Artificial Intelligence Systems Evaluations
Optional Supplemental Exhibits for State Regulators

Background:
The rapid expansion of big data and adoption of Artificial Intelligence and Machine Learning (AI systems) is significantly transforming insurance practices. These technologies can offer substantial benefits to both insurance companies and consumers by facilitating the development of innovative products, improving customer interface and enhancing service, simplifying and automating processes, and promoting efficiency and accuracy. However, without robust governance and effective controls, the use of AI systems may lead to adverse consumer outcomes or compromise the financial soundness of an insurance company. Insurers are responsible for managing the risks associated with the development and implementation of AI systems and must demonstrate to regulators that adequate oversight mechanisms are in place and are functioning effectively.

Intent:
The NAIC's Innovation, Cybersecurity and Technology (H) Committee charged the Big Data and AI Working Group (BDAIWG) to create tool(s) that would enable regulators to identify and assess AI systems' related risks on an on-going basis with a scope that considers both financial and consumer risks evolving specifically from company's use of AI systems to the extent such risks can be parsed from the comprehensive structure.

This document and related tools are designed to supplement existing market conduct, product review, form filing, financial analysis, and financial examination review procedures. As this tool supplements existing NAIC resources, regulators should continue to consider existing NAIC resources as authoritative but may consider drawing from this tool to assist in understanding and assessing a company's use of AI systems.

These optional exhibits allow regulators to determine the extent of AI systems usage for a company and whether additional analysis is needed focusing on financial and consumer risk.

Sections of the Tool include:

- **Exhibit A: Quantify Regulated Entity's Use of AI Systems**
- **Exhibit B: AI Systems Governance Risk Assessment Framework (Two Options: Narrative or Checklist)**
- **Exhibit C: AI Systems High-Risk Model Details**
- **Exhibit D: AI Systems Model Data Details**

Instructions:
Information obtained from the Exhibit submission may supplement guidance and tools used during an existing market conduct, product review, form filing, financial analysis, and financial examination review, to enhance the regulator's understanding of the AI systems utilization and assessment of risk across an insurance company in performing the analysis and examination reviews. Effective assessment requires regulators to maintain a fluent understanding and application of the applicable laws including those pertaining to unfair trade practices, confidentiality, and financial reporting.

Regulators using the tool may wish to first use Exhibit A and based on the information provided, determine if further inquiry is necessary. It may be possible that company responses indicate that while the company responding is using AI, its use of AI is so limited or low in inherent risk as to not require further inquiry as contemplated by subsequent exhibits.

If information requested through the tool has already been provided to this department or any other state department of insurance, the company's response should so state and reference when and how the information was provided.

The tool responses will be considered by regulators when identifying the inherent risks of the insurer. They should also affect the planned examination or inquiry approach, as well as the nature, timing and extent of any further procedures performed.

Materiality and Risk Assessment

Exhibit C of this tool relies on company assessments of risk and materiality. As part of evaluating company responses, regulators may request information on how a responding company assesses both concepts to assist in the regulatory review.

Confidentiality

Regulators using any of the tools should be prepared to cite examination or other authority, as appropriate when requesting information from insurers.

Which Exhibit to Use?

Risk Identification or Assessment	A	B	C	D
Identify Reputational Risk and Consumer Complaints	**X**	**X (Checklist)**		
Assess Company Financial Risk – Number of models implemented recently	**X**	**X (Checklist)**		
Identify Adverse Consumer Outcomes – AI Systems and data use by operational area	**X**	**X**	**X**	**X**
Evaluate Actions Taken Against Company's Use of High-Risk AI Systems (as defined by the company)			**X**	
Evaluate Robustness of AI Controls		**X**	**X**	
Determine the types of data used by operational area				**X**

Exhibit A: Quantify Regulated Entity's Use of AI Systems

Purpose: To obtain information pertaining to the number of AI models that are new, updated, etc. that will help facilitate risk assessment. Based on the responses from the company, regulators may ask for additional information related to governance (Exhibits B), high-risk models (Exhibit C), and data types (Exhibit D) where there is risk for adverse consumer outcomes or material adverse financial impact.

Company Instructions: Provide the most current counts and use cases of the following as requested. Note that "AI System" is defined as a machine-based system that can, for a given set of objectives, generate outputs such as predictions, recommendations, content (such as text, images, videos, or sounds), or other output influencing decisions made in real or virtual environments. AI systems are designed to operate with varying levels of autonomy (supportive, augmented, automated). "Adverse Consumer Outcome" and "Use Case" are as defined below. . Include all companies and lines of business. If the governance differs by entity, line of business, or state, work with your domestic regulator to determine if multiple submissions are needed. See definitions below.

Regulator Instructions: Regulators should customize this tool to limit information requested to more targeted inquiries for use in a limited scope exam.

Company Legal Name or Group Name: _____

NAIC Code or Group Code: _____

Company Contact Name: _____ Email: _____

Describe the Line of Business for Which This Response Applies : _____

Date Form Completed ("as of") Date: _____

Use of AI System in Operations or Program Area	Number of AI System Model(s) Currently in Use	Number of AI System Model(s) with Consumer Impact	Number of AI System Model(s) with Material Financial Impact	Number of AI System Model(s) Implemented in Past 12 Months			AI System Use Case(s)

Insurer Core Operations							
Marketing							E.g., UC1: Identify potential consumers interested in product.
Premium Quotes & Discounts							
Underwriting							
Ratemaking/Rate Classification/ Schedule Rating/ Premium Audits							
Claims/Adjudication*							
Customer Service							
Utilization Management/Utilization Review/Prior Authorization							
Fraud/Waste & Abuse							
Other							
Investment/Capital Management							
Legal/Compliance							
Producer Services							
Reserves/Valuations							
Catastrophe Triage							
Reinsurance							

Other (remove or change to "additional" per the use of "Other" above)							
**Includes Salvage/Subrogation*							
1.							
2.							
3.							

Exhibit B: (Narrative) AI Systems Governance Risk Assessment Framework

Purpose: To obtain the Company AI Governance Framework, including the risk identification, mitigation, and management framework and internal controls for AI systems; and the process for acquiring, using, or relying on third-party AI systems and data. Market and financial regulators should coordinate to gain access to the relevant section of the policies governing the use of AI Systems.

Company Instructions: Provide responses to the questions regarding governance of AI systems within your company's operations. Include all companies and lines of business. If the governance differs by entity, line of business, or state, work with your domestic regulator to determine if multiple submissions are needed. See definitions below.

Regulator Instructions: Regulators should customize this tool to limit information requested to more targeted inquiries for use in a limited scope exam.

