimbursed FIRST, fully, before you (the injured consumer), see a dime from the at fault party for medical and other expenses incurred from the accident. Even before your doctor or other health care providers are fully paid, the insurance company is paid.

Making the injured person whole *before* making the insurance company whole (partial or complete) is the law in 38 states.

Oregon is one of the 4 most restrictive states in the country. (See pie chart on next page)

Require insurers to provide consumers with the full coverage of their policies.

➤ Consumers pay premiums for PIP coverage. Consumers often discover, after being injured in an accident that their insurance company stands first in line to be paid from the at fault driver's insurance before the injured consumer receives payment for their own losses. Oregon law currently pays the PIP insurer before the injured consumer. However, it is the injured consumer who has been paying for PIP coverage mandated by Oregon law and the injured consumer who has suffered the loss.

➤ Under HB2821 the injured consumer is the first party to be reimbursed for their loss and receives the benefits they have paid for. The PIP insurer is then reimbursed with the remaining available funds.

This is currently the law in Washington State, which has PIP coverage.

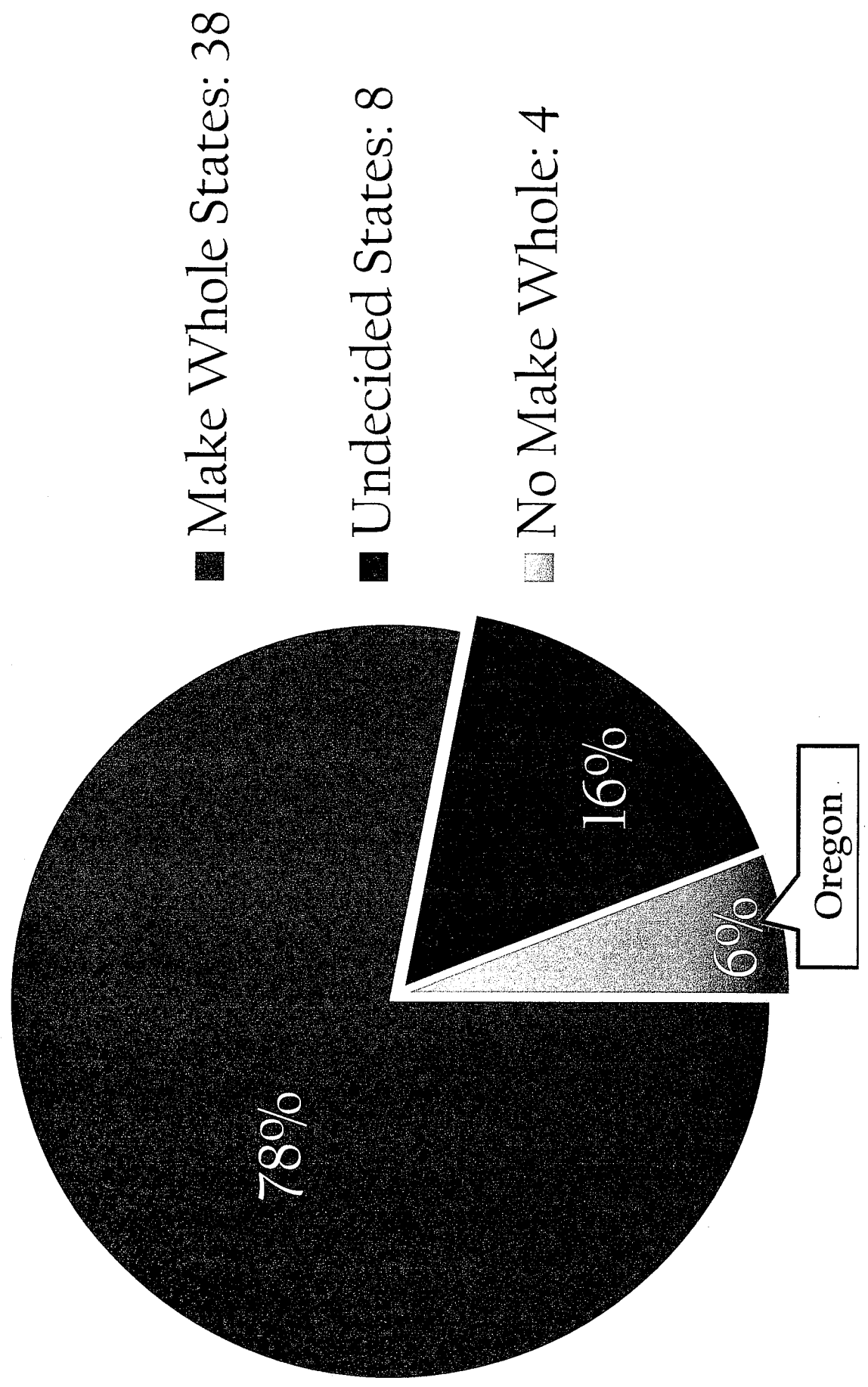
➤ HB2821 also allows Oregonians injured in an accident to access their PIP medical coverage for two years instead of one year, helping to ensure that they get the medical care they need and have paid for. It does not raise the amount of coverage an injured Oregonian receives, it only allows an injured Oregonian more time to be treated under their current level of PIP coverage.

Example under current law: Kathy purchases \$25,000 in liability coverage and \$15,000 in PIP coverage, the mandatory minimum coverage required in Oregon. Kathy is hit and injured by Bob, who has the same amount (\$25,000) of liability coverage. Kathy is seriously injured and has \$24,500 in medical bills and a permanent injury. Kathy's insurance pays \$15,000 for her medical bills under her PIP coverage. Bob's insurance company pays its' \$25,000 liability policy limits. Unbeknownst to Kathy, Kathy's PIP insurer is reimbursed the first \$15,000; Kathy's other medical bills are paid \$9,500; and Kathy is left with only \$500—for a permanent injury! HB2821 would protect consumers such as Kathy by requiring that all of her damages be compensated first. Then, any remaining funds from Bob's insurance company would reimburse Kathy's insurance provider for its' PIP payments.

PLEASE SUPPORT OREGON CONSUMERS –

The Oregon Trial Lawyers Association urges you to **SUPPORT HB2821**

PIP Make Whole: State Percentages



■ Make Whole States: 38

■ Undecided States: 8

■ No Make Whole: 4

Oregon