

COMMON GROUND



Working together to help Oregonians fulfill their financial goals

Administrator's Avenue



I want to share my deep appreciation for everyone who has stepped up to help our fellow Oregonians. The COVID-19 outbreak has affected all of our lives in a dramatic way, and I am proud to work with so many dedicated people and companies focused on providing stability to many people.

It is important to take every precaution to limit the spread of this virus and to protect those who are most vulnerable to it. That has taken a lot of flexibility and adaptability by this division and all of you.

Many of our insurance partners have answered the call. Several health insurers have agreed to waive cost-sharing for testing and immunizations. They are also doing all they can to provide telehealth options to their members so they can receive the care they need and limit in-person interactions.

Meanwhile, insurers providing property and casualty, life, and other lines of insurance are extending grace periods, suspending cancellations and nonrenewals, and providing premium refunds for auto coverage.

We understand the administrative effort that goes into planning and implementing these services for your customers and we appreciate your willingness to protect all Oregonians by making sure that they have access to the services they need.

We also appreciate the adaptability we have seen from our banks, credit unions, and regulated lenders to make sure their customers have access to the services they need, even if they are unable to pay for them at this time.

The division has issued guidance, orders, and bulletins on several topics. I encourage you to regularly visit our [COVID-19](#) page for up-to-date information on the industry topics we are addressing for Oregonians.

You may have also seen the recent announcement about leadership changes at the Department of Consumer and Business Services. I am honored to step into the role of director of the agency that oversees the Division of Financial Regulation, as well as Building Codes Division, Oregon Health Insurance Marketplace, Oregon Occupational Safety and Health Division, the Ombudsman for Injured Workers, Small Business Ombudsman, Workers' Compensation Division, Workers' Compensation Board, and the Central Services Division.

In this new role, I will remain the insurance commissioner, and Lou Savage will serve as acting administrator of the Division of Financial Regulation. Many of you may recall that Lou served in this role from 2011 to 2013. We are fortunate to have his wealth of knowledge and experience leading the division.

During this time, I encourage you to make the health and safety of your families the top priority. It will take all of us working together to flatten the curve and ultimately stop the spread of this virus.

Thank you very much for the work you do. I look forward to the day when we can come together again and share what we have learned from this experience.

Welcome to Common Ground.