Group or Company Legal Name: _____

NAIC Group or Company Code: _____

Company Contact Name: _____ Email: _____

1. Date Form Completed ("as of") Date: _____
   Provide the Governance Framework pertaining to the use of AI systems. Click or tap here to enter text.
   a. What role maintains the framework? Click or tap here to enter text.
   b. Discuss the governance structure, Board reporting and frequency. Click or tap here to enter text.
   c. Discuss the process by which the framework is integrated throughout the organization, assessed and remediated. Click or tap here to enter text.
   d. Discuss the process by which the effectiveness of the framework and individual models are assessed and modified. Click or tap here to enter text.
   e. Discuss the divisional, operational and cross functional responsibility for governance, consistency and alignment. Click or tap here to enter text.
   f. Discuss the integration of the AI systems in the Own Risk and Solvency Assessment (ORSA) and Enterprise Risk Management (ERM) assessments. Click or tap here to enter text.
   g. Suggested additional question: How does the insurance company assess autonomy, reversibility, and reporting impact risk of AI systems?

2. Discuss the uses of AI system that:
    a. Generates a financial transaction directly or indirectly. Click or tap here to enter text.
    b. Generates consumer impact directly or indirectly. Click or tap here to enter text.
    c. Generates or impacts information reported in financial statements either directly or indirectly. Click or tap here to enter text.
    d. Generates or impacts risk and or control assessment. Click or tap here to enter text.

    e. *Discuss the development, testing, and implementation of AI systems that the Company has implemented. If appropriate, include details regarding where any systems differ from established IT systems and data handling protocols.* Discuss the basis for deviation from established practices. Click or tap here to enter text.

3. Provide the policy and discuss the use and oversight of AI system vendors, model design and testing:
    a. Discuss the transparency and testing procedures performed on internally-developed AI systems. Click or tap here to enter text.
    b. Discuss the transparency and testing procedures performed on third-party vendor-supplied AI systems. Click or tap here to enter text.
    c. Discuss the testing and verification that has occurred including frequency, scope and methodology. Click or tap here to enter text.

4. Provide the policy and discuss the use and oversight of AI systems by professional service providers including actuarial, claim, MGA, audit, and/or other professional services. Click or tap here to enter text.
    a. Discuss the testing and verification that has occurred, frequency, scope, and methodology. Click or tap here to enter text.

    Click or tap here to enter text.Click or tap here to enter text.
5. Discuss additional RAF design and evaluation pertaining to AI systems. Click or tap here to enter text.
    a. Discuss the unit(s) responsible for the RAF, assessment approach and frequency, and involvement with the program area to the extent it differs from that discussed above. Click or tap here to enter text.

Exhibit B: (Checklist) AI Systems Governance and Risk Assessment Framework

Purpose: To obtain the Company AI Systems Governance Framework, including the risk identification, mitigation and management framework and internal controls for AI systems; and the process for acquiring, using, or relying on third party AI systems and data" potential risk of adverse consumer outcomes, development of models, human-in-the-loop supervision, and information about efforts to maintain compliance and the integrity of financial reporting and control integrity. Market and financial regulators should coordinate to gain access to the relevant section of the policies governing the use of AI systems.

Company Instructions: Provide responses to the questions regarding governance of AI systems within your company's operations. Include all companies and lines of business. If the governance differs by entity, line of business, or state, work with your domestic regulator to determine if multiple submissions are needed. See definitions below.

Regulator Instructions: Regulators should customize this tool to limit information requested to more targeted inquiries for use in a limited scope exam.

Group or Company Legal Name: _____

NAIC Group or Company Code: _____

Company Contact Name: _____ Email: _____

Date Form Completed ("as of") Date: _____

Ref	AI Systems Use Questions for Company	Company Response
1	Has the company adopted a written AIS Program? If yes, when was it adopted and what is the frequency of review for updating?	
2	Was the Board of Directors or management involved in the adoption of an AIS Program?	
3	What is the role of the Board of Directors or management in the AI Systems Governance Framework?	
3	**Reference the processes and procedures of the Company AI Governance Framework that addresses the following:**	

	How the Insurance Company...	Page #	If not specified in governance, provide details below:
	3a. Assesses, mitigates, and evaluates residual AI system risks of unfair trade practices		
	3c. Ensures AI systems are compliant with state and federal laws and regulations		
	Evaluates risk of adverse consumer outcomes		
	3e. Considers data privacy and protection of consumer data used in AI systems		
	3f. Ensures AI systems are suitable for their intended use and should continue to be used as designed		
	3h. Ensures AI system risks are considered within Enterprise Risk Management (ERM)		
	3i. Ensures AI system risks are considered within the Own Risk and Solvency Assessment (ORSA)		
	3j. Ensures AI system risks are considered in software development lifecycle (SDLC)		
	3k. Ensures AI system risk impact on financial reporting is considered		
	3l. Trains employees about AI system use and defines prohibited practices (if any)		
	3m. Quantifies AI system risk levels		
	3n. Provides standards and guidance for procuring and engaging AI system vendors		
	3o. Ensures consumer complaints resulting from AI systems are identified, tracked, and addressed		
	3p. Ensures consumer awareness in use of AI systems through disclosures, policies, and procedures for consumer notification		

Exhibit C: AI Systems High-Risk Model Details

Purpose: To obtain detailed information on high-risk AI system models, such as models making automated decisions, that could cause adverse consumer, financial, or financial reporting impact. AI system risk criteria is set by the insurance company. To assist in identifying models for which this information is requested, regulators may request information on the company's risk assessment and a model inventory if such information has not otherwise already been provided.

Company Instructions: Fill in the details for each of the AI system model(s) requested. Include all companies and lines of business. If the governance differs by entity, line of business, or state, work with your domestic regulator to determine if multiple submissions are needed. See definitions below.

Regulator Instructions: Regulators should customize this tool to limit information requested to more targeted inquiries for use in a limited scope exam.

Group or Company Legal Name: _____

NAIC Group or Company Code: _____

Company Contact Name: _____ Email: _____

Date Form Completed ("as of") Date: _____

Model name	
Model type	
Model Implementation Date	
Model development (internal or third party – include vendor name)	
Model risk classification	
Model risk(s) and limitation(s)	
AI type (automate, augment, support)	
Testing model outputs (drift, accuracy, bias, unfair trade practices, performance degradation, etc.)	
Last date of model testing	
Use cases and purpose of model	

Discuss how the model affects the financial statements, risk assessment or controls.	
Discuss how the model is reviewed for compliance with state and federal laws Replace with “Discuss how the model is reviewed for compliance with the unfair trade practices act and unfair claims settlement laws.”	
Discuss if the company has had any actions taken against them for use of this model. Actions may include but are not limited to informal agreements, voluntary compliance plans, administrative complaints, ongoing monitoring, cease and desist, remediation, restitution, fines, penalties, investigations, consent orders or other regulatory agency actions.	

Exhibit D: AI Systems Model Data Details

Purpose: To obtain detailed information of the source(s) and type(s) of data used in AI system model(s) to identify risk of adverse consumer impact, financial, or financial reporting impact.

