

Dear Legislators,

As a 40+ year veteran of the insurance industry that has included handling claims, I ask that you support limited liability protections from COVID for businesses, non-profits, schools, governments and other entities that serve the public.

Most Commercial General Liability forms are written on a "duty to defend" basis which means the carrier has to investigate every single claim very thoroughly. This takes an enormous amount of time and expense, even for claims they know are not covered. I submitted several business interruption claims and each took several weeks to go through the process and this was just going through policy language. Each was denied. When there is a bodily injury claim, the time and expense to go through all of the testimonies and medical records is extensive. The legal tactic will be to sue every entity that the plaintiff has come in contact with, to get each insurance company to "buy off" the claim and offer up a settlement, rather than litigate it.

I see this in the Construction Defect arena, where there is a broad net approach to get some sort of payment. It does not rely upon who is actually liable. Is this right? No. It effectively drove up insurance costs and significantly narrowed insurance companies willing to write risks in the construction industry.

At this time, the insurance market is "hardening" due to COVID defenses the insurance companies are anticipating. If we want to keep rates reasonable and insurance carriers engaged in doing business in Oregon, I urge you to pass this amendment.

Thank You,
Jane

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