Andrew Stolfi
Oregon Department of Consumer and Business Services
Director

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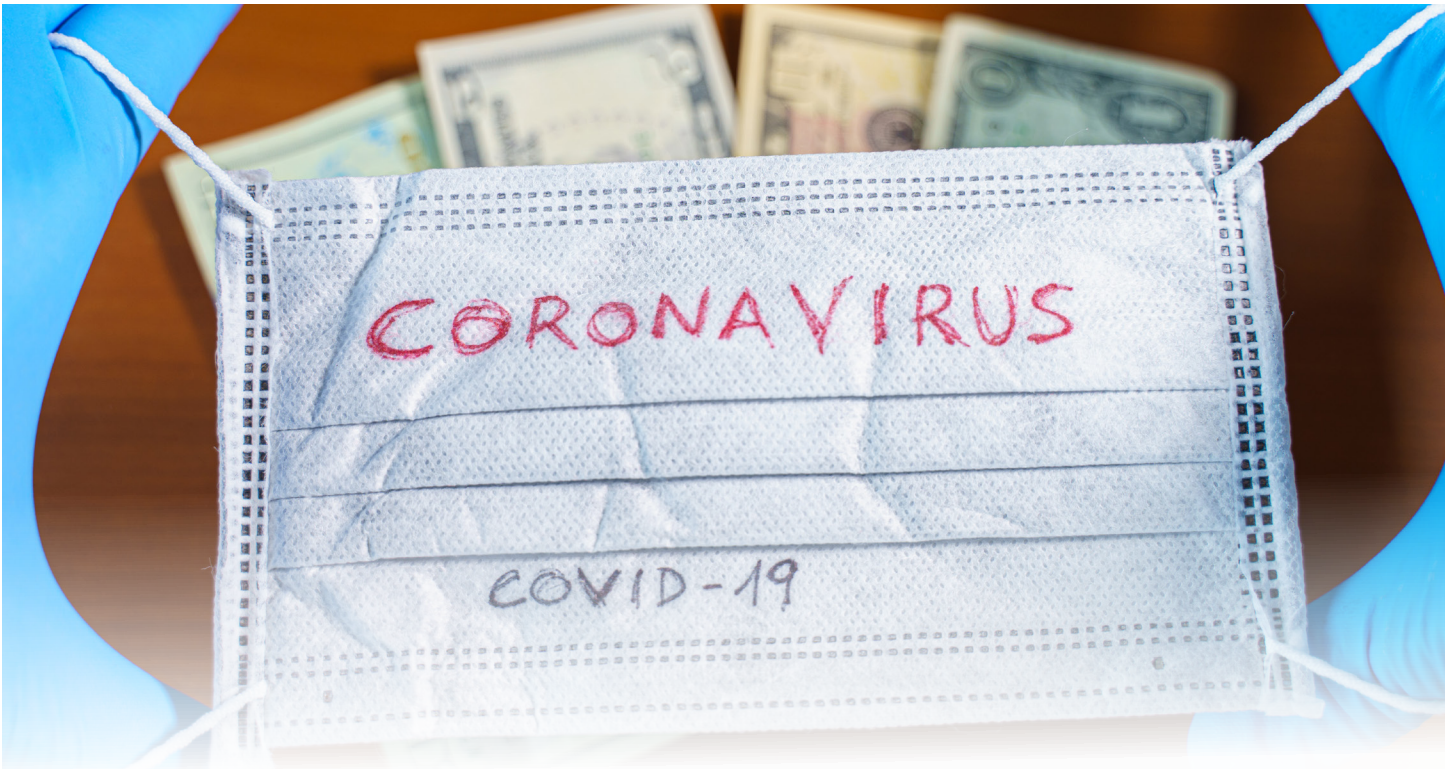
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Gov. Brown announces agreement with health insurance companies to waive cost-sharing for COVID-19 testing

Oregon Gov. Kate Brown, working through the state insurance commissioner and the Oregon Division of Financial Regulation, reached an agreement with health insurance companies to waive cost-sharing for their customers who need COVID-19 testing. The agreement means consumers with fully-insured individual and group health plans will not be charged co-payments, co-insurance, or deductibles related to COVID-19 for the following:

- COVID-19 laboratory testing administered consistent with guidelines issued by the United States Centers for Disease Control and Prevention.
- An in-network provider office visit or a visit to an in-network urgent care center to be tested for COVID-19.
- An emergency room visit to be tested for COVID-19.
- Immunization for COVID-19, once it becomes available.

Outside of these instances, regular terms of insurance such as co-payments, co-insurance, and deductibles will still apply.

There are several types of health insurance plans available to Oregonians. Many self-insured plans have also agreed to waive cost-sharing for their customers. These are plans in which an employer assumes the financial risk of providing health care benefits to its employees. Oregonians who have a self-insured plan should check with their employer first. About 900,000 Oregonians are covered by self-insured plans through their workplace.

“We will continue to build on this agreement seeking support from all health insurance companies and businesses that cover Oregon residents to waive cost-sharing related to COVID-19 testing, and we are glad to see the companies that have already stepped up to support their customers,” said Andrew Stolfi, insurance commissioner. “We all have a mission to support public health and protect Oregonians from this virus by removing barriers to testing.”

The division has set up two COVID-19 pages. The [consumers](#) and [regulated businesses](#) pages provide the most up-to-date insurance and financial services information related to coronavirus.

