

April 17, 2017

Susan Stapp (California) and TK Keen (Oregon)  
Pre-Dispute Mandatory Arbitration Clauses (D) Working Group  
Market Regulation and Consumer Affairs (D) Committee  
National Association of Insurance Commissioners  
c/o Randy Helder: [rhelder@naic.org](mailto:rhelder@naic.org)

Re: **NAIC action related to prohibiting the use of: 1) pre-dispute mandatory arbitration clauses in any individual and commercial insurance policies, and 2) choice-of-law and choice-of-venue clauses**

Dear Mr. Helder,

Pre-dispute mandatory arbitration and choice of law provisions do not belong in standardized, adhesive insurance contracts. The financial stakes are far too high to allow insurers to force consumers into private, closed-door arbitrations with inadequate safeguards, no transparency and very little arbitrator accountability, or to require that they resolve disputes under the laws of a state other than the one where the policy was delivered.

United Policyholders and consumer representative Amy Bach strongly support amending the UTPMA (#880) or developing a new model act prohibiting the inclusion of pre-dispute mandatory arbitration clauses and choice-of-law and choice-of-venue clauses in insurance policies.

Please enter the two attached Power Points into the comments record. Both were presented at the 2016 San Diego NAIC meeting.

Respectfully submitted,



Amy Bach, Esq.  
Executive Director, United Policyholders  
2017 NAIC Consumer Liaison Representative

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