Bill as Introduced

HB 528 – AS INTRODUCED

1999 SESSION

99-0646
01/09

HOUSE BILL ***528***

AN ACT adding penalty provisions to the unfair claim settlement practices by insurers law.

SPONSORS: Rep. Keans, Straf 16; Rep. J. Brown, Straf 17

COMMITTEE: Commerce

ANALYSIS

This bill adds a penalty provision to the law regulating unfair claim settlement practices by insurers.

Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

HB 528 – AS INTRODUCED

99-0646
01/09

STATE OF NEW HAMPSHIRE

In the Year of Our Lord One Thousand Nine Hundred and Ninety-Nine

AN ACT adding penalty provisions to the unfair claim settlement practices by insurers law.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 New Subparagraph; Penalty Added. Amend RSA 417:4, XV by inserting after subparagraph (b) the following new subparagraph:

(c) Commission by an insurer of any of the actions or practices enumerated in this paragraph may be the basis of a civil cause of action by any person aggrieved thereby, and in the event of a judgment against the insurer, it shall be liable for all consequential damages resulting from its actions, as well as costs and reasonable attorneys' fees incurred by the plaintiff.

2 Effective Date. This act shall take effect January 1, 2000.

Committee Minutes

COMMERCE COMMITTEE

1999 Re-Referred Bills
8/13/99

HB 434	providing that health care providers shall determine the appropriate course of patient treatment.	**Rep. Hunt, Chair** Rep. Herman Rep. Francoeur Rep. Marshall Rep. Fuller Clark Rep. Curran Rep. Taylor
HB 637	including persons who make medical decisions as practicing medicine.	
HB 647	relative to health care providers and provider agreements with health insurers.	
SB 162	(New Title) providing for the licensure and regulatory oversight of voluntary small employer health insurance purchasing alliances.	

- ***Please note that these four bills (above) have already been scheduled for <u>Wednesday, September 8, 1999</u>:***

HB 434	10:00 a.m.
HB 637	10:30 a.m.
HB 647	11:00 a.m.
SB 162	11:30 a.m.

SB 52	requiring insurance coverage for infertility treatments.	**Rep. Herman, Chair** Rep. McGough Rep. Kenney Rep. Dalianis Rep. Fuller Clark Rep. Crosby Rep. Garrish
SB 147	relative to self-referrals for chiropractic care under managed care organizations.	

HB 309	relative to motor vehicle insurance.	✓ **Rep. Avery, Chair** ✓ Rep. DiFruscia ✓ Rep. Langley Rep. Pappas ✓ Rep. Belanger ✓ Rep. Tsiros ✓ Rep. Keye Rep. Reardon ✓ Rep. Russell Rep. Vachon
HB 528	adding penalty provisions to the unfair claim settlement practices by insurers law.	
HB 662	relative to the duties of the liquor commission.	
HB 693	limiting access to certain business records.	

Speakers

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # HB 528 Date March 17, 1999

Committee Commerce

**** Please Print All Information ****

Name	Address	Phone	Representing	(check one) Pro	Con
Rick Newman			NH Trial Lawyers	✓	
			(Support Re-Refer)		
George Roussos			NH Assoc. of Domestic Mfg Cos.		✓
			American Council of Life Insurers		
Martin Gross			American Ins Ass'n		✓

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # HB 528 Date March 31, 1999

Committee Commerce

**** Please Print All Information ****

Name	Address	Phone	Representing	Pro (check one)	Con (check one)
Lisa McGunnigle	60 Beacon St Concord, NH 03301	224-0397	NH HMO Association		✓

Hearing Minutes

HOUSE COMMITTEE ON COMMERCE

PUBLIC HEARING ON HB 528

BILL TITLE: adding penalty provisions to the unfair claim settlement practices by insurers law.

DATE: March 31, 1999

LOB ROOM: 302 **Time Public Hearing Called to Order:** 1:30 p.m.

