

Vote Yes on House Bill 3160
Stop Bad Insurance Practice of Delay and Deny – Just Because They Can
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I'm a lawyer from Vancouver but I practice in Oregon too. I focus a lot on insurance law. I help consumers who've had their claims denied by their insurance company.

It is difficult in both states to fight a big insurance company but it is much more difficult in Oregon. The reason it is more difficult in Oregon is because insurance companies are allowed to put all sorts of obstacles in the way of getting the claim paid.

If a consumer disputes a denial, the first thing they face is an insurance company attorney who will demand they produce lots of private records.

You will be asked to provide several years of back tax returns, your bank account records, credit card history and even copies of your utility bills. **This information has nothing to do with your accident or your coverage. It's a deny and delay tactic that insurers are allowed to do in Oregon because they are not held to the same standards as other industries and are not held accountable for their bad behavior through the Unlawful Trade Practices Act. So delay, deny, delay, deny and make more money by not paying for legitimate claims.**

You will then be required to attend an "examination under oath" which is a multi-hour long questioning of you by the insurance company attorney in front of a court reporter. If you object to any of this, your company will claim you are not cooperating and this then becomes another reason they can use to deny your claim.

Most people just give up when faced with this, particularly if the dollar amount of the claim is small. **Why go through all this hassle? Who has the time? For every insurance policy holder who walks away and the insurance company doesn't have to pay, the more profit for the insurance company.**

Washington recognized this and passed a consumer law back in 2007 called the Insurance Fair Conduct Act (IFCA).

This law allows a consumer to give the insurance company a 30 day notice to pay the claim.

The notice also goes to the insurance commissioner for his records.

If they claim still isn't paid, the consumer can file a lawsuit.

If the consumer can show a judge that the claim denial was unreasonable, the judge can order the insurance company to **"reimburse the consumer for any attorney fees, court costs and for triple the amount of the claim. When insurance companies delay and deny we need strong laws in place to hold them accountable for their bad actions."**

In Washington, since this law went into effect, insurance premiums have not gone up. Lawsuits against insurance companies haven't skyrocketed. The sky hasn't fallen.

What has happened in Washington is that the insurance companies have been far less likely to screw around with the consumer and deny claims unless they have good, legally sound grounds to do so. **Washington laws protect the consumer while Oregon laws protect the insurance companies.**