

## NATIONAL ASSOCIATION OF PUBLIC INSURANCE ADJUSTERS



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Subject: Opposition to House Bill 2461 – Consumer Impact Concerns

Chairman Sutton and members of the House Insurance Committee,

My name is Jade Bentz, and I am a licensed public adjuster in Kansas, as well as other states, and have been involved in the insurance claims industry, including adjusting property claims, for over 17 years. I am here on behalf of residential consumers of Kansas and the National Association of Public Insurance Adjusters, and we are opposed to House Bill 2461.

A public adjuster works solely for the homeowner when they have suffered a loss such as a fire, weather related damage, plumbing failures, etc. to assist them in documenting damages, understanding all coverages available to them, understanding and responding to insurance company estimations and positions, and ensuring funds available to them in their insurance policy are paid so they can restore their home and their lives. HB 2461 would remove a critical consumer protection by prohibiting Kansas homeowners from retaining a licensed professional who is specifically trained in residential insurance adjustments to assist with residential property claims.

Insurance companies are permitted to rely on their own trained adjusters and experts to represent their interests in every claim. House Bill 2461 forbids Kansas homeowners from having the same benefit. Residential policyholders are generally far less intimate with the insurance claims process than the companies adjusting their losses, and prohibiting their right to contract with knowledgeable representation undermines fairness and informed decision-making. This proposal would fundamentally shift the claims process further in favor of insurers and leave consumers without meaningful representation at one of the most vulnerable moments they will ever face.

Equally important, legislation that bans access to residential public adjusters often produces unintended consequences that are harmful not only to the consumer, but to the insurance companies and the industry as a whole. Prohibiting lawful, regulated representation creates a vacuum that is frequently filled by unlicensed “consultants” engaging in the unauthorized practice of public adjusting. The purported problems with public adjusters preying on vulnerable insureds are the result of these unlicensed individuals practicing public adjusting. They should not be confused with our licensed professionals.

Public adjusters are fully licensed for commercial and residential claims in 46 of the 50 states plus the District of Columbia. This bill, if passed, would make Kansas the only state specifically prohibiting the practice of public adjusters handling residential claims.

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However, there is a solution. Allow public adjusters to handle residential claims in Kansas while holding them to the same licensing and education standards that most other states already require, and that Kansas currently requires for adjusters handling commercial claims. The National Association of Insurance Commissioners recently adopted amendments to its public adjuster licensing model law that directly address these concerns of untrained and unlicensed actors. These targeted reforms protect consumers without eliminating their right to representation.

For many families, their home is their most valuable asset and insurance is their protection. Denying access to professional assistance if they have damage to claim against their insurance policy places them at a clear disadvantage. It's equivalent to telling an individual they cannot go to a CPA for their taxes, only a commercial consumer or business can utilize a CPA.

House Bill 2461 unnecessarily regulates consumer choice and stacks the deck in favor of insurance companies and lawyers. All at the expense of homeowners.

Thank you.



NAPIA is a national trade association founded in 1951 and widely recognized as the gold standard for public insurance adjuster education, ethics, and professional certification. We represent licensed public adjusters across the United States, including members serving Kansas policyholders, and our mission has always been centered on consumer protection and fair claim outcomes.