

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass the A-Engrossed Measure
Vote:	5 - 0 - 0
Yeas:	Baertschiger Jr, George, Monnes Anderson, Prozanski, Shields
Nays:	0
Exc.:	0
Prepared By:	Channa Newell, Administrator
Meeting Dates:	2/19

WHAT THE MEASURE DOES: Allows electronic delivery of communications, including notice of cancellation, termination, or non-renewal of insurance, if consumer provides affirmative consent to receive electronic communications and other existing provisions are met. Allows confirmation of electronic delivery of notice to suffice as proof of notice in cases where proof of mailing is already proof of notice. Allows oral communication or recording of oral communication to qualify as notice or document delivered by electronic means, if insurer can reliably store and reproduce the communication. Declares emergency; effective on passage.

ISSUES DISCUSSED:

- Consumer must opt-in to receive electronic communications
- Retains requirement that certain cancellation notices must continue to be in writing
- Use of recorded conversation to qualify as notice

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Under current Oregon law, consumers may receive electronic communications from their insurers if the insurer provides specific information on electronic communications to the consumer and the consumer then provides affirmative consent to receive electronic communications. Notices of cancelation or termination of an insurance policy must be provided in writing. Additionally, a recording of an oral communication does not qualify as an electronic record.

House Bill 4052-A allows certain cancellations or terminations to be delivered via electronic means, so long as the consumer consents and all existing requirements are met. Additionally, the measure allows recordings of oral communications to qualify as notice, if the insurer can reliably store and reproduce the communication. The measure keeps intact the prohibition on using electronic communications for cancellation or termination of utility services, repossession, foreclosure or eviction, recall of a product, or cancellation of a health insurance policy.