Time Adjourned: 2:05 p.m.

(please circle if present)

Committee Members: Reps. Hunt, Herman, Tsiros, Belanger, Francoeur, McGough, Pappas, Avery, Kenney, Langley, Dalianis, DiFruscia, Marshall, M. Clark, Crosby, Russell, T. Reardon, Vachon, Garrish, Taylor, Curran and Keye.

Bill Sponsors: Rep. Keans, Straf 16; Rep. J. Brown, Straf 17

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep. Keans (Sponsor) support. Bill adds a penalty provision regulating unfair practices by insurers. No penalties now.

Paula Rogers (State Farm) oppose. Supreme Court case pending. Decision may be obviated by their decision. Attorneys are not covered by consumer protection.

George Roussos (New Hampshire Association of Domestic Insurance Companies) oppose. Would support re-referral. The power to revoke licenses is already the penalty. Fines of $2,500 are already there for violations.

Rep. Avery – How many licenses have been revoked for violations? Also, fines and penalties?

Response - Doesn't know answer, check with insurance department.

Rep. DiFruscia – Does a person have a right to civil remedy now?

Response - No, there are other remedies, but not under 417.

Paula Rogers – One infraction can now activate the law some. Insurers are held accountable. Can file a bad faith claim and get redress.

***Lisa McGunnigle** (The New Hampshire HMO Association) oppose. Was not able to stay for hearing.

Respectfully submitted,

Stephen G. Avery
Clerk

HOUSE COMMITTEE ON COMMERCE

PUBLIC HEARING ON HB 528

BILL TITLE: adding penalty provisions to the unfair claim settlement practices by insurers law.

DATE: 3/31/99

LOB ROOM: 302 **Time Public Hearing Called to Order:** 1:30 p.m.

Time Adjourned: 2:05 p.m.

(please circle if present)

Committee Members: Reps. Hunt, Herman, Tsiros, Belanger, Francoeur, McGough, Pappas, Avery, Kenny, Langley, Dalianis, DiFruscia, Marshall, M. Clark, Crosby, Russell, T. Reardon, Vachon, Garrish, Taylor, Curran and Keye

Bill Sponsors: Rep. Keans, Straf 16; Rep. J. Brown, Straf 17

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep. Keans. – Bill adds a penalty provision regulating unfair practices by insures. No penalties now.

Paula Rogers. Supreme Court Case Pending. Decision may be obviated by ther decision. Attourneys are not covered by consumer protection. opposses.

George Roussos. – opposes. would support re-referral. The power to revoke licences is already the penalty. fines of 2500 are already there for violations.

Rep. Avery – How many licenees have been revoked for violations. Also fines and penalties? Dosen't know ans. Check with Ins. Dept.

Rep DiFruscia – Does a person have a right to civil remedy now. NO. The are other remedies. But not under 417.

Paula Rogers - One infraction can now activate the law. Some. Ones are held accountable. Can file a Bad Faith Claim and get redress.

Sub-Committee Actions

INTERIM STUDY
Sub COMMITTEE REPORT

COMMITTEE: Commerce

BILL NUMBER: HB528

TITLE: adding penalty provisions to the unfair claim settlement practices by insurers

DATE: 9/21/00

☐ **RECOMMENDED FOR FUTURE LEGISLATION**

LSR No._____ **(If legislation is already filed, please list LSR no.)**

☑ **NOT RECOMMENDED FOR FUTURE LEGISLATION**

STATEMENT OF INTENT: (May be handwritten)

Pending outcome of Supreme Court Case listed below. Norma Bell vs. Liberty Mutual Ins. Co.; If the case is decided against Ms. Bell then future legislation can be introduced.

Rep. Russell - yes Rep. Reardon - Yes
Rep. Avery - Yes. Rep. DiFruscia - No
Rep. Belanger - Yes.

