



IOWA HOUSE DEMOCRATS

Amendment SUMMARY

Insurance Fraud H-8049 to HF 2238

Status of Bill: House Calendar

Committee: Commerce (23-0)

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Lead Democrat: Rep Forbes

Floor Manager: Rep Pettengill

Summary

H-8049 by Pettengill of Benton

This is a strike after amendment that has two sections.

Section 1 of the amendment changes the definition of pecuniary damages to include all damages not paid by the insurer on insurance claims by the victim, in which could be recovered in a civil action arising out of the same facts or event except for the following:

- Punitive damages and damages for pain
- Suffering
- Mental anguish
- Loss of consortium

These damages defined in this section include wrongful death and expenses incurred for psychiatric or psychological services or counseling or other counseling for the victim which are required as a direct result of the criminal activity.

Section 2 of the amendment clarifies that an insurer cannot be a victim if they are paying a victims insurance claim. An insurer can be considered a victim if they are a victim of insurance fraud.

Guillaume, Brian [LEGIS]G:\Caucus Staff\bguillaume\2018 Session\Commerce\Bill Summaries\Insurance Fraud Amendment Summary.docx|February 21, 2018|9:51 AM