Company Instructions: Provide details below for the data used in AI system model(s). If any of the data elements listed are used in the training or test data as part of the development of AI model(s), provide information on whether the data element is sourced internally or whether the data element is sourced from a third party, in which case provide the name of the third-party vendor. Leave blank if a data source is not used in the development of AI system model(s) for the insurance operation. Include all companies and lines of business. If the governance differs by entity, line of business, or state, work with your domestic regulator to determine if multiple submissions are needed. See definitions below.

Regulator Instructions: Regulators should customize this tool to limit information requested to more targeted inquiries for use in a limited scope exam.

Group or Company Legal Name: _____

NAIC Group or Company Code: _____

Company Contact Name: _____ Email: _____

Line of Business (complete one for each line of business): _____

Date Form Completed ("as of") Date: _____

(1) **Type of Data Element Used in AI System Model(s)**	(2) **Type of AI System Model(s) (E.g., Predictive vs. Generative AI)**	(3) **Describe How the Company Uses the Data Throughout Their Insurance Operations (include operational practices by line of insurance)**	(4) **Internal Data Source**	(5) **Third Party Data Source / Vendor Name**
Aerial Imagery				
Age, Gender, Ethnicity/Race				

Consumer or Other Type of Insurance/Risk Score				
Crime Statistics				
Criminal Convictions (Exclude Auto-Related Convictions)				
Driving Behavior				
Education Level (Including school aptitude scores, etc.)				
Facial or Body Detection / Recognition / Analysis				
Geocoding (including address, city, county, state, ZIP code, lat/long, MSA/CSA, etc.)				
Geo-Demographics (including ZIP/county-based demographic characteristics)				
Household Composition				
Image/video Analysis				
Income				
Job History				
Loss Experience				
Medical, including Biometrics, genetic information, pre-existing conditions, diagnostic data, etc.				
Natural Catastrophe Hazard (Fire, Wind, Hail, Earthquake, Severe Convective Storms)				
Online social media, including characteristics for targeted advertising				
Personal Financial Information				
Telematics/Usage-based insurance				

Vehicle-Specific Data including VIN characteristics				
Voice Analysis				
Weather				
Other: Non-Traditional Data Elements (Please provide examples)				

DEFINITIONS AND APPENDIX

Where available, for the purposes of this evaluation terms are defined in accordance with the NAIC Model Bulletin on the Use of AI Systems by Insurers (https://content.naic.org/sites/default/files/2023-12-4%252520Model%252520Bulletin_Adopted_0.pdf):

"Adverse Consumer Outcome" refers to an AI System decision (output) by an insurance company that is subject to insurance regulatory standards enforced by the Department that adversely impacts the consumer in a manner that violates those standards.

"Algorithm" means a clearly specified mathematical process for computation; a set of rules that, if followed, will give a prescribed result.

"AI System" is a machine-based system that can, for a given set of objectives, generate outputs such as predictions, recommendations, content (such as text, images, videos, or sounds), or other output influencing decisions made in real or virtual environments. AI Systems are designed to operate with varying levels of autonomy.

"Artificial Intelligence (AI)" refers to a branch of computer science that uses data processing systems that perform functions normally associated with human intelligence, such as reasoning, learning, and self-improvement, or the capability of a device to perform functions that are normally associated with human intelligence such as reasoning, learning, and self-improvement. This definition considers machine learning to be a subset of artificial intelligence.

"Consumer Impact" refers to a decision by an Insurer that is subject to insurance regulatory standards enforced by the Department.

"Degree of Potential Harm to Consumers" refers to the severity of adverse economic impact that a consumer might experience as a result of an Adverse Consumer Outcome.

"Externally Trained Models" Transferred learnings from pre-trained models developed by a third party on external reference datasets.

"Generative Artificial Intelligence (Generative AI)" refers to a class of AI Systems that generate content in the form of data, text, images, sounds, or video, that is similar to, but not a direct copy of, pre-existing data or content.

"Inherent Risk" Refers to an assessment of risk before considering risk-mitigation strategies or internal controls.

"Internally Trained Models" Models developed from data internally obtained by the company.

“Machine Learning (ML)” Refers to a field within artificial intelligence that focuses on the ability of computers to learn from provided data without being explicitly programmed.

“Material Financial Impact” Material financial impact refers to costs or risks that significantly affect, or would reasonably be expected to have significant effect, on the debt and financial obligation limits prescribed by Federal or State laws and regulations.

“Model Drift” refers to the decay of a model’s performance over time arising from underlying changes such as the definitions, distributions, and/or statistical properties between the data used to train the model and the data on which it is deployed.

“Neural Network Models” Include but not limited to: Single/multi-layer perceptrons/fully connected networks (MLPs/FCs), Deep Learning (DL), Convolutional Neural Networks (CNNs), Recurrent Neural Networks (RNNs), Long Short-Term Memory Neural Networks (LSTMs), Sequence Models, Large Language Models (LLMs), and Reinforcement Learning Models (RLs).

“Predictive Model” refers to the mining of historic data using algorithms and/or machine learning to identify patterns and predict outcomes that can be used to make or support the making of decisions.

“Residual Risk” Refers to an assessment of risk after considering risk-mitigation strategies or controls.

“Third Party” for purposes of this bulletin means an organization other than the insurance company that provides services, data, or other resources related to AI.

“Validation Method” The source of the reference data used for validation, whether Internal, External, or Both.

“Use Case” A description of a specific function in which a product or service is used.

Operations

Marketing - Examples: market research, target advertising, market/coverage expansion, customer segment target marketing, demand modeling, agent/broker incentive plans, up/cross-selling.

Underwriting - Examples: Policy/coverage acceptance, company placement/tiering, schedule rating, decisions based on telematics/UBI, report ordering, retention modeling, inspections, anomaly detection.

Ratemaking/Pricing - Examples: Development of overall/base rates, expense/loss loadings, estimation of trends and loss development, development of manual rating factors, tiering criteria, insurance credit scoring, territory boundary definitions, numeric/categorical level groupings and interactions, individual risk rating, telematics/UBI, price optimization, schedule rating factors.

Claims - Examples: Claim assignment, triage/fast-tracking, individual/bulk claim reserving including loss estimation, imaging/video analysis, fraud detection, litigation, estimation of closure rates, salvage/subrogation, examination/report ordering.

Customer Service - Examples: Agent/broker/internet/customer service interaction (chatbots), online/smart phone apps, loss prevention/risk mitigation advice, payment plans, complaints.

Other: Cyber Security, Fraud Detection, Strategic Operations, Reserving, Investments, Capital Management, Financial Reporting, Reinsurance, Legal, Legal Exposure, Reputation Risk.