COMMITTEE VOTE: ~~7-0~~ 4-1 (Attach Committee Voting Sheet)

PLEASE NOTE:
- Reports are due **November 1, 2000**, at the House Clerk's Office with the committee voting sheet attached.
- Place a copy of the committee report and all subcommittee work documents in bill file.

Rep. Stephen S. Avery
For the Committee

Rev. 6/5/00

Sub-Committee Minutes

SUBCOMMITTEE WORK SESSION

COMMITTEE: Commerce

BILL NUMBER: HB 528

TITLE: Adding penalty provisions to the unfair claim settlement practices by insurers law.

DATE: 9/21/99 LOB ROOM: 302

TIME CALLED TO ORDER: _____ TIME ADJOURNED: _____

SUBCOMMITTEE MEMBERS: Avery, DiFruscia, Langley, Belanger, Tsiros, Kaye, Russell.

NOTES: (Attach additional sheets if necessary)

Rep. Herman. Refer to Intrim Study. Supreme Court Pending. Langley - Seconds. - defeated 4.3. ~~DiFruscia - moves OTP. Rep Russell Seconds.~~ DiFruscia - reconsider. passed. Refer to Intrim Study. and is introducing new legislation for upcoming session.

RECOMMENDATION TO THE FULL COMMITTEE:

☑ See Below
☐ No Recommendation Yet

Refer to Intrim Study - Sponsor's Request.

RESPECTFULLY SUBMITTED,

Rep. Stephen G. Avery
For the Subcommittee

Rev. 08/24/98

Testimony

XV. UNFAIR CLAIM SETTLEMENT PRACTICES BY INSURERS.

(a) Any of the following acts by an insurer, if committed without just cause and not merely inadvertently or accidentally, shall constitute unfair claim settlement practices:

(1) Knowingly misrepresenting to claimants or insureds pertinent facts or policy provisions relating to coverages at issue;

(2) Failing to acknowledge and act promptly upon communications with respect to claims arising under insurance policies;

(3) Failing to adopt and implement reasonable standards for the prompt investigation of claims arising under insurance policies;

(4) Not attempting in good faith to effectuate prompt, fair and equitable settlements or compromises of claims in which liability has become reasonably clear;

(5) Compelling claimants to institute litigation to recover amounts due under insurance policies by offering substantially less than the amounts ultimately recovered in actions brought by them;

(6) Adopting or making known to insureds or claimants a policy of appealing from arbitration awards in favor of insureds or claimants for the purpose of compelling them to accept settlements or compromises less than the amount awarded in arbitration;

(7) Attempting settlement or compromise of a claim on the basis of an application which was altered without notice to, or knowledge or consent of the insured;

(8) Attempting to settle or compromise a claim for less than the amount which the insured had been led to believe the insured was entitled to by written or printed advertising material accompanying or made part of an application;

(9) Attempting to delay the investigation or payment of claims by requiring an insured and the insured's physician to submit a preliminary claim report and then requiring the subsequent submission of formal proof of loss forms, both of which submissions contain substantially the same information;

(10) Making any claim payment not accompanied by a statement setting forth the benefits included within the claim payment;

(11) Failing to affirm or deny coverage of claims within a reasonable time after proof of loss forms have been submitted;

(12) Refusing payment of a claim solely on the basis of an insured's request to do so without making an independent evaluation of the insured's liability based upon all available information;

(13) Failure of an insurer to maintain a complete record of all complaints which it has received, whether or not they were deemed valid, the time it took to process the complaint, and the disposition thereof and file an annual report thereof with the insurance department.

(b) Evidence as to numbers and types of complaints to the insurance department against an insurer, and said department's complaint experience with other insurers writing similar lines of insurance, shall be admissible in evidence in an administrative or judicial proceeding brought under this title, provided that no insurer shall be deemed in violation of this section solely by reason of the numbers and types of such complaints.

