



NEWS RELEASE

For Immediate Release – May 7, 2008

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Consumer protection bills clear legislative hurdles

DENVER – As the legislative session comes to a close, six bills that protect consumers have either been signed by Governor Bill Ritter, Jr. or are on the way to his desk.

“Each one of these bills demonstrates good public policy,” said Rico Munn, Executive Director of the Colorado Department of Regulatory Agencies. “These bills are a high priority on DORA’s agenda because they advance our mission to protect consumers in Colorado.”

As a results-driven agency, DORA’s strategic plan includes results ranging from educating consumers about their rights and businesses and professionals about their responsibilities, to supporting rigorous standards and fair practices in the marketplace to improve Colorado’s economic environment.

House Bill 1216 – Consumer Outreach & Education – cleared House & Senate May 6

HB 1216 supports DORA’s results on consumer and professional education by allowing DORA to assess a surcharge on fines for professional misconduct. The department plans to use the funds from the surcharge to create an education and outreach program to increase public awareness of consumer protection issues.

“The outreach program will allow DORA to take a preventative approach to help consumers avoid becoming victims and to deter future violations,” Munn said. “Part of the outreach effort will be dedicated to educate the businesses and professionals that are paying these fines,” he said.

House Bill 1383 – Nursing License Inactive Status – passed Senate & House May 2

Supported by the Colorado Nurses Association, HB 1383 supports DORA’s result of government efficiency and consumer protection by creating an option for the Board of Nursing to place a nurse on inactive status when a nurse is temporarily not safe to practice because of a physical disability, mental disability or some other illness. Without this bill, the only option for the board is to take disciplinary action against the nurse, which delays consumer protection and increases government costs.

“House Bill 1383 is very important to the nursing profession because it allows the board to protect the public without being unnecessarily punitive,” said Rosemary McCool, Director of Registrations.

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Senate Bill 033 – Private Family Trust Companies – cleared House & Senate April 28

SB 033 will support DORA's result of improving Colorado's economic environment and will remove the barriers to forming “private family trusts” in Colorado. Families will now be able to create limited purpose trust companies that will deal only with related family members.

“This bill is intended to capture a larger portion of the trust services market by creating a vehicle for wealthy families to directly manage their estates and keep more of these assets in the state,” said Richard Fulkerson, State Bank Commissioner.

House Bill 1228 – Insurance Responsibility Unfair Business Practices – signed April 21

With the enactment of HB 1228, the Division of Insurance is legally authorized to demand that insurance companies or agents pay clients in full when they’ve been wronged by unlawful business practices. The Commissioner of Insurance will be able to order repayment of premiums, payment of benefits, or that agents fulfill expectations when a policy is misrepresented.

In addition to demanding restitution, insurance companies will also be held financially responsible if an insurance agent selling their policies acts unscrupulously. The bill therefore supports DORA's mission of consumer protection and its result of rigorous standards and fair practices.

“We are so pleased consumers will be fully compensated when they are treated unfairly,” said Marcy Morrison, Commissioner of Insurance.

Senate Bill 062 – Share DORA Misconduct Information – signed March 24

SB 062 will protect consumers and support DORA's results of increased access and government efficiency by allowing the Division of Financial Services and the Division of Banking to share information uncovered during the course of an examination concerning apparent misconduct by a person licensed by another Division within the Department of Regulatory Agencies.

“This bill enhances the Department of Regulatory Agencies’ ability to protect consumers, said Chris Myklebust, Commissioner of Financial Services. “Now apparent misconduct by a licensee can be referred to the appropriate licensing agency for investigation and corrective action,” he said.

House Bill 1043 – Consumer Insurance Council Codification – signed March 24

In 2001, a prior Commissioner of Insurance established the Consumer Insurance Council, a 12-member advisory council that meets quarterly to obtain consumer feedback on the Division of Insurance regulations and initiatives. Since it started, the council has been operating without any statutory authority. HB 1043 codifies the council into state statute and supports DORA's results of increased access of the regulatory process and outreach to consumers.

“House Bill 1043 is an important step in giving a permanent voice to consumer concerns on insurance issues,” said Morrison.

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DORA is dedicated to preserving the integrity of the marketplace and is committed to promoting fair and competitive business environment in Colorado. Consumer protection is our mission.