

111TH CONGRESS
2D SESSION

S. 3685

To provide the Federal Trade Commission with oversight authority over
insurance issuers.

IN THE SENATE OF THE UNITED STATES

AUGUST 2, 2010

Mr. PRYOR (for himself, Mrs. BOXER, and Mr. ROCKEFELLER) introduced the
following bill; which was read twice and referred to the Committee on
Commerce, Science, and Transportation

A BILL

To provide the Federal Trade Commission with oversight
authority over insurance issuers.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Insurance Competition
5 and Transparency Act of 2010”.

6 **SEC. 2. FEDERAL TRADE COMMISSION OVERSIGHT OVER**
7 **INSURANCE ISSUERS.**

8 Section 6 of the Federal Trade Commission Act (15
9 U.S.C. 46) is amended in the undesignated matter fol-

1 lowing subsection (l), by striking “Nothing” and all that
 2 follows through “was made.” and inserting the following:

3 “Notwithstanding the Act of March 9, 1945 (15
 4 U.S.C. 1011 et seq.) and the definition of corporation in
 5 section 4, the Commission may use the authority described
 6 in this section to conduct studies, prepare reports, and dis-
 7 close information relating to insurance, without regard to
 8 whether the subject of the study, report, or the informa-
 9 tion is for-profit or not-for-profit.

10 “Subject to the Act of March 9, 1945 (15 U.S.C.
 11 1011 et seq.) and notwithstanding the definition of cor-
 12 poration in section 4, the provisions of this Act shall apply
 13 to an insurer without regard to whether such insurer is
 14 for-profit or not-for-profit. For purposes of this para-
 15 graph, an employer or membership organization not orga-
 16 nized for its own profit or that of its members that pro-
 17 vides health care or medical malpractice benefits only to
 18 its employees or members shall not be deemed to be a
 19 health insurer or a medical malpractice insurer, provided
 20 that this exclusion shall not apply to a separate entity that
 21 issues insurance or to an organization whose sole or pri-
 22 mary membership benefit is insurance.”.

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