The New Hampshire
HMO Association

PO Box 1589
Concord, NH 03302-1589
Phone 603-229-0397
Fax 603-229-0401

March 31, 1999

The Honorable John B Hunt
Chair, House of Representatives Committee on Commerce
Legislative Office Building
Room 302
Concord, NH 03301

RE: House Bill 528 – An Act Adding Penalty Provisions to the Unfair Claim Settlement Practices by Insurers Law.

Dear Representative Hunt:

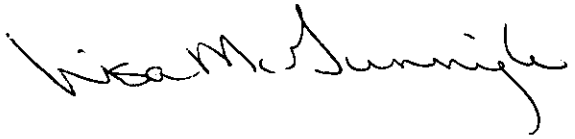
The New Hampshire HMO Association, which is comprised of Aetna/US Healthcare, Blue Cross/Blue Shield of NH and Matthew Thornton Health Plan, Healthsource NH, Harvard Pilgrim Health Care of New England, and Tufts Health Plan of New England, would like to express opposition to House Bill 528 – An Act Adding Penalty Provisions to the Unfair Claim Settlement Practices by Insurers Law.

HB 528 seeks to add additional and unnecessary paths of litigation to currently existing law. The path of civil action provided by HB 528 is redundant in light of the process available to aggrieved parties under RSA 417:19, which currently allows private parties to sue an insurer for any damages or loss suffered because of an unfair trade practice if the insurance commissioner has deemed a party to be aggrieved by an unfair trade practice. Furthermore, RSA 417:21 states that when the insurance commissioner has deemed an action to be an unfair trade practice under RSA 417:19, the commissioner's finding shall be prima facie evidence against the insurer in any further action brought by the consumer.

The currently available course of action provided by RSA 417:19 acts to insure that a person with expertise in insurance matters, the insurance commissioner, determines that an insurer has committed an unfair trade practice. This path of action minimizes frivolous claims and provides reliable determinations of unfair trade practices. This course of action also goes on to provide aggrieved parties with prima facie evidence against an insurer in subsequent court actions. HB 528 would allow parties to circumvent the insurance commissioner and proceed straight to civil suit, which would provide arbitrary determinations of unfair trade practices, encourage frivolous lawsuits, and deny truly aggrieved parties the benefit of prima facie evidence of unfair trade practices.

In sum, HB 528 muddles the rights of healthcare consumers by adding an additional, unnecessary path of litigation to currently existing, sufficient procedures. RSA 417:19 and 417:21 currently work to protect consumers well because they allow for determination of unfair trade practices by a commissioner with expertise in the matter, and then provide aggrieved parties with an easier case to make in court. To add the path of action prescribed in HB 528 will serve to weaken the existing consumer protection framework and encourage frivolous litigation. For these reasons, the NH HMO Association strongly urges you to reject HB 528. Please do not hesitate to contact the NH HMO Association if it can be of additional assistance in this matter. Thank you for your consideration.

Respectfully,



Lisa McGunnigle, RN
Policy Coordinator

Cc:
The Honorable Keith R. Herman
The Honorable William B. Tsiros
The Honorable Ronald J. Belanger
The Honorable Sheila T. Francoeur
The Honorable Tim S. McGough
The Honorable Stephen G. Avery
The Honorable Joseph D. Kenney
The Honorable Jane S. Langley
The Honorable Marc P. Pappas
The Honorable Griffin T. Dalianis
The Honorable Anthony R. DiFruscia
The Honorable Gene B. Marshall
The Honorable Martha Fuller Clark
The Honorable Toni M. Crosby
The Honorable Ronald G. Russell
The Honorable Tara G. Reardon
The Honorable Dennis P. Vachon
The Honorable Kathleen N. Taylor
The Honorable James C. Curran
The Honorable Linda L. Garrish
The Honorable Harvey Keye

Voting Sheets

HOUSE COMMITTEE ON COMMERCE

EXECUTIVE SESSION on HB 528

BILL TITLE: **adding penalty provisions to the unfair claim settlement practices by insurers law.**

