

FROM THE NAIC CONSUMER REPRESENTATIVES

October 17, 2025

To: Commissioner Grace Arnold, Chair of the Regulatory Framework (B) Task Force

RE: Consumer Representatives' Comments on Draft 2026 Charges the Regulatory Framework (B) Task Force

On behalf of the undersigned Consumer Representatives to the National Association of Insurance Commissioners (NAIC), we are pleased to provide the following comments on the proposed 2026 charges for the Regulatory Framework (B) Task Force.

Regulatory Framework (B) Task Force Proposed 2026 Charges

We appreciate how comprehensive the proposed charges are, covering many topics of utmost importance to consumer access and affordability. We strongly support the inclusion of a specific charge related to disparities (new 1.C) and applaud the Task Force for committing itself to identifying ways regulators can address persistent disparities in insurance access and affordability across historically marginalized communities.

We also support the inclusion of non-major medical coverage broadly into item 1.F. We are concerned that as major medical plan premiums increase, consumers will, understandably, look for more affordable coverage options that oftentimes do not meet their needs, due to the limited coverage offered. Monitoring these shifts and their impact on consumers will be critically important in the coming year.

Additionally, we believe that the charges should be revised to include the following objectives. As we articulated in a past presentation and comment letter in response to the draft white paper on prior authorization, we urge the creation two new Working Groups on prior authorization, similar to how you addressed PBMs, which led to the newly adopted Prescription Drug Coverage (B) and Pharmacy Benefit Management (D) Working Groups. Due to the high level of state activity on this issue and its importance to both consumers, providers, and payers these groups would give regulators a platform to discuss and share their work.

The Working Group under the B committee could address recommendations contained in the soon to be finalized Task Force White Paper and next steps for the NAIC relative to Prior Authorizations. We continue to urge that this include the creation of a model law. A Work Group under the D Committee could include state aligned enforcement and market oversight activities. Additionally, the Working Group can develop standards and guidelines for data collection on prior authorization as one part of the claims denial ecosystem. Standards would support states in collecting data that is uniform, specific, valid, and comparable across states.

Mental Health Parity and Addiction Equity Act (MHPAEA) (B) Working Group

We urge the Working Group to consider the following changes to the proposed 2026 charges:

- Under subsection (D), we urge the Working Group to add “compliance oversight” in the MHPAEA chapter of the *Market Regulation Handbook*.
- Under subsection (E), we urge the Working Group to add the following language in place of “mental health parity market conduct examinations” to make it clearer what specific coordination and guidance will be provided to Market Regulation and Consumer Affairs (D): “regarding state oversight of MHPAEA compliance, including mental health parity market conduct examinations and other regulatory enforcement tools.”

Prescription Drug Coverage (B) Working Group

We support continuing the current charges as is, without change.

We look forward to working with the Task Force in the coming year.

Sincerely,

Theresa Alban
Kellan Baker
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Bonnie Burns
Jalisa Clark
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