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To: Members of the House Economic Matters Committee
From: Maryland State Bar Association (MSBA)
Subject: HB 90 – Insurance – Hearing Representation
Date: January 30, 2024
Position: **Favorable with Amendment**

The Maryland State Bar Association (MSBA) supports with amendment **House Bill 90 – Insurance – Hearing Representation**. HB 90 requires the Maryland Insurance Commissioner to allow corporations, partnerships, limited liability companies, and sole proprietorships that are small employers to be represented by certain authorized individuals rather than an attorney in certain hearings held by the Commissioner.

MSBA represents more attorneys than any other organization across the state in all practice areas. Through its advocacy committees and various practice-specific sections, MSBA monitors and takes positions on legislation that protects the legal profession, preserves the integrity of the judicial system, and ensures access to justice for Marylanders.

The bill raises concerns about the unauthorized practice of law by non-attorneys representing a business, particularly in the case where the business is the responding party in actions related to the Maryland Insurance Administration (MIA). Attorneys, through education and training, have a better understanding than a non-attorney representative of the impact of an adverse ruling and the financial consequences on a business entity.

MSBA suggests the following amendment on page 2, line 20:

- Delete “;”
- Add “*solely in matters where the business entity is the complaining party and not the respondent in an action brought against them;*”

For these reasons, MSBA urges a **favorable report with the proposed amendment on HB90**.

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