DATE: April 20, 1999

LOB ROOM: 302

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep. Vachon

Seconded by Rep. Herman

Vote: 10-3 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: Yes

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Sheila T. Francoeur, Clerk

HOUSE COMMITTEE ON COMMERCE

EXECUTIVE SESSION on HB

BILL TITLE: HB 528

DATE:

LOB ROOM: 302

Amendments:

Sponsor: Rep. _____ OLS Document #: _____ Adopted/Failed

Sponsor: Rep. _____ OLS Document #: _____ Adopted/Failed

Sponsor: Rep. _____ OLS Document #: _____ Adopted/Failed

Motions: OTP, OTP/A, ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep. Vachon

Seconded by Rep. Herman

Vote: 10-3 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep. _____

Seconded by Rep. _____

Vote: _____ (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: _____

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Sheila T. Francoeur, Clerk

COMMERCE 1999 SESSION

Bill # HB 524

Public Hearings _____ Executive Session _____

COMMITTEE REPORT: Re-refer

	YEAS	NAYS
Hunt, John B, Chairman		
Herman, Keith R, V Chairman	✓	
Tsiros, William B		
Belanger, Ronald J	✓	
Francoeur, Sheila T, Clerk	✓	
McGough, Tim S		✓
Avery, Stephen G		✓
Kenney, Joseph D	✓	
Langley, Jane S		
Pappas, Marc P		
Dalianis, Griffin T		
DiFruscia, Anthony R		✓
Marshall, Gene B	✓	
Clark, Martha Fuller		
Crosby, Toni M		
Russell, Ronald G		
Reardon, Tara G	✓	
Vachon, Dennis P	✓	
Taylor, Kathleen N	✓	
Curran, James C		
Garrish, Linda L	✓	
Keye, Harvey	✓	
TOTAL VOTE		

Appeared in Favor	Appeared in Opposition
10	3

EXECUTIVE SESSION

COMMITTEE: Commerce

BILL NUMBER: HB 528

BILL TITLE: Adding penalty provisions to the unfair claim settlement practices by insurers law.

DATE: 10/26/99 LOB ROOM: 320

Amendments:

Sponsor: Rep. _____ OLS Document #: _____ Adopted/Failed

Sponsor: Rep. _____ OLS Document #: _____ Adopted/Failed

Sponsor: Rep. _____ OLS Document #: _____ Adopted/Failed

Motions: OTP, OTP/A, ITL, Re-Refer, (Interim Study) (Please circle one.)

Moved by Rep. Avery

Seconded by Rep. Russell

Vote: 17 - 0 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep. _____

Seconded by Rep. _____

Vote: _____ (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: _____

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Stephen G. Avery, Clerk

COMMERCE 1999 SESSION

528 Bill #

Public Hearings Executive Session

COMMITTEE REPORT: Ontiveros Steen

	YEAS	NAYS
Hunt, John B, Chairman		
Francoeur, Sheila T, V Chairman	✓	
Herman, Keith R	✓	
Tsiros, William B		
Belanger, Ronald J	✓	
McGough, Tim S	✓	
Avery, Stephen G, Clerk	✓	
Kenney, Joseph D	✓	
Langley, Jane S	✓	
Pappas, Marc P		
Dalianis, Griffin T	✓	
DiFruscia, Anthony R		
Marshall, Gene B	✓	
Clark, Martha Fuller	✓	
Crosby, Toni M	✓	
Russell, Ronald G	✓	
Reardon, Tara G		
Vachon, Dennis P	✓	
Taylor, Kathleen N	✓	
Curran, James C	✓	
Garrish, Linda L	✓	
Keye, Harvey	✓	
TOTAL VOTE	17	6

Appeared in Favor | Appeared in Opposition

Committee Report

COMMITTEE REPORT

COMMITTEE: **Commerce**

BILL NUMBER: **HB 528**

TITLE: adding penalty provisions to the unfair claim settlement practices by insurers law.

