



# STATE OF IOWA

TERRY E. BRANSTAD  
GOVERNOR

NICK GERHART  
COMMISSIONER OF INSURANCE

KIM REYNOLDS  
LT. GOVERNOR

Precision Collision Paint & Auto Body  
Attn. Mark Jaeger  
2331 210<sup>th</sup> St.  
Manchester, Iowa 52057

January 6, 2017

Re: IMT Insurance Group complaint  
IID# 92808

Dear Mr. Jaeger,

As an administrative agency, the Iowa Insurance Division is authorized to review the conduct of insurance companies and insurance agents who conduct insurance business in the state of Iowa to determine whether their actions comply with Iowa insurance laws and regulations. If we investigate a consumer complaint and determine that an insurance company or agent has committed a violation of Iowa insurance law or code, we have the discretionary authority to proceed with an appropriate action if we determine it is warranted. The goal of the Iowa Insurance Division's complaint process is to ensure that Iowa's insurance statutes and regulations are enforced and that the residents and businesses of our state receive the benefits which are promised by their insurance policies.

The Iowa Insurance Division is *not* authorized or able to make factual determinations such as to determine the cause, value or condition of damaged property if such matters are in dispute. Nor can we determine what has been discussed and what has not been discussed during private conversations which have taken place during which we did not participate. We have neither the legal authority nor the ability to make decisions on disputed factual matters. A court of law is the correct forum with the statutory authority to resolve factual disputes.

Please take a few moments to review the enclosed pamphlet which explains the services that the Iowa Insurance Division can and cannot provide to consumers.

We forwarded a copy of your initial complaint and supplemental information to IMT Insurance Group ("IMT") and requested their response to your concerns. Enclosed is the company's corresponding response in which they have addressed each of the six individual customer vehicles that you identified in your December 12, 2016 email.

In IMT's enclosed response, they have advised that they are presently working on, but have not yet formulated, a solid and firm position as to how to evaluate and compensate for the time that shops spend on the pre-scanning and post-scanning of (claim-related) vehicles. However, the company has also advised that they will continue to evaluate the need for vehicle health scans (VHS) on a case-by-case basis and will continue to pay claims which involve VHS scans accordingly. IMT has also cited specific contractual language from their insured's personal automobile policy in support of their position.

As we advised, the Iowa Insurance Division has the authority to enforce this state's insurance laws and regulations. We also do what we can to ensure that Iowa's businesses and residents receive the benefits which are promised to them in their insurance policies. As we are unaware of any existing state insurance laws or regulations (or insurance policy language) that has been violated by the position that IMT has taken on this matter, we are closing our file.

The Iowa Insurance Division seriously evaluates every inquiry and complaint that we receive. The goal of the Division's complaint process is to ensure that Iowa insurance rules and regulations are enforced. These laws require that insurers and producers honestly describe policies and coverage. These laws also require insurers follow fair and reasonable procedures in handling claims and determining whether a claim is covered under the benefits promised to Iowans in their policies or contracts.

Although the Division has concluded that no further investigation into insurance law violations is warranted at this time, you may wish to contact the Division's Consumer Advocate to request an additional limited review. The Consumer Advocate may be reached by phone at (515) 281-4038 Consumer Advocate or by mail at 601 Locust Street, Des Moines, Iowa 50309-3738.

Thank you for allowing the Iowa Insurance Division to investigate your complaint.

Sincerely,

A handwritten signature in cursive script that reads "Ron Peters".

Ron Peters  
Market Regulation Analyst  
Iowa Insurance Division

Enclosures