Market Analysis Procedures (D) Working Group
Virtual Meeting
July 1, 2021

The Market Analysis Procedures (D) Working Group of the Market Regulation and Consumer Affairs (D) Committee met July 1, 2021. The following Working Group members participated: John Haworth, Chair (WA); Rebecca Rebholz, Vice Chair (WI); Teri Ann Mecca (AR); Maria Ailor (AZ); Don McKinley (CA); Susan Kurtz (CO); Kurt Swan (CT); Frank Pyle (DE); Scott Woods (FL); Erica Weyhenmeyer (IL); Tae Flott (KS); Ron Kreiter and Sandra Stumbo (KY); Mary Lou Moran (MA); Mariel Kaufman (MD); Timothy Schott (ME); Jill Huiskens (MI); Teresa Kroll (MO); Paul Hanson (MN); Troy Smith (MT); Reva Vandevoorde (NE); Karen McAllister and Edwin Pugsley (NH); Ralph Boeckman (NJ); Leatrice Geckler (NM); Hermoliva Abejar (NV); Larry Wertel (NY); Guy Self (OH); Landon Hubhart (OK); Jeffrey Arnold (PA); Glynda Daniels and Rachel Moore (SC); Shelley Wiseman (UT); Will Felvey (VA); Christina Rouleau (VT); and Theresa Miller (WV). Also participating was: Jo LeDuc (MO).

1. Adopted its March 19 Minutes

Mr. Haworth said the Working Group met March 19 and took the following action: 1) adopted its Feb. 25 minutes; 2) adopted revisions to the MCAS Best Practices Guide; 3) adopted a 14-day limitation for Market Conduct Annual Statement (MCAS) extension requests; 4) adopted a requirement that companies identify their MCAS attesters by line of business and by jurisdiction; and 5) adopted revisions to the NAIC Market Regulation Handbook training opportunities for market regulation analysts.

Ms. Weyhenmeyer made a motion, seconded by Ms. Rebholz, to adopt the Working Group’s March 19 minutes (see NAIC Proceedings – Spring 2021, Market Analysis Procedure (D) Working Group, Attachment Three). The motion passed unanimously.

2. Discussed Market Analysis Training

Mr. Haworth said he would like the Working Group to have one more opportunity to discuss market analyst training needs, and he encouraged additional written suggestions be sent to Randy Helder (NAIC) by July 16. He said the suggestions will be compiled in time for the Working Group’s meeting at the Summer National Meeting. He said at that time, the Working Group will consider ways to meet the training needs of market analysts.

Mr. Haworth noted that some ideas for training may include additions to the Market Analysis Techniques online course offered by the NAIC Education and Training Department; the creation of manuals with descriptions and screenshots; or more in-person Zoom walk-through trainings like he recently led for the Market Actions (D) Working Group National Analysis project.

Ms. Daniels asked if there could be training on TeamMate. Mr. Haworth said not all states use TeamMate.

Ms. Abejar said it would be good to have training on common market risks for different lines of business. The training could be provided by line of business.

3. Discussed the Next Line of Business for the MCAS

Mr. Haworth said the Working Group does not have any written suggestions for adding a new line business, but he invited the Working Group and interested parties to submit any suggestions for the next line of business to be added to the MCAS.

Mr. Haworth said the process for suggesting a new line of business is located on the Working Group’s web page. He said the process says a written suggestion should include: 1) a description of how the collection of data for this line of business will assist market regulation and benefit the consumer, as well as why the MCAS is the best choice for collecting this data; 2) supporting data on the size of the market, such as the number of carriers, policyholders, and premium volume; and 3) whether data is collected on a periodic basis in any other jurisdiction or manner.

Mr. Haworth asked that any suggestions be sent to Mr. Helder.
4. Discussed the Initial Aggregate Analysis of MCAS Data

Mr. Haworth said he would like to give the Working Group an opportunity to consider any first impressions of the 2020 MCAS data that was reported in April. He said the scorecards were posted on the NAIC’s MCAS web page on July 1. He cautioned that the MCAS data is confidential, and the Working Group would not discuss specific companies. As an example, he said he has noticed that some insurers are reporting far fewer complaints in the MCAS than what the department of insurance (DOI) has for the company. He said the complaints reported in the MCAS exclude complaints received by the company from the DOI. He said he would like to give the Working Group an opportunity to consider any first impressions of the 2020 MCAS data that was reported in April. He said the scorecards were posted on the NAIC’s MCAS web page on July 1. He cautioned that the MCAS data is confidential, and the Working Group would not discuss specific companies. As an example, he said he has noticed that some insurers are reporting far fewer complaints in the MCAS than what the department of insurance (DOI) has for the company. He said the complaints reported in the MCAS exclude complaints received by the company from the DOI. He said the expectation is that a company would receive more complaints directly from consumers than they receive from the DOI. He said he is gathering additional data on this.