Artificial Intelligence Systems Evaluations
Optional Supplemental Exhibits for State Regulators

Background:
The rapid expansion of big data and adoption of Artificial Intelligence and Machine Learning (AI systems) is significantly transforming insurance practices. These technologies can offer substantial benefits to both insurance companies and consumers by facilitating the development of innovative products, improving customer interface and enhancing service, simplifying and automating processes, and promoting efficiency and accuracy. However, without robust governance and effective controls, the use of AI systems may lead to adverse consumer outcomes ~~unintended consumer harm~~ or compromise the financial soundness of an insurance company. Insurers are responsible for managing the risks associated with the development and implementation of AI systems and must demonstrate to regulators that adequate oversight mechanisms are in place and are functioning effectively.

Intent:
The NAIC's Innovation, Cybersecurity and Technology (H) Committee charged the Big Data and AI Working Group (BDAIWG) to create tool(s) that would enable regulators to identify and assess AI systems' related risks on an on-going basis with a scope that considers both financial and consumer risks evolving specifically from company's use of AI systems to the extent such risks can be parsed from the comprehensive structure.

This document and related tools are designed to supplement existing market conduct, product review, form filing, financial analysis, and financial examination review procedures. As this tool supplements existing NAIC resources, regulators should continue to consider existing NAIC resources as authoritative but may consider drawing from this tool to assist in understanding and assessing a company's use of AI systems.

These optional exhibits allow regulators to determine the extent of AI systems usage for a company and whether additional analysis is needed focusing on financial and consumer risk.

Sections of the Tool include:

- **Exhibit A: Quantify Regulated Entity's Use of AI Systems**
- **Exhibit B: AI Systems Governance Risk Assessment Framework (Two Options: Narrative or Checklist)**
- **Exhibit C: AI Systems High-Risk Model Details**
- **Exhibit D: AI Systems Model Data Details**

Instructions:
Information obtained from the Exhibit submission may supplementing guidance and tools used during an existing market conduct, product review, form filing, financial analysis, and financial examination review, may to enhance the regulator's understanding of the AI systems utilization and assessment of risk across an insurance company in performing the analysis and examination reviews. The pace of innovation will vary, and the insurers' AI philosophy is to be contemplated when considering the frequency of updates which may vary from an annual to a quarterly basis as risk assessment warrants. Effective assessment requires regulators to maintain a fluent understanding and application of the applicable laws including those pertaining to unfair trade practices, confidentiality, and financial reporting.

Regulators using the tool may wish to first use Exhibit A and based on the information provided, determine if further inquiry is necessary. It may be possible that company responses indicate that while the company responding is using AI, its use of AI is so limited or low in inherent risk as to not require further inquiry as contemplated by subsequent exhibits.

If information requested through the tool has already been provided to this department or any other state department of insurance, the company's response should so state and reference when and how the information was provided.

The tool responses will be considered by regulators when identifying the inherent risks of the insurer. They should also affect the planned examination or inquiry approach, as well as the nature, timing and extent of any further procedures performed.

Materiality and Risk Assessment

Exhibit C of this tool The tools that follow reliesy on company assessments of risk and materiality and risk assessment. As part of evaluating company responses, regulators may request information on how a responding company assesses both concepts to assist in the regulatory review.

Confidentiality

Regulators using any of the tools should be prepared to cite examination or other authority, as appropriate when requesting information from insurers.

Which Exhibit to Use?

Risk Identification or Assessment	A	B	C	D
Identify Reputational Risk and Consumer Complaints	**X**	**X (Checklist)**		
Assess Company Financial Risk – Number of models implemented recently	**X**	**X (Checklist)**		
Identify Adverse Consumer Outcomes – AI Systems and data use by operational area	**X**	**X**	**X**	**X**
Evaluate Actions Taken Against Company's Use of High-Risk AI Systems (as defined by the company)			**X**	
Evaluate Robustness of AI Controls		**X**	**X**	
Determine the types of data used by operational area				**X**

Exhibit A: Quantify Regulated Entity's Use of AI Systems

Purpose: To obtain information pertaining to the number of AI models that are new, updated~~, retired~~, etc. that will help facilitate risk assessment. Based on the responses from the company, regulators may ask for additional information related to governance (Exhibits B), high-risk models (Exhibit C), and data types (Exhibit D) where there is risk for adverse consumer outcomes or ~~consumer complaints~~material adverse financial impact.

Company Instructions: Provide the most current counts and use~~s~~ cases of the following as requested. Note that "AI System" is defined as a machine-based system that can, for a given set of objectives, generate outputs such as predictions, recommendations, content (such as text, images, videos, or sounds), or other output influencing decisions made in real or virtual environments. AI systems are designed to operate with varying levels of autonomy (supportive, augmented, automated). "Adverse Consumer Outcome" and "Use Case" are as defined below. ~~Adverse Consumer Impact Outcome refers to a decision by an Insurer that is subject to insurance regulatory standards enforced by the Department that adversely impacts the consumer in a manner that violates those standards~~~~is an AI system decision (output) initiated by a company that impacts the consumer. Use Case is defined as a textual description of how external entities (actors) interact with an AI System to achieve a specific goal. See definitions below.~~. Include all companies and lines of business. If the governance differs by entity, line of business, or state, work with your domestic regulator to determine if multiple submissions are needed. See definitions below.

Regulator Instructions: Regulators should customize this tool to limit information requested to more targeted inquiries for use in a limited scope exam.

Company Legal Name or Group Name: _____

NAIC Code or Group Code: _____

Company Contact Name: _____ Email: _____

Describe the Line of Business for Which This Response Applies (~~complete one for each line of business~~):

_____

Date Form Completed ("as of") Date: _____

~~Period Defining the Last 12 Months: _____~~

~~Period Defining the Next 6 Months: _____~~

Use of AI System in Operations or Program Area	Number of AI System Model(s) Currently in Use	Number of AI System Model(s) with Consumer Impact	Number of AI System Model(s) with Material Financial Impact	Number of AI System Model(s) Implemented in Past 12 Months	~~Number of Consumer Complaint(s) Resulting from AI Systems in the Past 12 Months by Program Area~~	~~Number of AI System Model(s) Planned to be Implemented within the Next 6 Months~~	AI System Use Case(s)
Insurer Core Operations							
Marketing							E.g., UC1: Identify potential consumers interested in product.
~~Producer Services~~							
Premium Quotes & Discounts							
Underwriting							
Ratemaking/Rate Classification/ Schedule Rating/ Premium Audits							
Claims/Adjudication*							
~~Legal/Compliance~~							
Customer Service							
Utilization Management/Utilization Review/Prior Authorization							
Fraud/Waste & Abuse							
Other							
Investment/Capital Management							
Legal/Compliance							
Producer Services							

Reserves/Valuations							
~~Product Performance~~							
Catastrophe Triage							
~~Strategic Operations (HR, Reinsurance, etc.)~~Reinsurance							
Other (remove or change to "additional" per the use of "Other" above)							
**Includes Salvage/Subrogation*							

~~Consumer Complaints~~

1. ~~What is the total number of consumer complaints resulting from a process that relied on AI system(s) in past 12 months?~~	
2. ~~Discuss the company's policies and procedures for consumer disclosure and/or notification on the use of AI.~~	
3. ~~Discuss the company's policies and procedures for identifying and tracking consumer complaints resulting from the use of AI.~~	

Exhibit B: (Narrative) AI Systems Governance Risk Assessment Framework

Purpose: To obtain the Company AI Governance Framework, including the risk identification, mitigation, and management framework and internal controls for AI systems; and the process for acquiring, using, or relying on third-party AI systems and data. ~~the identification, classification, and mitigation of potential risk of adverse consumer outcomes, development of models, human-in-the-loop supervision, and information about efforts to maintain compliance and the integrity of financial reporting and control integrity.~~ Market and financial regulators should coordinate to gain access to the relevant section of the policies governing the use of AI Ssystems.

