



**Department of Business Regulation
Office of the Director**

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February 11, 2025

The Honorable Joseph Solomon
Chair, House Committee on Corporations
Rhode Island State House
Providence, Rhode Island 02903

RE: H 7515 -- RELATING TO COMMERCIAL LAW--GENERAL REGULATORY PROVISIONS --
DECEPTIVE TRADE PRACTICES

Dear Chair Solomon:

I respectfully submit this testimony in opposition to H 7515. This bill would add definitions regarding insurance to the Deceptive Trade Practices Act under the jurisdiction of the Attorney General. The Deceptive Trade Practices Act, however, does not apply to Insurance. Insurers are subject to the Unfair Competition and Practices Act [R.I. Gen. Laws ch. 27-29](#) and the Unfair Claims Settlement Practices Act [R.I. Gen. Laws ch. 27-9.1](#)

The exemption in the Deceptive Trade Practices Act is as follows:

§ 6-13.1-4. Exemptions.

- (a) Nothing in this chapter shall apply to actions or transactions permitted under laws administered by the department of business regulation or other regulatory body or officer acting under statutory authority of this state or the United States.
- (b) For actions brought by the attorney general, the exemption in subsection (a) applies only if the person claiming the exemption shows that:
 - (1) The person's business activities are subject to regulation by a state or federal agency; and
 - (2) The activity or conduct is in compliance with orders, including insurance bulletins, or rules of, or a statute administered by, a federal or state government agency.

If one reads the specific prohibitions in the Acts it becomes clear why the exemption exists. While the Deceptive Trade Practices Act focuses on general concepts in the sale of goods and services, the Unfair Competition and Practices Act and Unfair Claims Settlement Practices Acts focuses specifically on insurance and provides a number of areas specific to insurance and not applicable to other businesses.

Sincerely,

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Director
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cc : Honorable Members of the House Committee on Corporations
Honorable Stephen M. Casey
Nicole McCarty, Esq., Chief Legal Counsel to the Speaker of the House