

SB 314

No Special Privileges: Treat Insurance Companies Like Any Other Business

It is unlawful for a business to sell banned, dangerous toys. It is unlawful for cable television companies to illegally bill late fees and for car dealers to lie about needed repairs or for them to roll back odometers. Oregon consumer protection laws protect consumers from unscrupulous charities that play on Oregonians' generosity, phone solicitors who violate the no-call rule, junk fax senders and rogue tow truck companies. Those same laws protect Oregon businesses that play by the rules from having to compete in the marketplace with bad actors and cheats. Yet, there is one industry—one very powerful industry—that is above the law: **the insurance industry. That is the case, because insurance is specifically exempted from Oregon's Unlawful Trade Practices Act ("UTPA").**

The UTPA is Oregon's signature consumer protection statute. For decades, Oregon legislators have set standards for business practices through the UTPA, giving consumers a way to hold shady and unethical businesses accountable. Often times these businesses are headquartered in other parts of the country or the world. Fear of being held accountable under the UTPA provides a powerful disincentive to unethical businesses.

As it stands right now, no consumer of insurance, individual or a small business, can hold an insurance company accountable for its unreasonable or unethical behavior. Yet, there is a simple solution: **get rid of the exception exempting insurance from the UTPA.** Make insurance companies play by the same rules as everyone else doing business in Oregon.

The longstanding pattern of insurance company abuse is a common consumer problem. Oregon businesses and consumers are at the mercy of these insurance companies because they have no way of holding them accountable for bad behavior. Some of the common problems include:

- Failing to promptly pay legitimate claims
- Arbitrarily denying coverage for losses or necessary medical bills
- Failing to evaluate a claim in good faith
- Lowball offers that force consumers/businesses to file lawsuits
- Hiding coverage
- Delay, delay, delay and paper consumers to death

This affects not only individual policy owners, but also small and big businesses that are left in the lurch because of unscrupulous behavior by insurance companies. **Stop giving insurance companies the green light on bad behavior.** Hold them to reasonable standards of conduct like ALL other businesses.

- End the special privileges for insurance companies.
- Ensure that consumers/businesses, who are dealing with serious losses, get what they have paid for through their premium dollars.
- Provide consumers/businesses with a way to hold insurance companies responsible for their bad behavior.
- Use existing legal standards in the Unfair Claim Settlement Practices Act to regulate insurers.