



Hilary E. Segura  
Assistant Vice President and Counsel, State Government Relations

March 8, 2022

The Honorable Steven Johnson  
Chair, House Committee on Insurance and Pensions  
300 W. 10<sup>th</sup>, Room 276-W  
Topeka, KS 66612

**RE: SUPPORT of SB448, NAIC Unfair Trade Practices Act**

Dear Mr. Chairman Johnson and members of the Committee,

Representing nearly 60 percent of the U.S. property casualty insurance market, the American Property Casualty Insurance Association (APCIA) promotes and protects the viability of private competition for the benefit of consumers and insurers. APCIA represents the broadest cross-section of home, auto, and business insurers of any national trade association. In Kansas, APCIA's members write more than \$4.2 billion in property and casualty insurance premiums. We respectfully submit the following comments in **SUPPORT** of **SB448**.

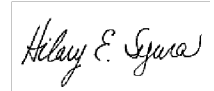
As drafted, SB448 promotes uniform and consistent reform of the anti-rebate laws in Kansas, allowing the insurance industry to offer value-added products and services efficiently and at the speed of innovation thereby enhancing customer benefits and meeting customer demands. Anti-rebating laws were drafted more than 100 years ago to protect insurer solvency issues raised by inducement abuses in the life insurance industry. While well intentioned, the laws have not kept pace with modern industry practices and the partnership insurers have with customers. Today, there is a patchwork of laws and regulations surrounding anti-rebating, which further complicates and prohibits the industry from offering meaningful products and services to its customers.

SB448 largely adopts the National Association of Insurance Commissioners' (NAIC) rebate reform amendments to the Unfair Trade Practices Act (UTPA). The NAIC process was robust, thorough, and considered all viewpoints - regulators, interested parties, NCOIL representatives, and consumer advocates. As a result, this bill will help eliminate today's patchwork by advancing a uniform approach and is a comprehensive solution that appropriately balances consumer protection and innovation in a manner that can evolve with industry and the society at-large.

We appreciate the opportunity to express our support and urge the committee to vote "**YES**" on **SB448**. Please contact me directly at 847-553-3689 or via e-mail at [hilary.segura@apci.org](mailto:hilary.segura@apci.org) or APCIA's local counsels Larrie

Ann Brown at 785-640-2747 or via e-mail at [larrieannbrown@gmail.com](mailto:larrieannbrown@gmail.com) or Brad Smoot at 785-2241200 or via e-mail at [bradsmoot@smootlawoffice.com](mailto:bradsmoot@smootlawoffice.com) with any questions.

Sincerely,

A handwritten signature in cursive script that reads "Hilary E. Segura". The signature is enclosed in a thin black rectangular border.

Hilary E. Segura