

Submitter: Terry Beckett
On Behalf Of:
Committee: Senate Committee On Judiciary
Measure: HB3242

Question for Rep Sosa on HB 3242

I know they took out the section 3 in the base bill that originally sought to create a new duty for agents.

Often times, especially with out of state insurers (which almost all are these days)...agents could be the lone person actually in Oregon that may "touch" a claim, communicate with an insured about a claim, etc.

If you look at Page 1 Lines 6-7 it says an insurer "or other person".....and since "other person" is undefined, could anyone who in any way who may touch an insurance claim could be named personally in the lawsuit including agents?

Answer from Rep Sosa:

This statute deals with unfair claims settlement practices. By its very nature it applies to insurance adjusters who are handling, processing and settling claims. Agents do not perform those functions. The phrase "or other person" that has been pointed out is in existing statute and the reason why it would still be necessary here is that sometimes insurance companies will outsource some of their claims handling duties to outside persons or companies.

Amendment request based on the above answer.

Section 1(4)

Please insert language into this section so that "other person" does not include an insurance producer licensed under ORS 744 acting in good faith on behalf of a client.