Ms. Ailor said there are still validations of the MCAS data ongoing, and she suggested that the discussion should wait for another month until the validation of the data is complete. She said the Arizona DOI is currently focused on non-filers and attempting to get all filings in.

5. Discussed Residency/Issuance Reporting in the MCAS

Mr. Haworth asked whether the Working Group wishes to provide any guidance in the MCAS Data Call and Definitions for each line of business to guide insurers on which data to report to which state. He said the Working Group has discussed this in the past, but it has not made any changes to the definitions. He said this issue has most relevance for life, annuity and long-term care (LTC) lines of business due to the much longer policy terms, which create a greater potential for insureds to move from the state where they originally purchased these policies.

Mr. Haworth said this year, carriers submitted waiver requests to a number of states citing that they did not have approval to write a specific line of business in the state but had reported premium in the state based on the current residency of the insureds. He said the company asked for a waiver based on not being authorized to write the specific product in the state. The waiver requests were approved, but perhaps they should not have been. Mr. Haworth also noted that at least one carrier incorrectly reported risk corridor payments as premiums in Washington but had no business written in Washington.

Ms. LeDuc said the original intention was to require the companies to report in the MCAS just as they reported in the Financial Annual Statement (FAS) so there would be a correspondence of reporting between the MCAS and the FAS. Therefore, the companies were told to report by residency, but only by how they reported in the FAS. Ms. LeDuc said even if a policy is not issued in Missouri, she would still want the company to report an MCAS if there is premium reported in the FAS due to residents in Missouri. She said she does not think the waiver should have been approved.

Ms. Ailor asked how this topic is related to the way complaints are handled if, for example, a policy is issued to an association group in one state, but the certificate holder is a different state. Mr. Haworth said complaints tracking is more situational and could include third parties to an insurance contract and not the insured. Ms. Ailor said she understands how the tracking of complaints can be situational, but she said there can be instances where the certificate holder lives outside of a state where a policy was issued. The certificate holder could file a complaint with the state where the policy was issued, but no premium would have been reported to the state if the premium is reported by residency. She said in that case, there could be no comparison of premium to complaints. Mr. Haworth agreed and noted that complaint analysis is not an exact science.

Mr. Haworth said this is an issue that could benefit from some additional training.

Having no further business, the Market Analysis Procedures (D) Working Group adjourned.
Training Suggestions

TRAINING METHODS

- Have virtual training sessions.
- Record training sessions to be made available on-demand.
- Tutorials. When a regulator leaves, you have two weeks to pass on the knowledge. In a small Dept. of Insurance there are a limited number of individuals with working knowledge of all market conduct data tools.
- Reach out to outside entities to provide market analysis tutorials.
- Leverage some of the webinars, PowerPoint presentations and information contained in the NAIC Market Analysis Techniques course to apply to the training of new employees for market analysis.
  - There are standards that need to be met to take these NAIC courses, such as how long you’ve been a regulator—could they be eliminated for this purpose?

TRAINING TOPICS

- Level 1 Training Class
  - Training on the financial information (specifically questions 4, 10 and 11).
  - When the data is unavailable or implies *NR, what actions or reports would other states look at to find this information in order to adequately answer the questions?
  - How to best document how an analyst is reaching a conclusion.
  - The help document is outdated (2013). Needs to answer what the analyst is looking at and what indicates a real problem.
  - Integrating the various Tableau® dashboards into MARS seems like a must-have.
  - Update the MARS layout. It still needs work.
- MCAS Ratios vs State Averages
  - What percentage does each state consider in determining the company to be an outlier?
  - What should a state consider when the ratios are too high or too low when compared to the state average?
- How states are incorporating Tableau® dashboards in their everyday market analysis.
  - What tips or skills have states found to assist them with market analysis?
- Create training sessions for smaller state departments of insurance on ways to better enhance overall market analysis.
  - Where should we focus most of our analysis?
  - Tips to ensure we are meeting criteria for the Market Regulation Certification Program.