Company Instructions: Provide responses to the questions regarding governance of AI systems within your company's operations. Include all companies and lines of business. If the governance differs by entity, line of business, or state, work with your domestic regulator to determine if multiple submissions are needed. See definitions below.

~~Purpose: To obtain information pertaining to financial reporting, IT systems and data, and Risk Assessment Framework (RAF). The following questions may be used in dialogue with the insurance company or requested in written response.~~

Regulator Instructions: Regulators should customize this tool to limit information requested to more targeted inquiries for use in a limited scope exam.

Group or Company Legal Name: _____

NAIC Group or Company Code: _____

Company Contact Name: _____ Email: _____

~~Line of Business (complete one for each line of business): _____~~

1. Date Form Completed ("as of") Date: _____
   Provide the Governance Framework pertaining to the use of AI systems. Click or tap here to enter text.
   a. What role maintains the framework? Click or tap here to enter text.
   b. Discuss the governance structure, Board reporting and frequency. Click or tap here to enter text.
   c. Discuss the process by which the framework is integrated throughout the organization, assessed and remediated. Click or tap here to enter text.

d. Discuss the process by which the effectiveness of the framework and individual models ~~is~~ are assessed and modified. Click or tap here to enter text.
e. Discuss the divisional, operational and cross functional responsibility for governance, consistency and alignment. Click or tap here to enter text.
f. Discuss the integration of the AI systems in the Own Risk and Solvency Assessment (ORSA) and Enterprise Risk Management (ERM) assessments. Click or tap here to enter text.
~~f.~~g. Suggested additional question: How does the insurance company assess autonomy, reversibility, and reporting impact risk of AI systems?

2. Discuss the uses of AI system that:
   a. Generates a financial transaction directly or indirectly. Click or tap here to enter text.
   b. Generates consumer impact directly or indirectly. Click or tap here to enter text.
   c. Generates or impacts information reported in financial statements either directly or indirectly. Click or tap here to enter text.
   d. Generates or impacts risk and or control assessment. Click or tap here to enter text.

~~3. *Discuss the development, testing, and implementation of AI systems that the Company has implemented. If appropriate, include details regarding where any systems differ from established IT systems and data handling protocols.* Discuss the development, testing and implementation of AI systems that differ from established IT system and data handling protocols.~~
   ~~a.~~e. Discuss the basis for deviation from established practices. Click or tap here to enter text.

~~4.~~3. Provide the policy and discuss the use and oversight of AI system vendors, model design and testing:
   a. Discuss the transparency and testing procedures performed on internally-developed AI systems. Click or tap here to enter text.
   b. Discuss the transparency and testing procedures performed on third-party vendor-supplied AI systems. Click or tap here to enter text.
   c. Discuss the testing and verification that has occurred including frequency, scope and methodology. Click or tap here to enter text.

~~5.~~4. Provide the policy and discuss the use and oversight of AI systems by professional service providers including actuarial, claim, MGA, audit, and/or other professional services. Click or tap here to enter text.
   a. Discuss the testing and verification that has occurred, frequency, scope, and methodology. Click or tap here to enter text.

~~6. Discuss the use of open-source AI in the organization:~~
   ~~a. Discuss in what capacity, if any, the company utilizes open-source AI by license or freeware.~~

~~i. Provide the number of licenses used in each functional area and policy managing its use and application.~~ Click or tap here to enter text.

~~b. Discuss prohibitions, if any, for the utilization of open-source AI by staff in preparing work products or performing tasks that affect consumer or financial reporting.~~

~~7. Discuss any AI system initiatives being developed and/or implemented within the next six months.~~

~~a. Discuss the objectives of each initiative(s).~~

~~b. Provide information on the investment to date for each initiative and amount projected to implement the initiative(s).~~Click or tap here to enter text.

~~8.~~5. Discuss additional RAF design and evaluation pertaining to AI systems. Click or tap here to enter text.

a. Discuss the unit(s) responsible for the RAF, assessment approach and frequency, and involvement with the program area to the extent it differs from that discussed above. Click or tap here to enter text.

Exhibit B: (Checklist) AI Systems Governance and Risk Assessment Framework

Purpose: To obtain the Company AI Systems Governance Framework, including the risk identification, mitigation ~~classification, and mitigation of~~ and management framework and internal controls for AI systems; and the process for acquiring, using, or relying on third party AI systems and data" potential risk of adverse consumer outcomes, development of models, human-in-the-loop supervision, and information about efforts to maintain compliance and the integrity of financial reporting and control integrity. Market and financial regulators should coordinate to gain access to the relevant section of the policies governing the use of AI systems.

Company Instructions: Provide responses to the questions regarding governance of AI systems within your company's operations. Include all companies and lines of business. If the governance differs by entity, line of business, or state, work with your domestic regulator to determine if multiple submissions are needed. See definitions below.

Regulator Instructions: Regulators should customize this tool to limit information requested to more targeted inquiries for use in a limited scope exam.

Group or Company Legal Name: _____

NAIC Group or Company Code: _____

Company Contact Name: _____ Email: _____

Date Form Completed ("as of") Date: _____

Ref	AI Systems Use Questions for Company	Company Response
1	Has the company adopted a written~~n~~ AI~~-~~S Program~~Governance Policy~~? If yes, when was it adopted and what is the frequency of review for updating?	
2	Was the Board of Directors or management involved in the adoption of an AI ~~Governance Policy~~S Program?	
~~(new)~~3	What is the role of the Board of Directors or management in the AI Systems Governance Framework?	
3	**Reference the processes and procedures of the Company AI Governance Framework that addresses the following:**	

