

October 31, 2019

Aaron Brandenburg
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Kansas City, MO 64106-2197

VIA Electronic Mail: abrandenburg@naic.org

RE: Draft Pet Insurance Model Law – Sections 1 through 4

Dear Mr. Brandenburg:

The American Property Casualty Insurance Association (APCIA)¹ appreciates the opportunity to provide comments on the National Association of Insurance Commissioners (NAIC) Pet Insurance (C) Working Group’s draft Pet Insurance Model Law (“Draft”). APCIA acknowledges that currently comments are being solicited on sections 1 through 4 only.

Section 2. Scope and Purpose

APCIA suggests the language in Section 2(B) be amended to read, “The requirements of this Act shall apply to Pet Insurance policies that are issued to any resident in this state, and is sold, solicited, negotiated, or offered in this state, and policies OR [emphasis added] certificates delivered or issued for delivery in this state.” As currently worded (“policies AND [emphasis added] certificates”), the language could be broadly read to require a company that does not issue group policies to issue certificates generally associated with group coverage in addition to insurance policies.

Section 3. Definitions

The Draft suggests that the definitions in a policy be exactly the same as those in the Draft. APCIA suggests that this language is too restrictive and that it should be broadened to permit definitions “substantially similar” to those included in the Draft. This would avoid refile of policy forms for inconsequential definitional differences.

In addition, APCIA believes the definitions of “pet insurance” and “veterinary expenses” should be expanded to include coverage for additional services a company may choose to include in a policy, i.e., services that may not be provided by a veterinarian, but might be prescribed or suggested by the

¹ The American Property Casualty Insurance Association (APCIA) is the primary national trade association for home, auto, and business insurers. APCIA promotes and protects the viability of private competition for the benefit of consumers and insurers, with a legacy dating back 150 years. APCIA members represent all sizes, structures, and regions-protecting families, communities, and businesses in the U.S. and across the globe.

veterinarian such as behavioral treatment and therapy, nutritional supplements or pet food recommended by the veterinarian. Also, a company might want to provide coverage for fees or other expenses related to veterinary services and companies should have the freedom to develop unique features and benefits.

Section 4. Disclosures

This section repeatedly refers to requirements on “an insurer” and, in fact, references an “insurer’s Internet Web site.” There is no prohibition elsewhere in the model against an insurer utilizing a program administrator. APCI suggests that the language in Section 4 be expanded to account for a company utilizing such a program administrator to provide in Section 4(C) to read “the insurer’s or the insurer’s program administrator’s Internet Web site.”

Thank you for the opportunity to provide comments on the Draft. APCI looks forward to working with you on this issue going forward. If you have any questions or would like to discuss any of our comments further, please let us know.

Respectfully Submitted,



Lisa Brown
Assistant General Counsel and Director, Compliance Resources