State issues emergency order for insurance deadlines



The Oregon Department of Consumer and Business Services issued a temporary emergency order in response to the COVID-19 outbreak. It requires all insurance companies to extend grace periods for premium payments, postpone policy cancellations and nonrenewals, and extend deadlines for reporting claims.

The COVID-19 outbreak has caused widespread business closures, job losses, and social distancing measures. This severe disruption to business in the state includes some Oregonians' ability to make insurance premium payments, report claims, and communicate with their insurance companies.

“During this crisis, we must all do our best to help Oregonians focus on staying healthy, care for their families, and prevent the spread of the coronavirus,” said Andrew Stolfi, insurance commissioner.

“Many of our insurers have already stepped up and done the right thing. This order will ensure every Oregonian who needs it has relief from these

insurance policy terms, giving them a measure of security and stability.”

Insurance companies must immediately take steps to do the following until the order is no longer in effect:

- Institute a grace period for premium payments on all insurance policies issued in the state
- Suspend all cancellations and nonrenewals for active insurance policies
- Extend all deadlines for consumers to report claims and communicate about claims
- Provide consumers the ability to make premium payments and report claims while maintaining safe social distancing standards

The order is effective immediately, and will be in force through at least April 23. If necessary, the department may extend the duration of this temporary order.

For more information about the emergency order, visit the division's [regulated businesses page](#) or the [emergency order FAQs](#).

State announces telehealth expectations for health insurance plans



The Oregon Department of Consumer and Business Services and the Oregon Health Authority expect health insurance plans of all types to provide more health care services to their members through multiple telehealth platforms and to encourage plan members to limit in-person health care services for the duration of the COVID-19 outbreak.

The agencies' guidance is intended for health plans of all types and specifically states:

- Health plans should cover telehealth services delivered by in-network providers to replace in-person visits whenever possible and medically or clinically appropriate.
- Health plans shall ensure their members' cost-sharing requirements (co-payments, co-insurance, and deductibles) for services delivered via telehealth are no greater than if the service was delivered through in-person settings.
- Health plans shall clearly communicate to their members and provider networks about options

to receive health care services via appropriate telehealth delivery modes.

- Health plans shall use telehealth service delivery methods to ensure patients maintain access to behavioral health services.

The guidance also includes expectations for provider reimbursement rates, that health plans examine their provider networks and consider contracting with more providers to bolster telehealth capacity, and to eliminate barriers to providing appropriate care by using telehealth services.

For more information on insurance and COVID-19 or to [read the complete guidance](#), visit the division's [COVID-19 regulated businesses page](#).



Division provides insurance industry guidance regarding DMV bulletin on expired driver licenses and vehicle registrations

In a bulletin issued on March 20, the [DMV announced measures](#) to reduce Oregonians' need to visit a DMV office during the current public health emergency.

To provide immediate guidance to the insurance industry in support of the DMV bulletin cited above, the Oregon Division of Financial Regulation expects insurers to refrain from using the expiration of policyholders' driver licenses or vehicle registrations to:

- Change a driver's eligibility for an insurance discount
- Decrease a driver's or business's ability to secure and maintain auto insurance coverage
- Change the rates charged to any driver or business

Oregon law enforcement agencies, in conjunction with the DMV

bulletin, agreed to exercise discretion enforcing driver licenses, vehicle registrations, and trip permits that expire during the COVID-19 emergency declared by Gov. Brown. The Oregon State Police, Oregon Association of Chiefs of Police, and Oregon State Sheriffs' Association have all agreed to support a grace period for enforcing expired credentials.

The DMV bulletin identifies a grace period for several transactions that would cause current documents to expire during the COVID-19 emergency declared by Gov. Brown. Those transactions include issuance of driver licenses and identification cards, passenger vehicle registrations, commercial vehicle registrations, trip permits, and disabled parking permits. While DMV offices remain open, the action is intended to protect the health and safety of people who would otherwise have to visit a DMV office, but are concerned during the current public health emergency.

This automobile insurance compliance memorandum remains in effect until further notice.