	How the Insurance Company...	Page #	If not specified in governance, provide details below:
	3a. Assesses, mitigates, and evaluates residual AI system risks of unfair trade practices		
	~~3b. Ensures AI systems are used ethically~~		
	3c. Ensures AI systems are compliant with state and federal laws and regulations		
	~~3d. Assesses, mitigates, and evaluates residual adverse consumer outcomes from the use of AI systems~~Evaluates risk of adverse consumer outcomes		
	3e. Considers data privacy and protection of consumer data used in AI systems		
	3f. Ensures AI systems are suitable for their intended use and should continue to be used as designed		
	~~3g. Monitors and measures the benefits of AI systems~~		
	3h. Ensures AI system risks are considered within Enterprise Risk Management (ERM)		
	3i. Ensures AI system risks are considered within the Own Risk and Solvency Assessment (ORSA)		
	3j. Ensures AI system risks are considered in software development lifecycle (SDLC)		
	3k. Ensures AI system risk impact on financial reporting is considered		
	3l. Trains employees about AI system use and defines prohibited practices (if any)		
	3m. Quantifies AI system risk levels		
	3n. Provides standards and guidance for procuring and engaging AI system vendors		
	3o. Ensures consumer complaints resulting from AI systems are identified, tracked, and addressed		

	3p. Ensures consumer awareness in use of AI systems through disclosures, policies, and procedures for consumer notification		
~~4~~	~~**Training, testing, and implementing AI systems:**~~		
	~~**Question for the Insurance Company**~~	~~**Insurance Company Response**~~	
	~~4a. Discuss the process by which AI systems are developed, tested, and implemented?~~ ~~Discuss the development, testing, and implementation of AI systems that the Company has implemented. If appropriate, include details regarding where any systems differ from established IT systems and data handling protocols.~~ ~~a) Discuss the basis for deviation from established practices~~		
	~~4b. Discuss steps taken to detect, mitigate, and manage bias within each AI system methods and predictions?~~		
	~~4c. Discuss the determination for frequency of model testing to detect performance drift, data drift, and concept drift?~~		
	~~4d. Discuss the determination for frequency of model testing for bias and/or unfair trade practices~~		
	~~4e. Discuss the determination for frequency for model accuracy testing~~		
	~~4f. Discuss the determination for frequency of a high-risk (potential to cause adverse consumer outcomes) model testing~~		
	~~4g. Discuss the process by which performance thresholds are established, tested, and addressed~~		
	~~4h. Discuss the procedures to verify a 'human in the loop' is consistently and meaningfully contributing to the decision?~~		
	~~4i. Discuss the process for evaluating the effectiveness of using a human in the loop~~		
~~5~~	~~**Internal Data and AI System Other Purposes:**~~		
	~~**Explain the company's process for utilizing data and/or AI systems models for the below scenarios:**~~	~~**Insurance Company Response**~~	

	~~5a. Any differences in the company's IT practices for AI system development as opposed to established IT systems development~~	
	~~5b. The extent to which the data and/or AI systems are representative of the population the model is being applied to~~	
	~~5c. Additional purposes the model outputs or inputs from other models are used for~~	
	~~5d. Testing internal data or AI systems for bias and/or unfair trade practices~~	
	~~5e. Testing internal data or AI systems for accuracy~~	
	~~5f. Ensuring internal data and/or AI systems are not outdated and the model is using the most current version of data available~~	
	~~5g. Whether the data and/or AI systems were constructed for the purpose of its intended use~~	
	~~5h. Details if model outputs or insights are sold~~	
6	**External Data and AI System Practices:**	
	~~Explain the company's process for utilizing data and/or AI systems models for the below scenarios:~~	**~~Insurance Company Response~~**
	~~6a. Any differences in the company's Vendor Management practices for AI system development as opposed to established Vendor Management Practices~~	
	~~6b. Testing third-party data and/or AI systems for unfair trade practices or bias~~	
	~~6c. Testing third-party data or AI systems for accuracy~~	
	~~6d. Ensuring third party data or AI systems are not outdated or that the vendor is using the most current version of data available~~	

Exhibit C: AI Systems High-Risk Model Details

Purpose: To obtain detailed information on high-risk AI system models, such as models making automated decisions, that could cause adverse consumer, financial, or financial reporting impact. AI system risk criteria is set by the insurance company. To assist in identifying models for which this information is requested, regulators may request information on the company's risk assessment and a model inventory if such information has not otherwise already been provided.

Company Instructions: Fill in the details for each of the AI system model(s) requested. Include all companies and lines of business. If the governance differs by entity, line of business, or state, work with your domestic regulator to determine if multiple submissions are needed. See definitions below.

Regulator Instructions: Regulators should customize this tool to limit information requested to more targeted inquiries for use in a limited scope exam.

Group or Company Legal Name: _____

NAIC Group or Company Code: _____

Company Contact Name: _____ Email: _____

~~Line of Business (complete one for each line of business): _____~~

Date Form Completed ("as of") Date: _____

Model name	
Model type	
Model Implementation Date	
Model development (internal or third party – include vendor name)	
Model risk classification	
Model risk(s) and limitation(s)	
AI type (automate, augment, support)	

Testing model outputs (drift, accuracy, bias, unfair trade practices, performance degradation, etc.)	
Last date of model testing	
Use cases and purpose of model	
Discuss how the model affects the financial statements, risk assessment or controls.	
Discuss how the model is reviewed for compliance with state and federal laws Replace with "Discuss how the model is reviewed for compliance with the unfair trade practices act and unfair claims settlement laws."	
Discuss if the company has had any actions taken against them for use of this model. Actions may include but are not limited to informal agreements, voluntary compliance plans, administrative complaints, ongoing monitoring, cease and desist, remediation, restitution, fines, penalties, investigations, consent orders or other regulatory agency actions.	

Exhibit D: AI Systems Model Data Details

Purpose: To obtain detailed information of the source(s) and type(s) of data used in AI system model(s) to identify risk of ~~consumer~~ adverse consumer impact~~, unfair trade practices~~, financial, or financial reporting impact.

Company Instructions: Provide details below for the data used in AI system model(s). If any of the data elements listed are used in the training or test data as part of the development of AI model(s), provide information on whether the data element is sourced internally ~~from policyholder insurance experience~~ or whether the data element is sourced from a third party, in which case provide the name of the third-party vendor. Leave blank if a data source is not used in the development of AI system model(s) for the insurance operation. Include all companies and lines of business. If the governance differs by entity, line of business, or state, work with your domestic regulator to determine if multiple submissions are needed. See definitions below.

Regulator Instructions: Regulators should customize this tool to limit information requested to more targeted inquiries for use in a limited scope exam.

