

SYNOPSIS OF TESTIMONY OF INSURANCE CONCERNS FOR KANSAS

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I am a proponent for House Bill No. 2067. In addition, I would submit additional information to the committee that supports HB 2067. How is it possible with out compelling clear language the components' of HB 2067 is not handicapped and allows for the potential of protracted litigation? When language is too vague it is expensive in all aspects of a civil social society?

The following suggestions from a senior and a consumer prospective are as follows, as it concerns HOUSE BILL No. 2067

- Page one; Section 1(b); lines (11-16)

- Do not require the insured to have an attorney if liability is clear which is currently supported by Kansas Statues. (I'm not sure where this needs to be in HB# 2067) **Rational** is that you will have more citizens in compliance of the auto insurance laws when there is compelling and clear language for the insurance companies to pay claims. This will insure that the insurance company will comply with Kansas Statutes concerning the obligation to report the discontinuance of an auto insurance policy. When the discontinuance of an insurance policy occurs and not properly reported it creates a moral hazard of fraud on the State, the insurance company, and the injured party, especially critical for seniors. The under performance of the insurance industry have contributed to the rising cost of insurance premiums and auto related accidents.

- Page two; Section 1(f); lines (1-10)

Question for the committee; where does the financial responsibility rest at the time of accident? The language in this area opens opportunity for many unnecessary legal financial concerns; also it cause an additional expense to the already congested legal system and is an unfair expense to those who can not afford legal counsel and now a government agency may have to come in to action to preserve that persons civil rights.

- Page one; Section 1(g); lines (10-14)

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There shall be **NO** defense for fraud or negligence when committed by insurer(s), the insurer(s) is the superior liable party and is liable for all actions of its agents, assigns, associates, that are implied, expressed, or authorized, that was not formally and legally terminated at time of the fraud or negligence. (This will insure and maintain financial integrity of Kansas Statues.)