Submitted by Scott Hummel

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

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 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 Casualty Insurers Association of America
Small Business Association of Michigan
Telecommunications Association of Michigan