

Virtual Meeting

Consumer Information (B) Working Group

Thursday, June 26, 2025

2:00 – 3:00 p.m. ET / 1:00 – 2:00 p.m. CT / 12:00 – 1:00 p.m. MT / 11:00 a.m. – 12:00 p.m. PT

ROLL CALL

David Buono, Chair	Pennsylvania	Hadiya Swann	North Carolina
T.J. Patton, Vice Chair	Minnesota	Donna Dorr	Oklahoma
Anthony L. Williams	Alabama	Jill Kruger	South Dakota
Debra Judy	Colorado	Vickie Trice/ Jennifer Ramcharan	Tennessee
Randy Pipal	Idaho	Shelley Wiseman/ Michelle White	Utah
Michelle Baldock	Illinois	Jane Beyer	Washington
Alex Peck	Indiana	Christina Keeley	Wisconsin
Terri Smith/Patricia Dorn	Maryland		
Jeana Thomas	Missouri		
Charlette C. Borja	N. Mariana Islands		
Elouisa Macias	New Mexico		

NAIC Support Staff: Joe Touschner

AGENDA

1. Consider Adoption of Its April 14, 2025 Minutes—*David Buono (PA)*
2. Discuss a Consumer Guide on Selecting a Health Plan and Avoiding Improper Marketing Practices—*David Buono (PA)*
3. Discuss Any Other Matters brought before the Working Group—*David Buono (PA)*
4. Adjournment

Draft: 4/17/25

Consumer Information (B) Working Group
Virtual Meeting
April 14, 2025

The Consumer Information (B) Working Group of the Health Insurance and Managed Care (B) Committee met April 14, 2025. The following Working Group members participated: David Buono, Chair (PA); T.J. Patton, Vice Chair (MN); Debra Judy (CO); Randy Pipal (ID); Michelle Baldock (IL); Alex Peck (IN); Patricia Dorn (MD); Jeana Thomas (MO); Hadiya Swann (NC); Elouisa Macias (NM); Donna Dorr (OK); Jill Kruger (SD); Vickie Trice (TN); Shelley Wiseman (UT); and Christina Keeley (WI). Also participating were: Susan Jennette (DE); and Martin Swanson (NE).

1. Discussed a Consumer Advisory on Health Insurance

Buono explained an oversight related to the Working Group's Feb. 6 meeting. He said the calendar appointment was not sent to interested parties, so very few non-regulators were able to join the call. He apologized and said the Working Group values input from interested parties. He said the Feb. 6 meeting minutes are included in the Health Insurance and Managed Care (B) Committee's Spring National Meeting materials and are also available by request from NAIC support staff.

The Working Group discussed developing a consumer advisory to help consumers choose a suitable health plan and warn them about misleading marketing practices. Buono said improper marketing takes many different forms, so the Working Group could work on a series of guides on different plan types. He explained that a small drafting group discussed the idea and concluded that consumers do not necessarily understand the different plan types in the market or seek out information on plan types. He said the small group recommended drafting a document that provides consumers with the questions they should ask when shopping for health insurance. He said the guide or advisory document could point out why the questions matter and provide warnings for plans that may be unsuitable for certain consumers. Buono said the Working Group could use guides it previously developed and guides or advisory documents already in use by state departments of insurance as references.

Keeley suggested including information on improper marketing in the set of questions. She said consumers might better understand the products they purchase if they are armed with the right questions. Harry Ting (Health Care Consumer Advocate) asked when consumers would consult the advisory. Buono said the goal would be to get the information to consumers when they are shopping during an enrollment period, either during the annual open enrollment period or after a life change. Patton said the Working Group provides information on Affordable Care Act (ACA) plans each year, but it has not put out as much material on other plan types.

Jennette said a plain guide will not be appealing to consumers. Dorn said Maryland's consumer warnings are paired with information on ACA plan premiums. Buono said Maryland's materials are of high quality.

Wayne Turner (National Health Law Program—NHeLP) said the Working Group should educate consumers on the differences between ACA-compliant plans and other plan types. He said a consumer advisory should go further and guide consumers on how to find important plan information, like summaries of benefits and coverage and denial rates. He said the information is not readily available but is findable. He added that consumers should be educated on the difference between assisters funded by grants and producers who may be influenced by commissions.

Lucy Culp (The Leukemia & Lymphoma Society—LLS) asked how a consumer guide differs from a consumer advisory or other document types. She asked how information can be most easily available to consumers when

they need it. Buono said not all states have existing materials. He said the NAIC should work to get any materials developed by the Working Group to the states. He said states can shape the material into different forms once they have access to it, so it could be made into a guide, warning, or something different depending on state needs. Patton said there are trade-offs in different forms. He said guides focused on one plan type can be concise, but they are limited in scope. He said the Working Group will have to decide how to balance different needs. Culp said that even experts cannot always tell what plan type marketers are selling.

Claire Heyison (Center on Budget and Policy Priorities—CBPP) said that one document with questions may be better because consumers do not know the difference between plan types, and many questions would be the same across plan types. She said two important questions, regardless of plan type, are: “Does the plan cover pre-existing conditions?” and “Can I see plan documents?”

Swanson said the Improper Marketing of Health Insurance (D) Working Group is willing to help with the document. He said consumers want to ask the right question to either get off the phone with a producer or get confidence that the plan is legitimate. He suggested questions about whether the marketer is licensed, who they represent or sell for, and where they are located.

Brenda J. Cude (University of Georgia) said the NAIC shoppers’ guides on home insurance and auto insurance may offer useful formatting ideas. She said the Working Group should consider whether it wants to create content for anyone who finds it to use, suggest ways to use the content, or format the content into final products that do not require editing. She said the Working Group should pursue the first two options to encourage flexibility in the use of the materials. She said materials focused on states rather than consumers would have more drafting notes. Buono said the NAIC is best positioned to distribute the advisory or guide, but states should feel free to use bits and pieces from it, or the whole document if they would like.

Dr. Ting said a guide should help consumers find a credible producer to work with.

Buono asked states to send any related materials they already use, including alerts or warnings to consumers.

Patton said the Working Group should seek to accomplish three goals with the project: 1) provide a concise description of plan types; 2) provide consumers with useful questions to ask; and 3) offer examples of problematic marketing practices. A potential fourth consideration is how to consolidate or separate this information. Culp said some of the work done in the *Model Regulation to Implement the Accident and Sickness Insurance Minimum Standards Model Act* (#171) on definitions would be helpful for the first goal.

Having no further business, the Consumer Information (B) Working Group adjourned.

SharePoint/NAIC Support Staff Hub/B CMTE/Consumer Information/Minutes 4.14