Group or Company Legal Name: _____

NAIC Group or Company Code: _____

Company Contact Name: _____ Email: _____

Line of Business (complete one for each line of business): _____

Date Form Completed ("as of") Date: _____

(1) **Type of Data Element Used in AI System Model(s)**	(2) **Type of AI System Model(s) (E.g., Predictive vs. Generative AI)**	(3) **Describe How the Company Uses the Data Throughout Their Insurance Operations (include operational practices by line of insurance)**	(4) **Internal Data Source**	(5) **Third Party Data Source / Vendor Name**
Aerial Imagery				

Age, Gender, Ethnicity/Race				
Consumer or Other Type of Insurance/Risk Score				
Crime Statistics				
Criminal Convictions (Exclude Auto-Related Convictions)				
Driving Behavior				
Education Level (Including school aptitude scores, etc.)				
Facial or Body Detection / Recognition / Analysis				
Geocoding (including address, city, county, state, ZIP code, lat/long, MSA/CSA, etc.)				
Geo-Demographics (including ZIP/county-based demographic characteristics)				
Household Composition				
Image/video Analysis				
Income				
Job History~~Stability~~				
Loss Experience				
Medical, including Biometrics, genetic information, pre-existing conditions, diagnostic data, etc.				
Natural Catastrophe Hazard (Fire, Wind, Hail, Earthquake, Severe Convective Storms)				
~~Occupation~~				
Online social media, including characteristics for targeted advertising				
Personal Financial Information				
Telematics/Usage-based insurance~~BI~~				

Commented [MR1]: IA suggested edit.

Vehicle-Specific Data, including VIN characteristics				
Voice Analysis				
Weather				
Other: Non-Traditional Data Elements (Please provide examples)				

DEFINITIONS AND APPENDIX

Where available, for the purposes of this evaluation terms are defined in accordance with the NAIC Model Bulletin on the Use of AI Systems by Insurers (https://content.naic.org/sites/default/files/2023-12-4%252520Model%252520Bulletin_Adopted_0.pdf):

"Adverse Consumer Outcome" refers to an AI System decision (output) by an insurance company that is subject to insurance regulatory standards enforced by the Department that adversely impacts the consumer in a manner that violates those standards.

"Algorithm" means a clearly specified mathematical process for computation; a set of rules that, if followed, will give a prescribed result.

"AI System" is a machine-based system that can, for a given set of objectives, generate outputs such as predictions, recommendations, content (such as text, images, videos, or sounds), or other output influencing decisions made in real or virtual environments. AI Systems are designed to operate with varying levels of autonomy.

"Artificial Intelligence (AI)" refers to a branch of computer science that uses data processing systems that perform functions normally associated with human intelligence, such as reasoning, learning, and self-improvement, or the capability of a device to perform functions that are normally associated with human intelligence such as reasoning, learning, and self-improvement. This definition considers machine learning to be a subset of artificial intelligence.

"Consumer Impact" refers to a decision by an Insurer that is subject to insurance regulatory standards enforced by the Department~~an AI system decision (output) initiated by a company that impacts the consumer~~.

"Degree of Potential Harm to Consumers" refers to the severity of adverse economic impact that a consumer might experience as a result of an Adverse Consumer Outcome.

"Externally Trained Models" Transferred learnings from pre-trained models developed by a third party on external reference datasets.

~~**"Generalized Linear Models (GLMs)"** Including Ordinary Least Squares (OLS), Elastic Net/LASSO/Ridge Regression, Logistic Regression, and Generalized Additive Models (GAMs) are not considered to be machine learning models for this evaluation.~~

"Generative Artificial Intelligence (Generative AI)" refers to a class of AI Systems that generate content in the form of data, text, images, sounds, or video, that is similar to, but not a direct copy of, pre-existing data or content.

"Inherent Risk" Refers to an assessment of risk before considering risk-mitigation strategies or internal controls.

"Internally Trained Models" Models developed from data internally obtained by the company.

"Machine Learning (ML)" Refers to a field within artificial intelligence that focuses on the ability of computers to learn from provided data without being explicitly programmed.

"Material Financial Impact" Material financial impact refers to costs or risks that significantly affect, or would reasonably be expected to have significant effect, on the debt and financial obligation limits prescribed by Federal or State laws and regulations.

"Model Drift" refers to the decay of a model's performance over time arising from underlying changes such as the definitions, distributions, and/or statistical properties between the data used to train the model and the data on which it is deployed.

"Neural Network Models" Include but not limited to: Single/multi-layer perceptrons/fully connected networks (MLPs/FCs), Deep Learning (DL), Convolutional Neural Networks (CNNs), Recurrent Neural Networks (RNNs), Long Short-Term Memory Neural Networks (LSTMs), Sequence Models, Large Language Models (LLMs), and Reinforcement Learning Models (RLs).

"Predictive Model" refers to the mining of historic data using algorithms and/or machine learning to identify patterns and predict outcomes that can be used to make or support the making of decisions.

"Residual Risk" Refers to an assessment of risk after considering risk-mitigation strategies or controls.

"Third Party" for purposes of this bulletin means an organization other than the insurance company that provides services, data, or other resources related to AI.

"Validation Method" The source of the reference data used for validation, whether Internal, External, or Both.

"Use Case" A description of a specific function in which a product or service is used.

Operations

Marketing - Examples: market research, target advertising, market/coverage expansion, customer segment target marketing, demand modeling, agent/broker incentive plans, up/cross-selling.

Underwriting - Examples: Policy/coverage acceptance, company placement/tiering, schedule rating, decisions based on telematics/UBI, report ordering, retention modeling, inspections, anomaly detection.

Ratemaking/Pricing - Examples: Development of overall/base rates, expense/loss loadings, estimation of trends and loss development, development of manual rating factors, tiering criteria, insurance credit scoring, territory boundary definitions, numeric/categorical level groupings and interactions, individual risk rating, telematics/UBI, price optimization, schedule rating factors.

Claims - Examples: Claim assignment, triage/fast-tracking, individual/bulk claim reserving including loss estimation, imaging/video analysis, fraud detection, litigation, estimation of closure rates, salvage/subrogation, examination/report ordering.

Customer Service - Examples: Agent/broker/internet/customer service interaction (chatbots), online/smart phone apps, loss prevention/risk mitigation advice, payment plans, complaints.

Other: Cyber Security, Fraud Detection, Strategic Operations, Reserving, Investments, Capital Management, Financial Reporting, Reinsurance, Legal, Legal Exposure, Reputation Risk.

AI System Evaluation Tools – Summary of Feedback Received and Regulator Responses

The following is a summary of substantive concerns raised related to the AI System Evaluation Tools and responses to each. Where possible, we have attempted to link to the groups that raised these concerns but that list may not be complete given the volume of comments received. Technical edits to the document were also made and are reflected via tracked changes.

While the drafting group made every effort to address regulatory feedback, there may be areas that will continue to be evaluated through the course of the pilot process and continuing public engagement.

Coordination within NAIC (TX, ACLI, CAI, IRI)

- Summary: Parties expressed concerns that this work isn't being coordinated properly within the NAIC including with the Market Regulation and Consumer Affairs (D) Committee and the Financial Condition (E) Committee or that it belongs under those committees. Working Group leadership will work with NAIC staff to:
    - Provide e-mail updates to relevant NAIC groups as work advances.
    - Concurrent to the pilot stage, provide a more substantive update to D and E Committee groups.
    - Concurrent to the pilot stage, request in-depth review from actuarial task forces
    - Provide verbal updates, as possible, to D and E Committee groups.
    - Note: Both the Innovation, Cybersecurity, and Technology (H) Committee and the Big Data and Artificial Intelligence (H) Working Group have charges allowing the development of guidance while encouraging work proceed in a coordinated fashion.

