



## THE SENATE

### INSURANCE COMMITTEE

SENATOR JOE HUNE  
CHAIRMAN

#### MEMBERS:

SEN. JAMES MARLEAU, VICE CHAIRMAN  
SEN. JACK BRANDENBURG  
SEN. GOEFF HANSEN  
SEN. DAVE ROBERTSON  
SEN. VIRGIL SMITH, MINORITY VICE CHAIR  
SEN. STEVE BIEDA

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### Senate Committee on Insurance

A meeting of the Senate Insurance Committee was held on Tuesday, November 27, 2012, at 3:00 p.m. in Room 100 of the Farnum Building. The meeting was called to order at 3:13 p.m.

Attendance was recorded as follows:

Present: Senator(s) Hune (C), Marleau, Brandenburg, Hansen, Robertson, Smith, and Bieda.

Absent: NONE

Excused: NONE

A quorum was established.

Senator Hune announced the order of business:

- HB 5890 (Rep. Shaughnessy) – Insurance; producers; fee assessed for reporting a change in mailing address; eliminate.
- HB 5891 (Rep. Lund) – Insurance; property and casualty; requirement for written notice to policyholder and providing premium quotations to applicants; revise, and revise requirements relating to no-fault coordinated benefits deductibles and discounts.
- SB 1115 (Sen. Kahn) – Torts; medical malpractice; procedures for entry of damage awards; modify and clarify.
- SB 1117 (Sen. Moolenaar) – Torts; medical malpractice; persons to whom medical malpractice provisions of the revised judicature act apply; include nonlicensed health care providers.
- SB 1118 (Sen. Hune) – Torts; medical malpractice; statute of limitations; revise period of limitations for survival actions and disallow prejudgment interest on attorney fees and costs.

- SB 1305 (Sen. Hune) – Insurance; property and casualty; rating and underwriting requirements; modify.
- SB 1308 (Sen. Marleau) – Insurance; health; internal formal grievance procedure; modify.
- SB 1322 (Sen. Hune) – Transportation; other; amendment of motor bus transportation act to reflect transfer of duties regarding self-insurers from the secretary of state to the insurance commissioner; provide for.
- SB 1323 (Sen. Hune) – Insurance; no-fault; act allowing municipal self-insurance pools; amend to reflect transfer of duties regarding self-insurers from the secretary of state to the insurance commissioner.
- SB 1324 (Sen. Hune) – Insurance; no-fault; motor vehicle claims act; amend to reflect transfer of duties regarding self-insurers from the secretary of state to the insurance commissioner.

The Chairman invited Teri Morante of the Office of Financial and Insurance Regulation (OFIR) and Scott Hummel of the Michigan Association of Insurance Agents to explain HB 5890 and HB 5891. Mr. Hummel and Ms. Morante then answered questions for committee members.

The following people testified concerning HB 5890 and HB 5891 and answered questions for the committee members:

- Phil Hedges, Office of Regulatory Reinvention (ORR) and the Michigan Department of Licensing and Regulatory Affairs (LARA) – Support

The following people submitted testimony cards but did not wish to speak concerning HB 5890 and HB 5891:

- Carol Hutchinson, Farmers Insurance – Support
- Pete Kuhnmuensch, Insurance Institute of Michigan – Support

The following people testified concerning SB 1115, SB 117, and SB 1118, and then questions for the committee members:

- Barry Gates, former President of the Michigan Association for Justice – Oppose
- Jay Jusufi, Citizen – Oppose
- Norman Tucker, Citizen – Oppose
- Genevieve Kotasek – Oppose

The following people submitted testimony cards but did not wish to speak in support of SB 1115, SB 117, and SB 1118:

- Chris Mitchell, Michigan Health and Hospital Association
- Christin O'Brien, Michigan Academy of Family Physicians

The following people submitted testimony cards but did not wish to speak in opposition to SB 1115, SB 117, and SB 1118:

- Erin Andrews, Citizen

- Robin Scott, Citizen
- Ronald Weiner, Citizen
- Deborah Oliver, Citizen
- Euel Kinsey, Citizen
- Donna Mackenzie, Citizen
- J.B. Olsman, Citizen
- Stephen Goethel, Citizen
- Chad Engelhardt, The Center for Medical Truth and Justice
- Sarah Thurswell, Citizen
- Gerald Thurswell, Citizen
- Judy Susskind, Citizen
- Scott Goodwin, Citizen
- Arnold Podolsky, Citizen
- David Mittleman, Victims and Survivors of Medical Malpractice
- Rebecca Walsh, Citizen
- Juliana Plastiras, Citizen
- Teresa Corey, Citizen
- Jenni Seroski, Citizen

The Chairman invited Teri Morante of OFIR and Phil Hedges of ORR and LARA to explain SB 1305 and SB 1308. Mr. Hedges and Ms. Morante then answered questions for committee members.

The following people submitted testimony cards but did not wish to speak in support of SB 1305:

- Carol Hutchinson, Farmers Insurance
- Pete Kuhnmuensch, Insurance Institute of Michigan
- Dave Field, Allstate Insurance

The Chairman invited Mike Batterbee of the Secretary of State's office to explain SB 1322 – SB 1324. Mr. Batterbee then answered questions for committee members.

