

Report on Public Policy Position

Name of section:

Negligence Law

Contact person:

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Bill Number:

[HB 4244](#) (Simpson) Insurance; insurers; remedies for failure to timely pay benefits; expand to include attorney fee under certain circumstances. Amends [1956 PA 218](#) (MCL [500.100](#) - [500.8302](#)) by adding sec. 2090.

[HB 4844](#) (Nathan) Insurance; no-fault; duty to deal fairly; provide for general amendments. Amends [1956 PA 218](#) (MCL [500.100](#) - [500.8302](#)) by adding sec. 3149.

[HB 5144](#) (Roberts) Insurance; unfair trade practices; whistleblower protection to insurance employees reporting violations of unfair practices in insurance law; provide for. Amends [1956 PA 218](#) (MCL [500.100](#) - [500.8302](#)) by adding sec. 2035.

[HB 5145](#) (Huckleberry) Insurance; unfair trade practices; breach of obligation to deal in good faith by certain insurers; impose penalty of second or subsequent violation. Amends [1956 PA 218](#) (MCL [500.100](#) - [500.8302](#)) by adding sec. 2026c.

[HB 5146](#) (Johnson) Insurance; unfair trade practices; violation of unfair and prohibited trade practices act by certain insurers; create presumption that violation was in bad faith and create remedies. Amends [1956 PA 218](#) (MCL [500.100](#) - [500.8302](#)) by adding sec.

[HB 5147](#) (Switalski) Insurance; unfair trade practices; penalties for certain individuals who knowingly create, foster, or encourage an environment that leads to systemic wrongful denial of claims; provide for. Amends [1956 PA 218](#) (MCL [500.100](#) - [500.8302](#)) by adding sec. 2026b.

[HB 5150](#) (Segal) Insurance; unfair trade practices; private citizen cause of action; provide for. Amends [1956 PA 218](#) (MCL [500.100](#) - [500.8302](#)) by adding sec. 2027a.

Date position was adopted:

July 15, 2009

Process used to take the ideological position:

Position adopted after an electronic discussion and vote

Number of members in the decision-making body:

15

Number who voted in favor and opposed to the position:

8 Voted for position

4 Voted against position

0 Abstained from vote

3 Did not vote

Position:

Support

Explanation of the position, including any recommended amendments:

The Section supports the principle that insurers should be penalized for groundlessly denying or delaying payment on insurance claims.

The text of any legislation, court rule, or administrative regulation that is the subject of or referenced in this report.

<http://legislature.mi.gov/doc.aspx?2009-HB-4244>

<http://legislature.mi.gov/doc.aspx?2009-HB-4844>

<http://legislature.mi.gov/doc.aspx?2009-HB-5144>

<http://legislature.mi.gov/doc.aspx?2009-HB-5145>

<http://legislature.mi.gov/doc.aspx?2009-HB-5146>

<http://legislature.mi.gov/doc.aspx?2009-HB-5147>

<http://legislature.mi.gov/doc.aspx?2009-HB-5150>