

Senate Commerce Committee

Aaron Jones 271-2609

HB 1197-FN, making technical corrections to certain insurance laws.

Hearing Date: April 7, 2026

Time Opened: 9:34 a.m.

Time Closed: 9:47 a.m.

Members of the Committee Present: Senators Innis, Ricciardi, Birdsell, Murphy and Reardon

Members of the Committee Absent : Senator Fenton

Bill Analysis: This bill makes various technical corrections to the insurance laws.

The bill is a request of the insurance department.

Sponsors:

Rep. Hunt

Who supports the bill: Representative John Hunt, DJ Bettencourt (NH Insurance Department), Josh Hillard (NH Insurance Department), Lily Wellington (NH Commission on Aging)

Who opposes the bill: No one

Who is neutral on the bill: Adam Thompson

Summary of testimony presented in support:

Representative John Hunt

- At the request of the Insurance Department, this bill would make updates to various statutes.

DJ Bettencourt, Commissioner, and Josh Hillard, Enforcement Counsel, New Hampshire Insurance Department

- Each year, the Department requests technical legislation to clean up statutes as things have changed or evolved.
- Producers, primarily agents and brokers, must have a license to sell insurance in New Hampshire.
- Commissioner Bettencourt said out-of-state producers are often harming New Hampshire consumers. When the Department is made aware of situations, they

will attempt to contact the producer. In most cases, they do not receive an answer back. If they do, it is a late response. These circumstances inhibit their ability to investigate.

- Under existing statute, there is a \$2,500 fine for producers who are not responsive. This amount has not been updated since the 1970s. If the fine had been linked with inflation, it would have been about \$20,000. Commissioner Bettencourt felt this was a significant bump; therefore, this bill would raise the fine to \$5,000.
- When there is a hearing, out-of-state producers often do not answer or show up for a hearing to present why their license should not be suspended or revoked. To increase efficiency, this bill would shorten their process.
- Commissioner Bettencourt said they worked on a compromise with the industry to avoid unintended consequences. The Department wanted to ensure producers were not punished for noncompliance if they were in the hospital or on vacation.
- When a producer applies for a license, they must go through an exam. As part of the process, they must disclose whether they have any criminal convictions. Currently, the commissioner can only evaluate an individual with a felony level offense.
- Commissioner Bettencourt said there have been troubling situations where an individual has applied for a license, yet their offense was only a misdemeanor; therefore, he does not have the discretion to determine if they can sell insurance within the state.
- When assessing situations, Commissioner Bettencourt said he looked at the time that had lapsed since the conduct occurred, or what an individual had done to turn their lives around or make restitution. He said he has granted licenses to felons with previous convictions who have references that attest that they are not the same individual. A similar standard is used by the Bar Association when a disbarred attorney has reapplied for admittance.
- On Page 12, Line 4, it states, “Except for standalone group dental coverage and standalone group vision...”. Commissioner Bettencourt said there are new products coming on the market that complement or supplement more comprehensive plans. Currently, their statutes do not have the flexibility to approve these products or the ability to analyze new products that deal with standalone dental coverage or group vision. With greater flexibility, he said consumers would have access to more choices.
- Continuing Care Retirement Communities (CCRCs) are retirement communities for wealthier individuals where they can receive direct in-home or memory care. To get on the waiting list and to reserve their spot in one of these facilities, individuals must pay large fees, which represent a significant part of their lifesavings. The Department has encountered issues when facilities have been on the brink of insolvency. Last year, legislation was passed to provide greater oversight to ensure CCRCs remain solvent. This bill would ensure those changes aligned with changes being made to the homestead exemption.

Summary of testimony presented in opposition: None

Neutral Information Presented: None

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Date Hearing Report completed: April 10, 2026