DISCUSSION

- Monthly get-togethers to discuss analysis techniques.
  - A market analysis group could be created. Within that group, it could be broken down by regions or by department size.
- What suggestions or recommendations do other states have for newly hired market analysts.
  - What training course(s) does your state require?
  - What are the initial areas of focus for the analyst?
• Organize I-Site+ to place all market conduct tools and options on one page. To get a quick
glimpse of a company to approve a new certificate of authority (COA) or to look at a
company with a current COA, it can be easier to open a temporary MARS review to gather
the intel quicker.
Travel

Ratio 1. The number of claims closed without payment compared to the total number of claims closed

\[
\frac{\text{[#of claims closed without payment (20)]}}{\text{[#of claims closed with payment (19)]} + \text{[#of claims closed without payment (20)]}}
\]

Ratio 2. Percentage of claims unprocessed at the end of the period

\[
\frac{\text{claims open at the Beginning of period (17) + claims opened during period (18) - of claims closed with payment (19) - of claims closed without payment (20)}}{\text{# of claims open at the Beginning of period (17) + # of claims opened during the period (18)}}
\]

Ratio 3. Percentage of claims paid beyond 30 days

\[
\frac{\text{[total # of claims settled beyond 30 days (24+25+26+27+28)]}}{\text{[total # of claims settled for all durations (23+24+25+26+27+28)]}}
\]

Ratio 4. Cancellations by Insured to Total Cancellations and Expirations

\[
\frac{\text{[#of individual policies and certificates cancelled by the consumer during period (41)]}}{\text{[individual policies and certificates cancelled by the consumer during period (41)] + [# of individual policies and certificates expired during period (42)]}}
\]

Ratio 5. The percentage of lawsuits closed with consideration for the consumer

\[
\frac{\text{[#of lawsuits closed with consideration for consumer (34)]}}{\text{[total # of lawsuits closed during the period (32)]}}
\]

Ratio 6. Complaints to Individuals Insured (may have to be per 1000)

\[
\frac{\text{[total # of complaints received (35+36)]}}{\text{[# of individuals insured at beginning of period (40)]}}
\]
DRAFT - MCAS Ratios

STLD

Ratio 1.  The number of claims denied, rejected or returned to the total number of claims pending at beginning of period and received during the period
\[
\frac{\# \text{ of claim denied, rejected or returned (4-3)}}{\# \text{ of claims pending at beginning of period (4-1) + \# of claims received (4-2)}}
\]

Ratio 2.  Average Number of Days from Receipt of Claim to Decision for Denied Claims (4-15)

Ratio 3.  Average Number of Days from Receipt of Claim to Decision for Approved Claims (4-17)

Ratio 4.  Prior Authorizations Denied to the Total Number of Prior Authorizations Pending and Received During the Period
\[
\frac{\text{total \# of prior auths denied during the period (3-4)}}{\# \text{ of prior auth requests at beginning of period + \# of prior auths received during the period (3-1 + 3-3)}}
\]

Ratio 5.  Policies <= 90 days to Total Policies to Total Policies Issued
\[
\frac{\text{\# of policies issued with term \leq 90 days during the period (2-6 STLDI \leq 90)}}{\text{total \# of policies issued during the period (2-6 all STLDI columns)}}
\]

Ratio 6.  Policies <180 days to Total Policies to Total Policies Issued
\[
\frac{\text{\# of policies issued with term <180 days during the period (2-6 STLDI <180)}}{\text{total \# of policies issued during the period (2-6 all STLDI columns)}}
\]

Ratio 7.  Policies Sold Through an Association not Sitused in State to Total Policies Issued
\[
\frac{\text{\# of policies issued during the period (2-6 STLDI Not Sitused)}}{\text{total \# of policies issued during the period (2-6 all STLDI columns)}}
\]

Commented [HR1]: These would be the average of the reported average number of days. It’s a bit awkward and may not work unless we have a large sample.
Ratio 8. **Member Months for Policies/Certificates Renewed/Reissued which had an option to renew/reissue without Underwriting to Total Member Month for Policies/Certificates Renewed/Reissued**

\[
\left( \frac{\text{# of member months on policies renewed/reissued without underwriting (2-16)}}{\text{total # of member months on total number of policies renewed/reissued during the period (2-15)}} \right)
\]

Ratio 9. **Cancellations During Free Look Period**

\[
\left( \frac{\text{# of policies/certificates cancelled during free look period (2-20)}}{\text{total # of policy/certificates terminations and cancellations initiated by policyholder (2-18) + by insurer for any reason other than non-payment of premium (2-25)}} \right)
\]

