

# House Amendment 8386

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1 1 Amend House File 2555, as passed by the House, as  
1 2 follows:  
1 3 #1. By striking page 3, line 33, through page 4,  
1 4 line 26, and inserting the following:  
1 5 <NEW SUBSECTION. 5A. a. The commissioner shall  
1 6 establish a bureau, to be known as the "consumer  
1 7 advocate bureau", which shall be responsible for  
1 8 ensuring fair treatment of consumers by persons in the  
1 9 business of insurance and for preventing unfair or  
1 10 deceptive trade practices in the insurance  
1 11 marketplace.  
1 12 b. The commissioner, with the advice of the  
1 13 governor, shall appoint a consumer advocate who shall  
1 14 be knowledgeable in the area of insurance and  
1 15 particularly in the area of consumer protection.  
1 16 c. The consumer advocate bureau shall receive and  
1 17 may investigate consumer complaints and inquiries from  
1 18 the public, and shall conduct investigations to  
1 19 determine whether any person has violated any  
1 20 provision of the insurance code, including chapters  
1 21 507B and 522B, and any provisions related to the  
1 22 establishment of insurance rates.  
1 23 d. When necessary or appropriate to protect the  
1 24 public interest or consumers, the consumer advocate  
1 25 may request that the commissioner conduct  
1 26 administrative hearings as provided in section 505.29.  
1 27 e. The consumer advocate bureau shall perform  
1 28 other functions as may be assigned to it by the  
1 29 commissioner related to consumer advocacy.  
1 30 f. The consumer advocate bureau shall work in  
1 31 conjunction with other areas of the insurance division  
1 32 on matters of mutual interest. The insurance division  
1 33 shall cooperate with the consumer advocate in  
1 34 fulfilling the duties of the consumer advocate bureau.  
1 35 The consumer advocate may also seek assistance from  
1 36 other federal or state agencies or private entities  
1 37 for the purpose of assisting consumers.  
1 38 g. The commissioner, in cooperation with the  
1 39 consumer advocate, shall prepare and deliver a report  
1 40 to the general assembly by January 15 of each year  
1 41 that contains findings and recommendations regarding  
1 42 the activities of the consumer advocate bureau  
1 43 including but not limited to all of the following:  
1 44 (1) An overview of the functions of the bureau.  
1 45 (2) The structure of the bureau including the  
1 46 number and type of staff positions.  
1 47 (3) Statistics showing the number of complaints  
1 48 handled by the bureau, the nature of the complaints  
1 49 including the line of business involved and their  
1 50 disposition, and the disposition of similar issues in  
2 1 other states.  
2 2 (4) Actions commenced by the consumer advocate.  
2 3 (5) Studies performed by the consumer advocate.  
2 4 (6) Educational and outreach efforts of the  
2 5 consumer advocate bureau.  
2 6 (7) Recommendations from the commissioner and the  
2 7 consumer advocate about additional consumer protection  
2 8 functions that would be appropriate and useful for the  
2 9 bureau or the insurance division to fulfill based on  
2 10 observations and analysis of trends in complaints and  
2 11 information derived from national or other sources.  
2 12 (8) Recommendations from the commissioner and the  
2 13 consumer advocate about any needs for additional  
2 14 funding, staffing, legislation, or administrative  
2 15 rules.>  
2 16 #2. Page 18, by striking lines 18 through 25.  
2 17 #3. Title page, by striking line 10 and inserting  
2 18 the following: <the Iowa>.  
2 19 #4. By renumbering as necessary.  
2 20 HF 2555.S  
2 21 av/nh/cc/26