DATE: April 20, 1999 CONSENT CALENDAR YES ☒ NO ☐

☐ OUGHT TO PASS

☐ OUGHT TO PASS WITH AMENDMENT

☐ INEXPEDIENT TO LEGISLATE

☒ RE-REFER

☐ REFER TO COMMITTEE FOR INTERIM STUDY
(Available only in second year of biennium.)

STATEMENT OF INTENT
(Include Committee Vote)

The committee has chosen to accede to the request of the prime sponsor to re-refer this bill to the committee for further study. The issue of creating a private cause of action against insurance carriers is potentially very controversial and may require fine-tuning of the existing statutes referred to.

Vote 10-3.

Rep. Dennis P. Vachon
FOR THE COMMITTEE

Original: House Clerk
cc: Committee Bill file

USE ANOTHER REPORT FOR MINORITY REPORT

CONSENT CALENDAR

Commerce
HB 528, adding penalty provisions to the unfair claim settlement practices by insurers law. RE-REFER
Rep. Dennis P. Vachon for **Commerce:** The committee has chosen to accede to the request of the prime sponsor to re-refer this bill to the committee for further study. The issue of creating a private cause of action against insurance carriers is potentially very controversial and may require fine-tuning of the existing statutes referred to. Vote 10-3.

Vac hon

COMMITTEE REPORT

COMMITTEE: COMMERCE

BILL NUMBER: HB 528

TITLE:

DATE: 4/20/99 CONSENT CALENDAR YES ☒ NO ☐

☐ OUGHT TO PASS

☐ OUGHT TO PASS WITH AMENDMENT

☐ INEXPEDIENT TO LEGISLATE

☒ RE-REFER

☐ REFER TO COMMITTEE FOR INTERIM STUDY
(Available only in second year of biennium.)

STATEMENT OF INTENT
(Include Committee Vote) Accede

The Committe has chosen to ~~accede~~ to the request of the prime sponsor to re-refer this bill to the committee for further study. The issue of creating a private cause of action against insurance carriers is potentially very controversial and may require fine tuning of the existing statutes referred to.

JBH

Vote 10-3.

Rep. Dennis P. Culbertson
FOR THE COMMITTEE

Original: House Clerk
cc: Committee Bill file

USE ANOTHER REPORT FOR MINORITY REPORT

COMMITTEE REPORT

COMMITTEE: **Commerce**

BILL NUMBER: **HB 528**

TITLE: adding penalty provisions to the unfair claim settlement practices by insurers law.

DATE: October 26, 1999 CONSENT CALENDAR YES ☒ NO ☐

☐ OUGHT TO PASS

☐ OUGHT TO PASS WITH AMENDMENT

☐ INEXPEDIENT TO LEGISLATE

☐ RE-REFER

☒ REFER TO COMMITTEE FOR INTERIM STUDY
(Available only in second year of biennium.)

STATEMENT OF INTENT
(Include Committee Vote)

The Insurance Department is still waiting for a pending Supreme Court decision on this matter. The committee would like to keep this bill alive for further action next year.

Vote 17-0.

Rep. Stephen G. Avery
FOR THE COMMITTEE

Original: House Clerk
cc: Committee Bill file

USE ANOTHER REPORT FOR MINORITY REPORT

CONSENT CALENDAR

Commerce

HB 528, adding penalty provisions to the unfair claim settlement practices by insurers law. REFER TO COMMITTEE FOR INTERIM STUDY

Rep. Stephen G. Avery for **Commerce:** The Insurance Department is still waiting for a pending Supreme Court decision on this matter. The committee would like to keep this bill alive for further action next year. Vote 17-0.

COMMITTEE REPORT

COMMITTEE: Commerce

BILL NUMBER: HB 528

TITLE: Adding penalty provisions to the unfair claim settlements practices & insurers law

DATE: 10/26/99 CONSENT CALENDAR: YES [X] NO [ ]

- [ ] OUGHT TO PASS
- [ ] OUGHT TO PASS W/ AMENDMENT
- [ ] INEXPEDIENT TO LEGISLATE
- [ ] RE-REFER
- [X] INTERIM STUDY (Available only 2nd year of biennium)

Amendment No.