Ratio 10. **Claims Appeals per Total Claims Paid and Claims Denied, Rejected, and Returned**

\[
\left( \frac{\text{# of claims appeals pending at beginning (4-18) + # of claims appeals received (4-19) }}{\text{total # claims paid (4-25) + # of claim denied, rejected or returned (4-3) }} \right)
\]

Ratio 11. **Claims Appeals Overturned**

\[
\left( \frac{\text{Number of Claim Decision Appeals Resulting in Decisions Overturned or Modified during the period (4-21)}}{\text{# of claims appeals pending at beginning (4-18) + # of claims appeals received (4-19)}} \right)
\]

Ratio 12. **Claims Appeals Upheld**

\[
\left( \frac{\text{Number of Claim Decision Appeals Resulting in Decisions Upheld during the period (4-20)}}{\text{# of claims appeals pending at beginning (4-18) + # of claims appeals received (4-19)}} \right)
\]

Ratio 13. **Number of Complaints received per 1,000 Policies/Certificates In Force During the Period**

\[
\left( \frac{\text{# of complaints received by company (5-1) + complaints received through DOI (5-2) }}{\text{(policies/certificates in force at beginning (2-3) + policies/certificates issued (2-6) )}} \right)
\]

Ratio 14. **Percentage of Lawsuits Closed with Consideration for the Consumer**

\[
\left( \frac{\text{# of lawsuits closed with consideration for the consumer (5-7) }}{\text{# of lawsuits closed during the period (5-6) }} \right)
\]

Ratio 15. **Lawsuits to Policies/Certificates In Force During the Period**

\[
\left( \frac{\text{# of lawsuits opened during the period (5-5)}}{\text{(policies/certificates in force at beginning (2-3) + policies/certificates issued (2-6) )}} \right)
\]

Commented [HR2]: Doesn't include claims decision made in prior year that may have resulted in an appeal included in the numerator.
DRAFT - MCAS Ratios

Ratio 16. \( \frac{\text{Renewal/Reissue Applications Approved to Total Renewal/Reissue Applications}}{\left(\frac{\# \text{ of renewal/reissue applications approved during the period (6-9)}}{\# \text{ of renewal/reissue applications received during the period (6-3)}}\right)} \)
iSite+ Reports to be Considered for Elimination

1. **MCAS Ratio Summary Report:** This report is available in the Summary reports section of iSite+. It provides 3 years of MCAS ratio calculations for a selected MCAS line of business. The results are calculated for one or more selected states, NAIC zones and nationally.

### Market Conduct Annual Statement

**2020 Annuity Ratio Summary Report**

Ratio(s): 1, 2, 3, 4, 7  
State(s): MO

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The public MCAS scorecard Tableau dashboard currently provides aggregate MCAS ratio calculations and distributions by line of business and coverage. It also provides a comparison of state aggregate ratio calculations for each ratio.
In addition, the MCAS line specific outlier analysis dashboards provide multiple years of ratio calculations by company displayed on a scatter plot. It also allows the user to create and review the results of a custom ratio or their choice.

Together, these Tableau dashboards provide more useful data than is currently available in the MCAS Ratio Summary Report.
iSite+ Reports to be Considered for Elimination

2. Market Analysis Market Share:

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The Tableau Market Analysis Market Share dashboard (shown below) provides a similar tabular listing of market share information. It allows the user to select specific years of interest, state and line of business. The State of Domicile column can be sorted to allow the user to view market share for companies domiciled within their state. In addition, the dashboard shows a scatter plot of market share values to visually display those companies that have higher market shares.

When a dot on the scatter plot is selected, the user is taken to an additional dashboard that displays the company’s market share for the selected line of business and year in all states through the display of a hex map and a bar chart.
iSite+ Reports to be Considered for Elimination

No functionality is gained through the traditional tabular iSite+ report.

3. MCAS Audit Trail Report:

The traditional iSite+ MCAS Audit Trail report provides a tabular report of MCAS edits made by the selected company for the selected data year.

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iSite+ Reports to be Considered for Elimination

The MCAS Audit Trail Tableau dashboard provides similar functionality with a view that is more visually pleasing to the eye. It also allows the user to select multiple data years at once.

No functionality is gained through the traditional tabular iSite+ report.

4. MCAS Lines Reports:

The MCAS Line Reports allow the user to select one or more companies and compare submitted values for a specific data year and data element within the MCAS filings. Usage information for this particular report is not available, but we are not aware of state regulators finding value in this report.
iSite+ Reports to be Considered for Elimination

5. Market Analysis Profile (MAP) – Demographics

The MAP Demographics report includes basic company, financial, RIRS, CDS, MATS, and MARS information. Upon analysis, it has been found that all of this information is readily available through basic iSite+ tools and newly developed Tableau dashboards.