Questions about this memorandum should be directed to Brian Fordham, Property and Casualty Program manager, at Brian.J.Fordham@Oregon.gov or 503-949-8323.

Providing assistance to borrowers affected by the COVID-19 pandemic



- Easing credit terms for new loans
- Refraining from reporting late payments to credit rating agencies for 90 days
- Waiving late payment fees and any online payment fees for 90 days
- Ensuring that borrowers do not experience a disruption of service if the lender closes its office, including providing other avenues for borrowers to continue to manage their accounts and make inquiries
- Actively reaching out to borrowers via app announcements, text, email, or otherwise to explain the above-listed help being offered by lenders

Financial institutions:

- Waiving overdraft and nonsufficient funds fees

The division considers the above measures to be in the public interest and assures Oregon regulated lenders they will not be subject to regulatory criticism by the division for making reasonable and prudent efforts to help borrowers who are temporarily unable to repay their loans due to the COVID-19 pandemic.

[Read the complete bulletin](#)

The division encourages its regulated lenders and financial service providers to take active measures to provide help to people and businesses affected by the COVID-19 outbreak. Accommodations for borrowers should comply with safe and sound banking practices and other applicable state and federal prudential regulations.

These steps include:

Mortgages:

- Forbearing mortgage payments for 90 days from their due dates
- Offering mortgagors an additional 90-day grace period to complete trial loan modifications, and ensuring late payments during the COVID-19 pandemic do not affect their ability to obtain permanent loan modifications
- Postponing foreclosures and evictions for 90 days

Mortgages and loans:

- Offering payment accommodations, such as allowing borrowers to defer payments, extending the payment due dates, or otherwise adjusting terms of existing loans, which would avoid delinquencies and negative credit agency reporting



80-year-old Oregon man swindled out of \$200,000 in elaborate romance scam

The Oregon Division of Financial Regulation made international news earlier this year when it released a Valentine's Day story about an elderly Oregon man who was swindled out of \$200,000.

Recently, an 80-year-old widower was catfished out of \$200,000. The unidentified fraudster stole a Florida woman's identity to befriend the Oregonian through an online dating service and persuaded him to send money for a business opportunity.

Over several months, the con artist convinced the elderly man that they were in a long-distance romantic relationship, and proposed an opportunity to support an art gallery in Florida.

The scammer pretended to seek investors to cover \$5 million in transportation costs to ship a 500-ton marble lion sculpture from China. The con artist promised that investments would be returned plus a percentage of the profits from the sale of the sculpture.

The widower even received fabricated documents detailing the contract with the museum and bank statements. Relying on the documents and his romantic relationship, the victim made a series of payments over five months to various individuals and overseas bank accounts totaling more than \$200,000.

The widower lost his entire investment and investigators have been unable to locate the scammer.

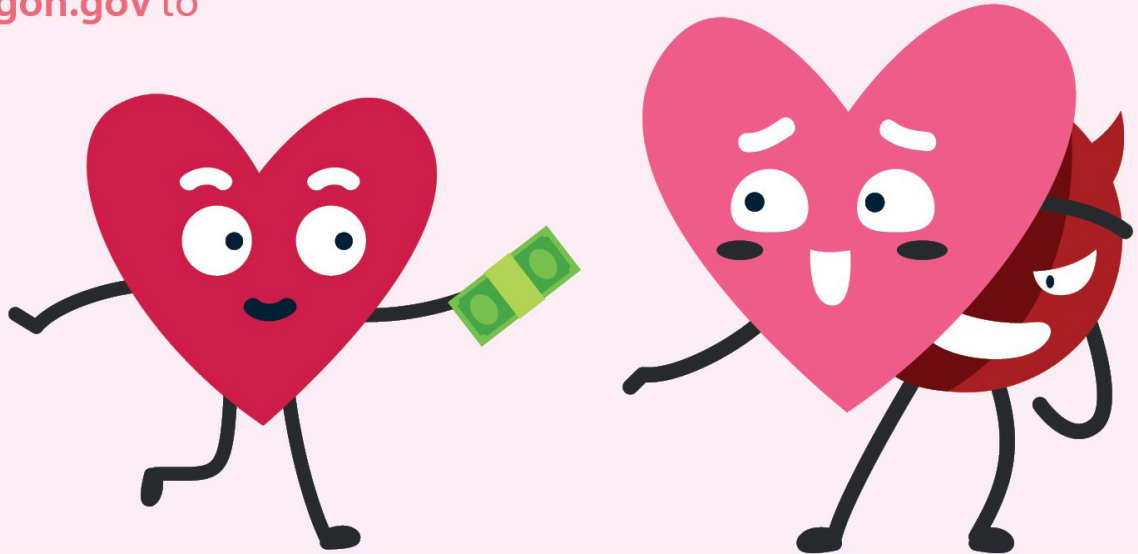
The division encourages consumers to do their homework before making any investment. Protect yourself from getting catfished or falling for an investment scam by following these tips:

- Do not send money to anyone you have not met in person, and be cautious about sharing personal or financial information.
- Do not transfer money to unknown people or

Don't get catfished!

If you only know them online,
don't send money

Visit dfr.oregon.gov to
learn more



intermediaries. If you need to use a third party to send money, use a [licensed money transmitter](#).

- Keep copies of all communications with scammers and report them to the division, the online dating site, the local police, the Federal Bureau of Investigation, and the Federal Trade Commission.

For more information and tips about investing, visit dfr.oregon.gov/financial/investments.

Check out the links below to see a few of the news outlets that covered this unique story.

[KOIN: 80 year-old widower loses \\$200k in romance scam](#)

[The World Link: Oregon man swindled out of \\$200k in romance scam](#)

[The Daily Telegraph: Widower loses life savings in romance scam](#)

[Statesman Journal: Man loses hundreds of thousands in romance scam](#)

[U.S. News: Man loses \\$200k getting catfished in romance scam](#)

[NBC News: Widower loses \\$200k in romance scam](#)

Bandon man operating unlicensed investment business loses 90 percent of investors' funds in less than a year



The Oregon Division of Financial Regulation is warning people to avoid investing with Robert Lee Adams, also known as Bob Adams, and his business, SimTradePro Inc. The division issued a cease-and-desist order against Adams and his business for operating as a state investment adviser without a license, and he may still be soliciting Oregon consumers.

Adams, a Bandon resident, formed a related company, Winning Investments, LLC, in 2017 allegedly to pool investor funds and invest them in the foreign currency exchange market. Four investors who participated lost more than \$279,000 in less than a year. An elderly victim lost most of her retirement savings.

Adams charged each investor a \$3,000 origination fee, offered the group investment strategies he selected, and pooled the investors' funds in a local bank

account. Adams then allegedly invested their funds in foreign currency trading programs that operated offshore. Adams and SimTradePro have never been licensed with the division as an investment adviser or investment adviser representative.

“Investments in foreign currency trading programs are extremely risky, and they are not for everyone,” said Andrew Stolfi, division administrator. “Before investing money you cannot afford to lose, and certainly before parting with your life savings, learn as much as you can about the firms and individuals you are considering. Make sure

your investment adviser is licensed by the division and works with registered, reputable industry professionals.”

The division encourages everyone to protect their money. Ask questions to learn about your adviser's registration status, disciplinary record, and complaint history. The first step before making an investment is to carefully [choose a financial professional](#) by checking their licensing status and background.

Oregonians are also encouraged to contact the division's advocates at 888-877-4894 (toll-free) with questions or concerns about a financial adviser or product. If you have information or questions specifically regarding Robert Lee Adams and his business activities, contact Investigator Rachel Royston at 503-947-7093.

