

February 3, 2026

Nathan Sosa, Chair
Virgle Osborne, Vice-Chair
House Commerce and Consumer Protections Committee
Oregon State Legislature
Salem, OR 97301

RE: HB 4098, Relating to violations of the Insurance Code as unlawful trade practices

Dear Chair Sosa, Vice-Chair Osborne, and Members of the Committee:

I write to you as Oregon chair of the National Association of Consumer Advocates (NACA). NACA is a nonprofit organization actively engaged in promoting a fair and open marketplace that forcefully protects the rights of consumers, particularly those of modest means. On behalf of my NACA-Oregon colleagues, all committed to promoting justice for consumers in this state, I strongly support HB 4098, which revises the Unlawful Trade Practices Act (UTPA) to ensure that insurers comply with the statute's prohibitions on unfair and deceptive practices.

As Oregon's cornerstone consumer protection law, the UTPA has long been an effective tool to protect and empower Oregon consumers against unfair and deceptive business practices that harm them. The UTPA overall has fostered an environment that rewards honest businesses and enhances consumer trust. We have supported the Legislature's actions as it revised or added protections to the law consistent with consumers needs and the evolving marketplace. It is time for our state to eliminate the UTPA's insurance exemption and ensure that insurers operate on the same playing field as other industries. That is, to treat their customers fairly, perform their duties under their contracts, and be held accountable when they do not.

Currently, the attorney general cannot enforce the UTPA against insurers should they systemically defraud Oregonians or engage in practices that cause widespread harm across the state. In addition, consumers who fall victim to insurers that unreasonably delay or deny legitimate claims, hide or misrepresent coverage, only partially pay claims, or other misconduct are barred from seeking accountability under the law. Oregonians should be able to pursue remedies in court to combat an insurer's unfair and deceptive actions.

An insurer's conduct is even more crucial because consumers presumably are already harmed when they file insurance claims for injuries or damage. The UTPA exemption has only allowed bad actors in the industry to exacerbate and prolong that harm. Further, when insurance companies fail to live up to their business purpose as a paid safety net for the insured, it only increases societal and public costs.

Removing the UTPA exemption for insurers will incentivize timely payments and reimbursements to customers and providers with legitimate claims. The attorney general and consumers will be able to turn to the legal system to hold law-breaking insurers accountable for unscrupulous and harmful behavior. We are grateful for your continued work to facilitate fair and transparent treatment of Oregon residents in the marketplace.

Sincerely,

Hope Del Carlo
Chair, NACA-Oregon