

Groups Opposing HB 4915

American Council of Life Insurers
American Insurance Association
American Tort Reform Association
AT&T
Detroit Regional Chamber
GlaxoSmithKline
Grand Rapids Area Chamber of Commerce
Insurance Institute of Michigan
Life Insurance Association of Michigan
MichBio
Michigan Association of Health Plans
Michigan Association of Home Builders
Michigan Association of Insurance Agents
Michigan Association of REALTORS
Michigan Bankers Association
Michigan Business and Professional Association
Michigan Chamber of Commerce
Michigan Concrete Association
Michigan Financial Services Association
Michigan Food and Beverage Association
Michigan Grocers Association
Michigan Health and Hospital Association
Michigan Infrastructure and Transportation Association
Michigan Insurance Coalition
Michigan Licensed Beverage Association
Michigan Lumber and Building Materials Association
Michigan Mortgage Lenders Association
Michigan Osteopathic Association
Michigan Restaurant Association
Michigan Retailers Association
Michigan State Medical Society
Michigan Veterinary Medical Association
National Association of Insurance and Financial Advisors
National Association of Mutual Insurance Companies
National Federation of Independent Business/Michigan
Pfizer
PhRMA
Property and Casualty Insurers Association of America
Small Business Association of Michigan
Telecommunications Association of Michigan

October 28, 2009

Members of the House Judiciary Committee:

The purpose of this letter is to express our collective opposition to House Bill 4915 (Rep. Robert Jones). By substantially reducing the regulatory compliance exemption under the Michigan Consumer Protection Act (MCPA), this legislation would create new and costly litigation against over eighty different businesses, trades and professions already regulated by and subject to penalties under state and federal laws.

House Bill 4915 is unnecessary and counter-productive because the litigation it encourages would be in addition to existing remedies under contracts, statutes and common law. Under current law, companies and individuals regulated by state and federal laws must comply with a wide range of requirements and are subject to regulatory oversight, lawsuits and penalties under their regulatory statute(s) for a wide range of alleged wrongdoings. House Bill 4915 ignores these existing penalties and remedies and seeks to subject Michigan employers to parallel tracks of litigation, including class action lawsuits under the MCPA.

This legislation would impact nearly every industry and profession regulated under state and federal law, including:

Hospitals	Alcoholic beverage wholesalers and retailers	Forensic polygraph examiners
Real estate agent schools	Telecommunications companies	Land surveyors
Real estate brokers and agents	Car dealers and dealerships	Occupational therapists
Real estate appraisers	Owners/operators/ developers of condo projects	Sanitarians
Accountants	Residential builders and maintenance and construction contractors'	Social workers
Collection agents and agencies	salespersons	Veterinarians
Insurance agents	Chiropractors	Respiratory care professionals
Personnel agents and agencies	Dentists	Mechanics
Employment agents and agencies	Audiologists	Motor vehicle repair facilities
Consultant agents and agencies	Therapists	Limousine companies
Morticians	Physicians	Railroads
Funeral homes	Nurses	Airlines
Cemeteries	Optometrists	Owners/operators of manufactured housing communities
Architects	Nursing homes	Local governments (relative to the services they provide)
Engineers	Pharmacists	Investment brokers/advisors
Surveyors	Physical therapists	Finance Companies
Foresters	Counselors	Mortgage brokers
Landscape architects	Podiatrists	Casinos
Community planners	Psychologists	Horse racing tracks
Residential builders	Physicians assistants	National banks
Residential maintenance and construction contractors	Plumbers	Federal credit unions
	Medical device retailers	

Firearm manufacturers and
dealers
Pharmaceutical companies
Cosmetic retailers
Grain dealers
Livestock dealers
Horse breeders
Pet shops

Dog pounds
Animal shelters
Barbershop schools
Cosmetology schools
Barbers
Barbershops
Cosmetologists
Electrologists

Manicurists
Estheticians
Hearing aid dealers, retailers,
and salespersons
Insurers (for activities not
covered under Chapter 20
of the Insurance Code)

We respectfully ask that you oppose House Bill 4915. Your opposition will help employers focus on building and rebuilding Michigan's economy, instead of spending time and money defending themselves against endless litigation that would impose a second, potentially inconsistent, layer of regulation and needless costs at every turn.

Thank you for your careful consideration of this issue. Please contact us if you would like to further discuss this matter or if you have any questions.

Sincerely,

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Michigan Veterinary Medical Association
National Association of Insurance and
Financial Advisors
National Association of Mutual Insurance
Companies
National Federation of Independent
Business/Michigan
Pfizer
PhRMA
Property Casualty Insurers Association of
America
Small Business Association of Michigan
Telecommunications Association of Michigan