Division of Financial Regulation's priority bill left on the Senate floor



The 2020 Oregon legislative session ended when the Legislature was unable to reach an agreement on the carbon-capping climate change bill. While many Republicans stayed away from the Capitol for the final two weeks, halting the cap-and-trade bill, the move effectively ended several other bills as well.

One bill left on the floor that had bipartisan support was the division's priority bill for 2020, [House Bill 4110](#). The bill was a product of lengthy stakeholder discussions to find solutions to prevent Oregonians from losing coverage under comprehensive Affordable Care Act-compliant plans.

Under current law, consumers who make one late premium payment, or experience a misunderstanding about the total premium due, may be terminated from coverage, and may only be allowed a limited time to make the full payment. Inadvertent, late, or insufficient payments can happen in a variety of situations,

including when an auto-payment is not corrected following a premium increase.

HB 4110 sought to increase the minimum grace period for individual health benefit plan premiums from 10 to 30 days. It also required carriers offering individual health benefit plans to allow consumers at least 15 days to make an initial premium payment.

The provisions were intended to provide consumers with more time and better information to make it easier for them to pay their premiums, get covered, and stay covered.

The bill passed the House with a unanimous vote and passed the Senate Committee on Health Care with a bipartisan vote, but the session ended before it could be voted on by the full Senate.

The division thanks all the stakeholders who played a part in drafting this important piece of legislation.

BULLETINS

Did you know the division releases a quarterly summary of its enforcement actions? Check out the latest issue of [Taking Action](#) for up-to-date news about the division's enforcement efforts.

Arbitration clauses, choice of law, and choice of venue provisions in insurance policies

Reminder that predispute mandatory arbitrations clauses, choice of law provisions, and choice of venue provisions are prohibited in all lines of insurance.

[Read Division of Financial Regulation bulletin No. 2020-1](#)

Title companies offering continuing education classes

Guidance for title companies offering continuing education classes to intermediaries on how to comply with title company marketing rules.

[Read Division of Financial Regulation bulletin No. 2020-2](#)

Premium assessments under House Bill 2010 (2019)

Clarify the applicability of assessments on premiums derived from certain insurance plans under HB 2010.

[Read Division of Financial Regulation bulletin No. 2020-3](#)

Unfair claim settlement practices related to virtual claim adjustment systems and mobile applications

Guidance for auto insurers that use virtual claim adjustment systems to avoid unfair claims settlement practices, and clarifies when an insurer can require the use of mobile applications to submit a claim.

[Read Division of Financial Regulation bulletin No. 2020-4](#)

Withdrawal of Oregon Insurance Division bulletin 2010-01

The Affordable Care Act has superseded HIPAA requirements regarding cancellation and renewability of health insurance coverage.



BULLETINS

[Read Division of Financial Regulation bulletin No. 2020-5](#)

Temporarily working from home when it is not a licensed location

To reduce the spread to COVID-19, the division will temporarily allow mortgage loan originators, licensed mortgage lenders, mortgage loan servicers, consumer finance companies, payday/title lenders, and manufactured structure dealers to work from home when the home is not a licensed location.

[Read Division of Financial Regulation bulletin No. 2020-6](#)

Providing assistance to borrowers affected by the COVID-19 pandemic

The division encourages its regulated lenders and financial service providers to take active measures to provide help to people and businesses affected by the COVID-19 outbreak.

[Read the Division of Financial Regulation bulletin No. 2020-7](#)

Coverage under personal automobile policies for delivery drivers

The division is calling on insurers to extend coverage for personal delivery drivers, and to limit the application of commercial exclusions during the COVID-19 outbreak.

[Read the Division of Financial Regulation bulletin No. 2020-8](#)

Commercial liability for child care providers

Insurance companies may not withdraw from, fail to renew, or cancel any commercial liability line of insurance or class of business, such as a child care facility, without supplying appropriate written justification and approval by the director of the Department of Consumer and Business Services.

[Read the Division of Financial Regulation memorandum](#)

