



Legislative Fiscal Office
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Bill Title: Relating to violations of the Insurance Code as unlawful trade practices.

Government Unit(s) Affected: Department of Consumer and Business Services, District Attorneys, Judicial Department, Oregon Health Authority, Department of Justice

Summary of Fiscal Impact: Costs related to the measure are indeterminate at this time - see explanatory analysis.

Measure Description

The measure modifies the Unlawful Trade Practices Act (UTPA) by adding certain insurance practices as unlawful. The measure also specifies that consumers may bring a civil action for violations specified under this measure. Additionally, the measure requires individuals who file an insurance related UTPA claim to mail a copy of the complaint and any resulting judgement to the Department of Consumer and Business Services (DCBS) and specifies that the Director of DCBS must make a request before a prosecuting attorney initiates a UTPA enforcement action.

Fiscal Analysis

The fiscal impact to the Oregon Health Authority (OHA) is indeterminate for the 2025-27 and 2027-29 biennium.

Under the measure, a consumer would be authorized to file a civil suit for unlawful trade practices if a health insurer committed a violation under the Unfair Claims Settlement Practices Act unless it involves the handling, settlement, or ultimate resolution of a medical malpractice claim or a workers' compensation claim. It is unknown how many lawsuits may arise from this measure or the amount that would be needed in legal fees and for awarded payouts in these claims. Depending on the actual amount of claims, it may necessitate an increase in premiums for Oregon Educators Benefit Board and Public Employees' Benefit Board health care plans.

Other entities

There is a minimal fiscal impact to the Department of Justice, Judicial Department, District Attorneys, and DCBS.

Relevant Dates

The measure takes effect on January 1, 2027.