Confidentiality (AITC, APCIA, CAI, IRI, NALC, RAA, Consumer Reps, AHIP)

- Summary: Parties expressed concerns about information being requested and confidentiality protections. Response follows:
    - Update guidance to acknowledge that confidentiality would be the same as would be used for market or financial inquiries as this tool supports those processes, and to encourage citing exam authority/confidentiality protections.
    - The information provided will be kept confidential consistent with each state's exam authority.

Consumer Complaint Requests (AHIP, Consumer Reps)

- Summary: Parties expressed feedback on the burden or clarity of the information being requested. Response follows:
    - Regulators generally agreed to remove these columns/questions but may ask for additional input on how this information can be gathered as development of this tool continues.

Definitions (ACLI, AHIP, AITC, APCIA, MO, Monitaur, NAMIC, RAA, RRC)

- Summary: Feedback was received to clarify existing definitions and to provide additional definitions of terms used in the Tool. Response follows:
    - Multiple parties recommended to define "high-risk". Refer to "Materiality and Risk Assessment" below.
    - "Consumer Impact" – clarified to refer to a decision that is subject to regulation.
    - "Generalized Linear Models" – removed, as the intention of the scope of the Tool is to encompass all AI/ML models, as implied in the term "Artificial Intelligence".
    - "Inherent Risk" – added to refer to risk prior to mitigation controls.
    - "Internally/Externally Trained Models" – will be clarified to refer to the development of models.
    - "Residual Risk" – added to refer to risk remaining after mitigation controls.
    - "Use Case" – clarified to refer to descriptions of usage.

Intent (ACLI, AHIP, APCIA, ITC, RRC)

- Summary: Parties expressed concerns about how the tool will be used and if it would be used for data calls, and how this work would relate to financial or market exams. Response follows:
    - Instructions were updated to clarify the tool's intent expressing that this tool supports existing processes.

Materiality and Risk Assessment (CAI, PA, CT, RRC, Consumer Reps)

- Summary: Parties expressed questions on the way the tool references materiality and risk assessment and requested that guidance or a definition of "high-risk" be provided. Response follows:
    - Clarified language that the company's assessments will drive the evaluation process at this stage but that regulators will request information to help understand and evaluate the company's assessment process.
    - Clarified instructions so that based on responses to Exhibit A, it is clear that regulators can determine that no further inquiry is necessary. Will also include this guidance in pilot planning discussions.

Regulatory Burden (MO, CAI, AHIP, APCIA, IRI, ACLI, AITC)

- Summary: Parties expressed concerns about the regulatory burden this tool would create. Response follows:
    - These sorts of tools help to create consistency in questions avoiding similar concepts being scrutinized in drastically different ways.

- The use of AI necessitates unique considerations in evaluating company operations. For instance, governance is a key concept in relation to using AI, but it's not woven into the fabric of the Market Regulation Handbook.
- Where industry had specific feedback, that was considered and regulators made several more targeted edits to cut back on the tool.
- This tool would be used on exams/analysis that would otherwise be planned – not a tool in search of an exam so the requests would come as part of a larger examination and not designed to be used for a larger information gathering exercise.
- Where companies have alternative means of providing necessary information that may be considered by regulators.
- The information requested by regulators represents the information necessary to understand a company's use of AI and therefore to assess and investigate the risk of such use.
- As part of the pilot process and continued public comment periods, regulators would ask for specific feedback on columns/rows/questions that are less relevant to the stated goals.

Regulatory Requirements (BCBSA, NALC)

- Summary: Parties expressed concern the tool had the appearance of creating requirements. Response follows:
  - The AI Systems Evaluation Tools represent the documentation regulators believe will be necessary to support their regulatory review. However, even after piloting the tool, regulators will continue to refine the tool particularly as best practices in managing AI risks evolve.
  - The Tool represents information regulators will request. Where that information is not available, regulators anticipate engaging with companies to understand the risk, the assessment of the risk, and to evaluate the mitigation of the risk. Nothing in the tool should be construed as required practice.
  - Some interested parties referenced alternative means of providing documentation including leveraging the NIST AI RMF Framework. As part of the pilot process, regulators may explore whether alternative industry standard documentation templates are available.

Risk of AI (NAMIC, AITC, Consumer Reps)

- Summary: Several parties expressed concern that the tools reflect a view that AI is riskier. Response follows:
  - Whether or not AI has more or less risk is not the focus of this tool. The tool is designed to help regulators understand a company's risk profile and how it addresses its inherent risk.

- This tool will help regulators get the information they need to understand risk.
- AI presents unique risks that require regulators ask different questions – our process already has tools and guidance to address the risks that humans can make. AI may not make the same mistakes, but it may make different mistakes or there could be process design issues in how a company implements AI. Additionally, there may be issues with the process to implement the AI which could present problems.
- The experience using this tool will inform longer-term discussions on how each process within the regulatory framework should be updated likely leading to referrals to D or E Committee groups.
- Regulators will need to understand a company's use of AI to design their exam approach. This tool provides a means of asking for information to help start that process of gaining an understanding of the company's use of AI.

Scope (AHIP, AITC, CAI, IRI, NALC, RAA)

- Summary: Parties expressed concern that this work goes beyond the Bulletin, that financial inquiries should not be in scope, that this tool might result in duplicate requests, that this tool should not scope in commercial carriers or reinsurers, or that H Committee should not be leading this work. Response follows:
  - Updated guidance to clarify that this Tool helps to identify and assess risk from the use of AI to mitigate adverse consumer outcomes and ensure the use of AI is in compliance with existing laws and regulations – which aligns with the expectations of the Bulletin.
  - This tool is not designed to decide who is subject to regulatory inquiry. This tool merely supports regulators performing an examination or other regulatory inquiry. Accordingly, scoping decisions related to who is subject to the tool's questions were not reflected in the tool. This tool will be a resource once a state has determined it is going to perform an exam or other inquiry and this tool would assist if the regulator has questions about a company's use of AI.
  - Regulators generally kept financial related inquiries included in the document.
  - This is an optional tool. E Committee and their related groups may decide not to use this tool based on how they evaluate it as fitting their solvency oversight responsibilities. However, at this stage of development, regulators wanted to explore the tool to see if it could beneficial financial regulators as well. Based on the results of the pilot, regulators may re-evaluate inclusion of financial questions in scope of the tool's contents.
  - To limit duplication of efforts in the company providing documentation, a statement referenced below was added to the guidance: "If information requested through the tool has already been provided to the department, the company's response should so state and reference when and how the information was provided."