October 4, 2023

Commissioner Navarro
NAIC Antifraud (D) Task Force

Dear Commissioner Navarro,

I am contacting you, in follow up to our conversation in Kansas City, regarding the suggested revisions to Model 880. These revisions would make it absolutely clear that health insurance lead generators who engage in unfair trade practices can be legally sanctioned by state insurance agencies. After we spoke, Coalition staff and NAIC Consumer Representatives drafted a suggested revision to the latest iteration of Model 880 (draft #5). The following suggested revision was also presented to Martin Swanson and he directed us to you at this point.

Section 2. Definitions

I. “Person” means a natural or artificial entity, including but not limited to, individuals, partnerships, associations, trusts, or corporations. For purposes of this act, “person” includes a health insurance lead generator operating as any such natural or artificial entity.

We respectfully ask that the Antifraud Task Force consider approving this new version of Model 880, when it approves revisions to the Model. We feel it will provide a stronger legal basis for action against health insurance lead generators who engage in unethical behavior.

Please let us know your thoughts on this suggestion.

Best regards,

Matthew Smith, Coalition Against Insurance Fraud
Brent Walker, Coalition Against Insurance Fraud
Lucy Culp, NAIC Consumer Representative
Harold Ting, NAIC Consumer Representative

Cc: Martin Swanson