

MINUTES OF THE STANDING COMMITTEE ON INSURANCE

Wednesday, December 3, 2014 8:15 a.m. Room 519 House Office Building, Lansing

Representative Lund, Chair, called the meeting to order.

MEMBERS PRESENT: Representatives Lund, Leonard, Denby, Cotter, Glardon, Goike, LaFontaine, Lyons, Nesbitt, O'Brien, Segal, Lipton, Abed, Cochran, Hovey-Wright.

Representative LaFontaine made a motion to adopt the minutes of the meeting of November 13, 2014. No objections being offered, the minutes were accepted as presented.

The Chair laid the following bills before the Committee.

HB 5854 (Lund) Insurance; no-fault; assigned claims; modify various provisions relating to.

Mike White, representing Uber, spoke to the Committee in support of HB 5854 (with amendment).

Terri Miller, representing the Michigan Auto Insurance Placement Facility, answered questions regarding HB 5854.

Representative LaFontaine made a motion to adopt HB 5854 (H-2).

FAVORABLE ROLL CALL:

Yeas: Representatives Lund, Leonard, Denby, Cotter, Glardon, Goike, LaFontaine, Nesbitt, O'Brien, Segal, Lipton, Abed, Cochran, Hovey-Wright. (14/15)

Nays: None. (0/15)

Pass: None. (0/15) (14/0/0)

A sufficient number of members voting in the affirmative, the motion prevailed.

Representative Lipton made a motion to amend HB 5854 (H-2) as follows:

1. Amend page 11, line 23, after "if" by striking out "**THE PERSON CAN DEMONSTRATE, AFTER EXERCISING DUE DILIGENCE, THAT**".

UNFAVORABLE ROLL CALL:

Yeas: Representatives Segal, Lipton, Abed, Cochran, Hovey-Wright. (5/15)

Nays: Representatives Lund, Leonard, Denby, Cotter, Glardon, Goike, LaFontaine, Nesbitt, O'Brien. (9/15)

Pass: None. (0/15) (5/9/0)

An insufficient number of members voting in the affirmative, the motion did not prevail.

Representative Hovey-Wright made a motion to amend HB 5854 (H-2) as follows:

1. Amend page 12, line 22, after “**FACILITY**” by striking out “**AND PROVIDE A SATISFACTORY PROOF OF LOSS TO THE MICHIGAN AUTOMOBILE INSURANCE PLACEMENT FACILITY.**”.
2. Amend page 16, line 4, after “**FORM**” by striking out “**AND A SATISFACTORY PROOF OF LOSS UNDER SECTION 3172 (3)**”.
3. Amend page 16, line 6, after “claim.” by inserting “**THE MICHIGAN AUTOMOBILE INSURANCE PLACEMENT FACILITY SHALL NOT DENY A CLAIM FOR A MERE CLERICAL OR ADMINISTRATIVE ERROR ON A COMPLETED CLAIM FORM.**”.

UNFAVORABLE ROLL CALL:

Yeas: Representatives Segal, Lipton, Abed, Cochran, Hovey-Wright. (5/15)

Nays: Representatives Lund, Leonard, Denby, Cotter, Glardon, Goike, LaFontaine, Nesbitt, O’Brien. (9/15)

Pass: None. (0/15) (5/9/0)

An insufficient number of members voting in the affirmative, the motion did not prevail.

Representative Segal made a motion to amend HB 5854 (H-2) as follows:

1. Amend page 16, line 6, after “claim” by inserting “**THE MICHIGAN AUTOMOBILE INSURANCE PLACEMENT FACILITY SHALL NOT DENY A CLAIM FOR A MERE CLERICAL OR ADMINISTRATIVE ERROR ON A COMPLETED CLAIM FORM.**”.

UNFAVORABLE ROLL CALL:

Yeas: Representatives Segal, Lipton, Abed, Cochran, Hovey-Wright. (5/15)

Nays: Representatives Lund, Leonard, Denby, Cotter, Glardon, Goike, LaFontaine, Nesbitt, O’Brien. (9/15)

Pass: None. (0/15) (5/9/0)

An insufficient number of members voting in the affirmative, the motion did not prevail.

Representative LaFontaine made a motion to report HB 5854 (H-2) with recommendation.

FAVORABLE ROLL CALL:

Yeas: Representatives Lund, Leonard, Denby, Cotter, Glardon, Goike, LaFontaine, Lyons, Nesbitt, O’Brien. (10/15)

Nays: Representatives Segal, Lipton, Abed, Cochran, Hovey-Wright. (5/15)

Pass: None. (0/15) (10/0/0)

A sufficient number of members voting in the affirmative, the motion prevailed.

Cards for HB 5854 were submitted by:

Chris Mitchell, representing the Michigan Health and Hospital Association, in opposition

Tim Hoste, representing Unique Options, LLC, in opposition

Bill Flory, representing the Michigan Association for Justice, in opposition

Scott Hummel, representing the Michigan Association of Insurance Agents, in support

Bill Kandler, representing the Michigan Orthopedic Society, in opposition

Cameron Fure, representing the Michigan Nurses Association, in opposition

Amy Mass, representing the Michigan Insurance Coalition, in support of HB 5854

(H-2)

Peter Kuhnmuench, representing the Insurance Institute of Michigan, in support

The Chair laid the following bill before the Committee.

SB 738 (Caswell) Insurance; no-fault; requirement to provide policy information to department of community health; revise sunset.

Karla Puest and Kathleen Francis, representing the Administration and the Michigan Department of Community Health, were available to answer questions and support the bill.

Christine Shearer, representing the Michigan Association of Health Plans, submitted a card indicating support for SB 738.

Peter Kuhnmuench, representing the Insurance Institute of Michigan, submitted a card indicating support for SB 738.

Representative Cotter made a motion to report SB 738 with recommendation.

FAVORABLE ROLL CALL:

Yeas: Representatives Lund, Leonard, Denby, Cotter, Glardon, Goike, LaFontaine, Lyons, Nesbitt, O'Brien, Segal, Lipton, Abed, Cochran, Hovey-Wright. (15/15)

Nays: None. (0/15)

Pass: None. (0/15)

A sufficient number of members voting in the affirmative, the motion prevailed.

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There being no additional business before the Committee, Chair Lund declared the meeting adjourned, the time being 8:56 a.m.

Representative Pete Lund, Chair

Catherine Petroskey, Committee Clerk (517) 373-8538