- The company information is readily available within the iSite+ company search tool.
- The financial information is available through iSite+ financial tools.
- The RIRS, CDS, MATS and MARS data and information is available through newly developed Tableau dashboards. (The MATS and MARS dashboards are not yet available to regulators, but they will be by the end of 2021.)

The MAP Demographics report may not be widely used today. This report is a good candidate for retirement consideration.

6. Market Analysis Review System (MARS) Reports:

The following reports are currently available for MARS:

- **Completed Reviews Report** – This report displays all of the market analysis reviews completed based on the criteria provided. The report allows for the selection criteria of data year, state, level and line of business.
- **Market Analyst Reviews Report** – This report displays all of the market analysis reviews by a market analyst. The report allows for the selection of additional criteria such as data year, state, level, line of business, recommendations, date entered range and status.
- **Deleted Reviews Report** – This report displays all of the market analysis reviews that have been deleted. This report allows for the selection criteria of data year, state, level, line of business, deletion date range, and analyst deletes.
- **Companies with No Reviews Report** – This report provides a list of all companies that have not received a market analysis review for a particular line of business.

Newly developed Tableau dashboards provide the same plus additional information in an easy-to-use format. Below are examples of each of the MARS Tableau dashboards. There is no benefit of keeping the current iSite+ reports.
**iSite+ Reports to be Considered for Elimination**

### Completed Reviews Report

<table>
<thead>
<tr>
<th>Date Year</th>
<th>2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>State</td>
<td></td>
</tr>
<tr>
<td>Review Level</td>
<td>1</td>
</tr>
<tr>
<td>Line of Business</td>
<td>Homeowners</td>
</tr>
<tr>
<td>Date Completed</td>
<td>November 28, 2020 - December 31, 2020</td>
</tr>
<tr>
<td>Group</td>
<td></td>
</tr>
</tbody>
</table>

Select your report settings with the relevant filters to the left.

Use the Date Completed slider to select a range of dates. You can slide horizontally along the bar, you can select dates from a calendar view, or you can manually input a date using the required date formatting (MM/DD/YYYY).

If there are no entries returned in the sheet below, then no entries match the criteria you have selected.

You may view the relevant Market Share Data for the Company, Date Year, State, and Line of Business by hovering over the text box labeled “Hover to View Market Share”.

Click on the appropriate column headers to sort along various dimensions.

### Market Analysts Report

<table>
<thead>
<tr>
<th>Date Year</th>
<th>2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>State</td>
<td></td>
</tr>
<tr>
<td>Review Level</td>
<td>1</td>
</tr>
<tr>
<td>Line of Business</td>
<td>Homeowners</td>
</tr>
<tr>
<td>Date Completed</td>
<td>November 28, 2020 - December 31, 2020</td>
</tr>
</tbody>
</table>

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You may view the relevant Market Share Data for the Company, Date Year, State, and Line of Business by hovering over the text box labeled “Hover to View Market Share”.

Click on the appropriate column headers to sort along various dimensions.

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**NOTE:** The Completed Reviews Report includes market share information related to the companies listed in the output. This is new functionality for the Completed Reviews Report.
# iSite+ Reports to be Considered for Elimination

## Company Reviews Report

<table>
<thead>
<tr>
<th>Company Name (Canada)</th>
<th>Data Year</th>
<th>State</th>
<th>Review Level</th>
<th>Line of Business</th>
</tr>
</thead>
</table>

Select your report settings with the relevant filters to the left. If there are no entries returned in the sheet below, then no entries match the criteria you have selected.

You may view the relevant Market Share Data for the Company, Data Year, State, and Line of Business by hovering over the text box labeled "Have to View Market Share." Click on the appropriate column headers to sort along various dimensions.

## Deleted Reviews Report

<table>
<thead>
<tr>
<th>Data Year</th>
<th>State</th>
<th>Review Level</th>
<th>Line of Business</th>
<th>DELETED DATE</th>
<th>DELETED DATE</th>
</tr>
</thead>
</table>

Select your report settings with the relevant filters to the left.

Use the Deleted Date range slider to select a range of dates. You can slide horizontally along the bar, you can select dates from a calendar view, or you can manually input a date using the required date formatting (MM/DD/YYYY).

If there are no entries returned in the sheet below, then no entries match the criteria you have selected.

Click on the appropriate column headers to sort along various dimensions.