STATEMENT OF INTENT:

The Insurance Department is still waiting for a pending Supreme Court decision on this matter. The committe would like to keep this bill alive for further action next year.

COMMITTEE VOTE: 17-0

- Copy to Committee Bill File
- Use Another Report for Minority Report

RESPECTFULLY SUBMITTED,

SBH

Rep. Steph G. Avery
For the Committee

Rev. 07/30/99

INTERIM STUDY
COMMITTEE REPORT

COMMITTEE: COMMERCE

BILL NUMBER: HB 528

TITLE: adding penalty provisions to the unfair claim settlement practices by insurers law.

DATE: 25 OCTOBER 2000

☐ **RECOMMENDED FOR FUTURE LEGISLATION**

LSR No._____

(If legislation is already filed, please list LSR no.)

☒ **NOT RECOMMENDED FOR FUTURE LEGISLATION**

STATEMENT OF INTENT:

There is a pending Supreme Court Case (Norma Bell vs. Liberty Mutual Insurance) that may decide whether this legislation is needed. The case is not scheduled to be decided for another six to seven months. If the decision is against Ms. Bell, new legislation may be introduced.

COMMITTEE VOTE: 10-3

PLEASE NOTE:
- Reports are due **November 1, 2000**, at the House Clerk's Office with the committee voting sheet attached.
- Place a copy of the committee report and all subcommittee work documents in bill file.

Rep. Stephen G. Avery
For the Committee

Rev. 6/5/00

INTERIM STUDY
COMMITTEE REPORT

COMMITTEE: Commerce

BILL NUMBER: HB528

TITLE: adding penalty provisions to the unfair claim settlement practices by insurers

DATE: 10/25/00

☐ **RECOMMENDED FOR FUTURE LEGISLATION**

LSR No._____ **(If legislation is already filed, please list LSR no.)**

☒ **NOT RECOMMENDED FOR FUTURE LEGISLATION**

STATEMENT OF INTENT: (May be handwritten)

There is a pending Supreme Court Case (Norma Bell vs Liberty Mutual Ins.) that may decide whether this legislation is needed. The case is not scheduled to be decided for another six or seven months. If the decision is against Ms. Bell, new legislation may be introduced.

COMMITTEE VOTE: 10-3 (Attach Committee Voting Sheet)

PLEASE NOTE:
- Reports are due **November 1, 2000**, at the House Clerk's Office with the committee voting sheet attached.
- Place a copy of the committee report and all subcommittee work documents in bill file.

Rep. Steph S. Aveson
For the Committee

Rev. 6/5/00

OFFICE OF THE HOUSE CLERK

2000 SESSION

COMMERCE

Bill #: HB528 Title: adding penalty provisions to the unfair claim settlement practices

PH Date: ___/___/___ Exec Session Date: 10/25/00

Motion: not Amendment #:

MEMBER	YEAS	NAYS
Hunt, John B, Chairman		
Francoeur, Sheila T, V Chairman	✓	
Herman, Keith R		
Tsiros, William B	✓	
Belanger, Ronald J	✓	
McGough, Tim S		
Avery, Stephen G, Clerk	✓	
Kenney, Joseph D		
Langley, Jane S	✓	
Pappas, Marc P		
Dalianis, Griffin T		
DiFruscia, Anthony R		
Marshall, Gene B	✓	
Clark, Martha Fuller		
Crosby, Toni M	✓	
Russell, Ronald G	✓	
Reardon, Tara G		
Vachon, Dennis P		✓
Taylor, Kathleen N	✓	
Curran, James C		✓
Garrish, Linda L		✓
Keye, Harvey	✓	
TOTAL VOTE:	10	3

Printed: 12/30/1999