The following people testified concerning SB 1322 – SB 1324, and then questions for the committee members:

- Teri Morante, OFIR – Support
- Phil Hedges, ORR and LARA – Support

Senator Hune entertained a motion to adopt the minutes from the October 16, 2012 Insurance committee meeting. Senator Marleau so moved. Without objection the minutes were adopted.

Senator Hune entertained a motion to excuse absent members. Senator Smith so moved and, without objection, they were excused.

Chairman Hune entertained a motion to report HB 5890 with recommendation. Senator Marleau so moved.

Yeas: Senator(s) Hune, Marleau, Brandenburg, Robertson, Smith and Bieda.

Nays: NONE

The bill was reported.

Chairman Hune entertained a motion to give HB 5890 Immediate Effect. Senator Brandenburg so moved. Without objection HB 5890 was given Immediate Effect.

Chairman Hune entertained a motion to adopt S-1 substitute to HB 5891. Senator Robertson so moved.  
Yeas: Senator(s) Hune, Marleau, Brandenburg, Robertson, Smith and Bieda.  
Nays: NONE  
The S-1 substitute was adopted.

Chairman Hune entertained a motion to report HB 5891 S-1 with recommendation. Senator Marleau so moved.  
Yeas: Senator(s) Hune, Marleau, Brandenburg, and Robertson.  
Nays: Senator(s) Smith and Bieda.  
The bill was reported.

Chairman Hune entertained a motion to give HB 5891 S-1 Immediate Effect. Senator Brandenburg so moved. Without objection HB 5891 S-1 was given Immediate Effect.

Chairman Hune entertained a motion to report SB 1115 with recommendation. Senator Marleau so moved.  
Yeas: Senator(s) Hune, Marleau, Brandenburg, Robertson, and Smith.  
Nays: Senator(s) Bieda.  
The bill was reported.

Chairman Hune entertained a motion to give SB 1115 Immediate Effect. Senator Smith so moved. Without objection SB 1115 was given Immediate Effect.

Chairman Hune entertained a motion to report SB 1117 with recommendation. Senator Brandenburg so moved.  
Yeas: Senator(s) Hune, Marleau, Brandenburg, Robertson, and Smith.  
Nays: Senator(s) Bieda.  
The bill was reported.

Chairman Hune entertained a motion to give SB 1117 Immediate Effect. Senator Robertson so moved. Without objection SB 1117 was given Immediate Effect.

Chairman Hune entertained a motion to report SB 1118 with recommendation. Senator Smith so moved.  
Yeas: Senator(s) Hune, Marleau, Brandenburg, Robertson, and Smith.  
Nays: Senator(s) Bieda.  
The bill was reported.

Chairman Hune entertained a motion to give SB 1118 Immediate Effect. Senator Robertson so moved. Without objection SB 1118 was given Immediate Effect.

Chairman Hune entertained a motion to adopt S-1 substitute to SB 1305. Senator Marleau so moved.

Yeas: Senator(s) Hune, Marleau, Brandenburg, Robertson, Smith and Bieda.  
Nays: NONE  
The S-1 substitute was adopted.

Chairman Hune entertained a motion to report SB 1305 S-1 with recommendation. Senator Brandenburg so moved.

Yeas: Senator(s) Hune, Marleau, Brandenburg, Robertson, Smith and Bieda.  
Nays: NONE  
The bill was reported.

Chairman Hune entertained a motion to give SB 1305 S-1 Immediate Effect. Senator Bieda so moved.  
Without objection SB 1305 S-1 was given Immediate Effect.

Chairman Hune entertained a motion to report SB 1308 with recommendation. Senator Marleau so moved.

Yeas: Senator(s) Hune, Marleau, Brandenburg, Robertson, Smith and Bieda.  
Nays: NONE  
The bill was reported.

Chairman Hune entertained a motion to give SB 1308 Immediate Effect. Senator Smith so moved.  
Without objection SB 1308 was given Immediate Effect.

Chairman Hune entertained a motion to report SB 1322 with recommendation. Senator Robertson so moved.

Yeas: Senator(s) Hune, Marleau, Brandenburg, Robertson, Smith and Bieda.  
Nays: NONE  
The bill was reported.

Chairman Hune entertained a motion to give SB 1322 Immediate Effect. Senator Bieda so moved.  
Without objection SB 1322 was given Immediate Effect.

Chairman Hune entertained a motion to report SB 1323 with recommendation. Senator Smith so moved.

Yeas: Senator(s) Hune, Marleau, Brandenburg, Robertson, Smith and Bieda.  
Nays: NONE  
The bill was reported.

Chairman Hune entertained a motion to give SB 1323 Immediate Effect. Senator Bieda so moved.  
Without objection SB 1323 was given Immediate Effect.

Chairman Hune entertained a motion to report SB 1324 with recommendation. Senator Marleau so moved.

Yeas: Senator(s) Hune, Marleau, Brandenburg, Robertson, Smith and Bieda.  
Nays: NONE  
The bill was reported.

Chairman Hune entertained a motion to give SB 1324 Immediate Effect. Senator Smith so moved. Without objection SB 1324 was given Immediate Effect.

Seeing no further business before the committee, the Chairman adjourned at 4:01 p.m.

**Date approved by the Committee: December 4, 2012**

(An audio recording of this committee meeting is available upon request for a minimal fee.)