



**THE COMMONWEALTH OF MASSACHUSETTS
AUTO DAMAGE APPRAISER LICENSING BOARD**

1000 Washington Street, Suite 810 • Boston, MA 02118-6200
(617) 521-7794 • FAX (617) 521-7475
TTY/TDD (617) 521-7490
<http://www.mass.gov/doi>

DEVAL L. PATRICK
GOVERNOR

TIMOTHY P. MURRAY
LIEUTENANT GOVERNOR

GILBERT W. COX, JR.
CHAIRMAN

CARL GARCIA
DAVID KRUPA
JOSEPH COYNE
THOMAS MCCLEMENTS

Minutes of Meeting

November 21, 2011

**Auto Damage Appraisers Licensing Board
Division of Insurance, Boston, MA**

Members Present:

Gilbert Cox, Chairman
Carl Garcia
Joseph Coyne
Thomas McClements
David Krupa

Proceeding Recorded By:

P. Abdelmaseh (audio and visual)
J. Gauston (audio and visual)

Review and Approve October 27, 2011 Minutes

Motion made by J. Coyne to accept October 27, 2011 minutes
Motion seconded by T. McClements
3-0 Vote to accept

Review and Approve November 10, 2011 Minutes

Motion by C. Garcia to accept November 10, 2011 Emergency meeting minutes
Motion seconded by J. Coyne
3-0 Vote to accept

Next Part II Test will be held on December 13, 2011 at Holiday Inn in Taunton, MA

Emergency License Overview

The issue is we are unable to communicate the Emergency before the event exists

In the past, David Krupa wrote an emergency license application and it will be further discussed at the next meeting

G. Cox stated that it would be nice if we could attend Emergency License meetings over the phone instead of having to be present in person.

B. Kelly noted the Attorney General is currently reviewing this issue

Dialogue regarding Current Bills affecting The Board

There are two current bills that directly impact The Auto Damage Appraiser Board: SB 478 (a bill to reform the Board) and SB 473 (Direct Pay Plan)

Cox expressed his idea that we should ask the Senators who petitioned these bills to come before the Board

C. Garcia stated that at the next meeting, we should talk about writing a letter to those Senators

Correspondence from Donald Spinelli

J. Coyne recused himself because D. Spinelli is employed at Home and Auto

C. Garcia opined that there is talk back and forth regarding CMR 212 between Metlife and Division of Insurance (DOI). If anyone is using this plan to circumvent the system, they are held accountable by the Board.

C. Garcia stated, "When conflict arises, we will deal with it on a case by case basis. As it states 2.12 CMR 2.04 (1)(a), if payout is over \$1500, insurance company must conduct inspection."

P. Abdelmaseh (AASP) noted that were a number of alleged violations as it was a detailed filing.

D. Krupa noted that the decision is getting beyond the scope of The Board as there is nothing that we can do to affect Direct Repair Pay Plan. It is between DOI and the Insurance Company.

Motion made by C. Garcia to draft letter to Metlife

Motion seconded by G. Cox

3-1 vote

C. Garcia, T. McClements, G. Cox vote in the affirmative

D. Krupa vote in the negative

J. Coyne did not vote

New Business

ADALB Complaint 2011-13 will be discussed at the next meeting.

Next meeting will be held on Tuesday, January 17, 2012 at 9:30 a.m.

Motion by G. Cox to go into Executive Session to discuss the reputation, and character of a pending license application

Seconded by C. Garcia

4-0 Vote

C. Garcia, D. Krupa, T. McClements, J. Coyne voted in the affirmative

/ab