

From: [Heather Smith](#)
To: [Rep Barker](#); [Rep Barreto](#); [Rep Bynum](#); [Rep Boles](#); [Rep Bonham](#); [Rep BoshartDavis](#); [Rep Clem](#); [Rep Doherty](#); [Rep Evans](#); [Rep Fahey](#); [Rep Holvey](#); [Rep Williamson](#); [HBL Exhibits](#); paul@autismsinsuranceOR.org; [Davidcannoy](#)
Subject: Support HB2956 – Procedures for Insurance Enforcement
Date: Sunday, June 2, 2019 7:49:52 AM

Dear Chair Barker and members of the House Committee on Business and Labor,

I'm writing in support of HB2956, which would require Oregon's Insurance Commissioner to:

- Establish and publish a process for investigating consumer complaints about violations of the Insurance Code
- Make recommendations to the legislature about improvements to the Insurance Code regarding investigation and enforcement of consumer complaints about violations of the Insurance Code
- Allow consumers to designate a representative (such as a family member, health care provider, or advocate) that can communicate with the Insurance Commissioner on their behalf about a complaint.

My family and I have been personally impacted by the absence of the protections that HB2956 would provide. In 2017 two enforcement actions were filed against insurers for failing to provide protections mandated by OR law to our 3 year old son, who has autism. A news story was done on our case: <https://katu.com/news/investigators/family-ecstatic-after-huge-fines-announced-against-insurers-over-autism-coverage>. Even after the fines were announced we did not receive communication from the Insurance Division and wrote to Dorthy Bean at DCBS to see whether there would be restitution for our son. We were told that an analysis would be done, but there was no follow up, no resolution and certainly no restitution for our son. We were lucky to work with an insurance advocate that helped guide us through the process but his work was hindered by the absence of a clear, published process for investigating consumer complaints.

Since consumers don't have a private right of action, we are dependent on the Insurance Commissioner to enforce the insurance code for us. While the Insurance Commissioner has the authority (under SB414 from 2013) to seek restitution on behalf of consumers, this is almost never done, and consumers are never consulted or even informed about the Commissioner's ability to help them in this way.

Please support HB2956, to direct the Insurance Commissioner to establish a formal complaints process, and to get consumer input on the enforcement process.

Sincerely,

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