

Fiscal: No fiscal impact

Revenue: No Revenue Impact

Action Date: 02/08/16

Action: Do Pass With Amendments And Requesting Subsequent Referral To Ways
And Means Be Rescinded. (Printed A-Eng.)

Meeting Dates: 02/03, 02/08

Vote:

Yeas: 5 - Beyer, Girod, Monroe, Riley, Thomsen

Prepared By: Patrick Brennan, Committee Administrator

WHAT THE MEASURE DOES:

Specifies that Director of Department of Consumer and Business Services may provide information to any requester about complaints received against an insurer for unlawful practices under ORS 746.230, after removing personal identifier information. Sunsets provision January 1, 2021. Takes effect July 1, 2016.

ISSUES DISCUSSED:

- Work group process
- Intended as compromise solution
- Insuring tractors for on-road and off-road uses
- Similar/related laws in other states
- Potential to discourage insurance carriers from issuing policies in Oregon
- Issues with regard to regulatory records
- Insurers' duty to defend depends on duty to indemnify
- Potential for administrative approach to issue

EFFECT OF COMMITTEE AMENDMENT:

Replaces original measure.

BACKGROUND:

The Department of Consumer and Business Services (DCBS) is the regulatory authority for insurance carriers doing business in Oregon. The Division of Finance and Regulation, which is comprised of what used to be two separate divisions (the Insurance Division and the Division of Finance and Corporate Securities), is tasked with protecting consumers and with regulating insurance, depository institutions, trust companies, securities and consumer financial products and services.

Under current law, DCBS is designated to receive complaints against persons and entities regulated by the Insurance Code and to maintain records of such complaints. Senate Bill 1591-A specifies that any person may request information about complaints that the Department has received about a particular insurer regarding unfair claim settlement practices; upon receiving the request, the Department is directed to provide information on any such complaints after removing any personal identifier information.