



NATIONAL ASSOCIATION OF  
INSURANCE COMMISSIONERS



## 2023 LEGISLATIVE PRIORITIES

### **SUPPORT REAUTHORIZATION OF THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP)**

The NFIP expires on September 30, 2023. Its long-term reauthorization should encourage flood mitigation and facilitate private flood insurance market growth.

### **SUPPORT LEGISLATION TO PROTECT POLICYHOLDERS DURING INSURANCE RECEIVERSHIP**

The federal government should have a deadline to file claims against insolvent insurers in receivership in order to expedite consumer recovery and protect regulators from personal liability.

### **SUPPORT STATE REGULATOR VOTE ON FINANCIAL STABILITY OVERSIGHT COUNCIL (FSOC)**

The Primary Regulators of Insurance Vote Act would provide state insurance regulators full voting rights on FSOC. Insurance is the only financial sector whose primary regulators lack FSOC voting membership.

### **SUPPORT THE EMPOWERING STATES TO PROTECT SENIORS ACT**

The Empowering States to Protect Seniors Act would create a senior investor protection grant program at the Securities and Exchange Commission (SEC) to aid state regulators' efforts to target senior fraud.

### **OPPOSE FEDERAL PREEMPTION OF STATE DATA PRIVACY AND CYBERSECURITY SAFEGUARDS**

NAIC's *Insurance Data Security and Insurance Consumer Privacy Protection Model Laws* offer strong cybersecurity and data privacy regulations for the insurance market, removing the need for preemptive or duplicative federal protections. Insurance is a state-regulated sector, and enforcement of these protections at a state level remains paramount.

### **OPPOSE EXPANSION OF THE LIABILITY RISK RETENTION ACT (LRRRA)**

The LRRRA, which broadly preempts the state-based regulatory system, was narrowly crafted in the 1980s to target a crisis in the availability of liability insurance. It should not be expanded to property insurance. Risk retention groups are not designed or regulated for property coverage, and expanding them would undermine consumer protections and create an uneven playing field.

### **SUPPORT LEGISLATION THAT RETURNS AUTHORITY TO STATES FOR THE OVERSIGHT OF MEDICARE ADVANTAGE (MA) MARKETING**

The Senate Finance Committee and Centers for Medicare & Medicaid Services have reported tens of thousands of complaints from MA enrollees about how their plans were marketed. Under federal law, states are prohibited from regulating the marketing practices of MA plans. This authority should be returned to the states to better protect our nation's seniors from fraud and abuse.

### **FULLY FUND MENTAL HEALTH PARITY GRANTS AND STATE HEALTH INSURANCE ASSISTANCE PROGRAMS (SHIPs)**

Congress authorized grants to states for enforcement of federal mental health parity laws just last year in the Consolidated Appropriations Act for fiscal year 2023. These grants should be fully funded at no less than \$10 million for FY 2024 to keep pace with growing needs. SHIP advisers empower seniors to navigate Medicare, Medicaid, Medigap, and long-term care insurance.

# What is the NAIC and what does it do?

The National Association of Insurance Commissioners (NAIC) is the U.S. standard-setting and regulatory support organization created and governed by the chief insurance regulators from the 50 states, the District of Columbia, and the five U.S. territories. The organization was created in 1871 to assist state insurance regulators, individually and collectively, in serving the public interest by setting standards and regulatory best practices, acting as a forum to exchange information, providing regulatory support functions, and educating consumers, industry, and other government stakeholders about the U.S. system of state-based insurance regulation.

## The NAIC

Brings together regulators to share expertise and coordinate activity

Supports regulator development of NAIC model laws and regulation

Manages systems for regulatory peer review, multi-state oversight, and accreditation

Represents the U.S. state regulatory perspective to Congress, federal agencies, and foreign regulators

Analyzes insurer financial filings and investment portfolios

Centralizes processes for company licensing, rate and form filing, and producer licensing

Maintains Online Fraud Reporting System

Compiles unclaimed life insurance benefits and maintains the Life Insurance Policy Locator

Develops consumer education materials