

Draft Pending Adoption

Attachment --

Market Regulation and Consumer Affairs (D) Committee

8/15/24

Draft: 8/12/24

Market Analysis Procedures (D) Working Group
Virtual Meeting (*in lieu of meeting at the Summer National Meeting*)
August 5, 2024

The Market Analysis Procedures (D) Working Group of the Market Regulation and Consumer Affairs (D) Committee met Aug. 5, 2024. The following Working Group members participated: Jo LeDuc, Chair (MO); John Haworth, Vice Chair (WA); Teri Ann Mecca (AR); Tolanda Coker (AZ); Don McKinley (CA); Steve DeAngelis (CT); Lori Cunningham (KY); Mary Lou Moran (MA); Raymond Guzman (MD); Timothy N. Schott (ME); Jeff Hayden (MI); Robert McCullough (NE); Ralph Boeckman and Erin Porter (NJ); Guy Self (OH); Zach Palank (OK); Karen Veronikis (PA); Brett Bache (RI); Melissa Gerachis (VA); and Karla Nuissl (VT). Also participating was Brad Gerling (MO).

1. Adopted its June 24 Minutes

The Working Group met June 24 and took the following action: 1) adopted its April 29 minutes and 2) reviewed the summary report of the interviews of 26 jurisdictions regarding their use of the Market Analysis Prioritization Tool (MAPT).

Haworth made a motion, seconded by Veronikis, to adopt the Working Group's June 24 minutes (*Attachment xx*). The motion passed unanimously.

2. Received an Update from the MAPT Recommendations Subgroup

LeDuc said that during the last meeting, the Working Group asked for volunteers to participate in a MAPT recommendations subgroup to consider ways to improve the effectiveness of the MAPT. She said this arose from the Working Group's discussions about the ways that NAIC jurisdictions are using MAPT and suggestions that came from the interviews with 26 jurisdictions.

LeDuc said the subgroup has members from Arizona, Colorado, Florida, Indiana, Maryland, Massachusetts, Ohio, Pennsylvania, South Dakota, and Wyoming. She said it meets every other week and has already met twice. The method of the subgroup is to work its way through all the sections included in the MAPT and discuss each data element's usefulness and any additional data elements that may be of assistance to analysts or increase the accuracy of the prioritization score. The subgroup is beginning with the private passenger auto (PPA) line of business. She said the subgroup is open to the possibility of using tools that may be more robust than a Microsoft Excel spreadsheet but has not reached that stage of its discussions yet.

LeDuc said the subgroup considered the complaints section of the MAPT during its first meeting and the Regulatory Information Retrieval System (RIRS) section during its second meeting. She said some of the recommendations it has considered for complaints are adding a year-to-date field, adding data elements for complaints per "x" number of dollars or exposure units, and having a percentage of state to national complaints.

LeDuc said that in the RIRS section, the subgroup is considering providing just the total counts of RIRS actions, merging the substantive and non-substantive RIRS, and not including RIRS in the prioritization scoring. The subgroup is also recommending the addition of restitution amounts in the same way the MAPT already provides penalty data and providing a count of the number of states that have reported a RIRS action against a company.

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LeDuc said Randy Helder (NAIC) is keeping a log of all the recommendations and will share the log with any state insurance regulator who would like a copy.

3. Discussed the Lunch-and-Learn Schedule

LeDuc proposed that the Working Group host a lunch-and-learn session on doing Market Analysis System (MARS) Level 1 analyses. She said Helder has reached out to a few states that do the most Level 1 analyses year by year. She said she would like to get a couple of state insurance regulators who would be willing to each take 20 minutes to: 1) talk about how they interpret the information presented to them by picking some questions or sections from recent reviews where they had significant findings; and 2) explain what it was about the data that caught their eye and why it was of concern to them.

LeDuc said the lunch-and-learn will be late in August or soon after the Labor Day weekend and asked that suggestions be sent to Helder.

4. Discussed Other Matters

Guzman said there appears to be individual and group accident and health (A&H) data missing from the most recent MAPT. He said this also impacts the MARS data. He asked if anyone else had noticed this and what the reason would be. Teresa Cooper (NAIC) said there was a change in the most recent financial annual statement life statement type, which removed some of these lines from the state page. The premium can be reported on the Supplemental Health Care Exhibit (SCHE), but some companies have not been reporting on the SHCE. She said NAIC staff are working on a resolution.

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

Sharepoint/Member Meetings/D CMTE/2024 Summer National Meeting/MAPWG/00805/08-MAPWG.docx

Market Analysis Review System (MARS)

Minimum Annual Number of Reviews

The Market Analysis Procedures (D) Working Group (MAP) was asked by the Market Regulation Accreditation (D) Working Group to consider minimum MARS review counts for each state. This document outlines the minimum MARS reviews by state, as adopted by MAP.

A phase in period is provided to allow for training and resources.

NOTES:

1. The term "REVIEWS" can be Level 1, Level 2 or a combination of both.
2. To "count", the review must be entered into the NAIC MARS database and completed during the calendar year.
3. Each line of business reviewed per carrier will count as a MARS review. For example, if an analyst reviews both Homeowner and Private Passenger Auto for a particular carrier, it would count as two MARS reviews.
4. The number of reviews completed by each state will be reported to MAP quarterly, and posted on MyNAIC.

Year 1 (2017):

Each state conducts a minimum of ten (10) reviews. The line of business and type of carrier reviewed will be at the discretion of each state, but priority given to domestic carriers or foreign carriers involved in issues that are potentially significant to the state.

Year 2 (2018):

Each state conducts a minimum of fifteen (15) reviews. The line of business and type of carrier reviewed will be at the discretion of each state, but priority given to domestic carriers or foreign carriers involved in issues that are potentially significant to the state.

Year 3 (2019):

Each state conducts a minimum of twenty (20) reviews. The line of business and type of carrier reviewed will be at the discretion of each state, but priority given to domestic carriers or foreign carriers involved in issues that are potentially significant to the state.

Year 4 (2020):

Each state conducts a minimum of twenty-five (25) reviews. The line of business and type of carrier reviewed will be at the discretion of each state, but priority given to domestic carriers or foreign carriers involved in issues that are potentially significant to the state.

Year 5 (2021) and beyond:

Each state conducts a minimum of thirty (30) reviews. The line of business and type of carrier reviewed will be at the discretion of each state, but priority given to domestic carriers or foreign carriers involved in issues that are potentially significant to the state.