

AI/ML Survey FAQs

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Access Questions

Pending

File Submission Questions

Pending

Survey Questions

What companies are required to take the survey?

Any company licensed to write life insurance in one of the thirteen participating states (Colorado, Connecticut, Illinois, Iowa, Louisiana, Minnesota, Nebraska, North Dakota, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia, Wisconsin) and meeting one or more of the criteria below is required to complete the survey.

Criteria:

1. A selected InsurTech Company
2. A company with more than \$250 million in premium on all individual policies in 2021
3. A term writer that has issued policies on more than 10,000 lives

A state market share analysis must show that the 14 states are adequately represented by the selected companies.

Will the survey be confidential?

Yes, individual company information will be confidential. A public report of aggregated information will be issued, but the survey is being conducted pursuant to market conduct authority, and as such will be held confidential by the states and the NAIC

Can information be provided by Group?

No, surveys should be provided on an individual company basis.

What if our company does not use (and has no plans to use) Artificial Intelligence/ Machine Learning defined by this survey?

If the answer to the first question on the survey is "No", the respondent should complete question 4, which asks the reason why the answer is no. The survey will be complete at that point and there is no need to answer any additional questions.

How is this survey different from the Colorado survey?

The Colorado survey's purpose is to gain an understanding of how carriers use "external consumer data and information sources (ECDIS)," "predictive models," and "algorithms" as those terms are defined in SB 21-169 to assist the Division to craft regulations to mitigate the possibility of unfairly discriminatory insurance practices as defined in SB21-169 when carriers use ECDIS, predictive models, and algorithms. Thus, the Colorado survey is focused on both whether life companies use ECDIS as well as how they test ECDIS, predictive models, and algorithms for unfair discrimination.

While the Colorado survey asks a few high-level questions related to governance, the survey has a series of questions asking companies to describe how they test for unfair discrimination inputs (ECDIS) as well as the outputs of predictive models and algorithms.

The Colorado survey is limited to a sampling of ten life companies.

Who should be filling out this survey?

Data scientists and operations personnel in your organization that have an in-depth knowledge of AI/ML and their governance across all areas of your organization.

Why is the survey asking about big data and AI techniques?

The survey was drafted by the Big Data and Artificial Intelligence (H) Working Group as part of its charge to “Research the use of big data and artificial intelligence (AI) including machine learning (ML) in the business of insurance and evaluate existing regulatory frameworks for overseeing and monitoring their use.”

Why is this survey asking questions on data governance, privacy governance, data use & protection given they are currently being explored by the Privacy Protections (H) Working Group?

While the privacy protection working group (H) is looking at some aspects of this question, it is important for regulators to understand if data governance, privacy governance, data use & protection in AI/ML models may be different from data in general.

What are regulators are looking to get from the survey?

To gain a better understanding of where the industry is along the path of AI/ML, the impact it is having on all aspects of life insurance products, the models being used, and the guidelines and best practices companies are using to assure compliance with non-discrimination statutes and regulations. To ensure companies have the appropriate governance in place to manage the use of AI/ML technologies.

Can agreements with vendors prevent companies from disclosing proprietary information?

No. This survey is being conducted under the market conduct authority of each of the requesting states. If a company has a contract with their vendor to not allow the insurance regulators to review the information, that contract might be void for public policy reasons, but moreover, if the proprietary information was used in the business of insurance by the insurer, then it would have been subject to the regulatory authority of the participating states.

Will other states have access to my survey responses?

Yes, but any access to the survey responses is bound by the confidentiality statutes included in the call letter. If a non-participating state sought access to information in the survey, it would only be shared pursuant to a data sharing agreement which would restrict the usage of any such information.

What if a company has numerous models in the research, prototype, and proof of concept (POC) phases, but many of them have not been associated with actual business usage, and even among those that have, not all of them will end up entering the production phase? How do I reflect them in the survey?

There are questions that address this in the “general info tab/section.” The questions are (1B and 1C) “Does your company plan to use Artificial Intelligence as defined for this survey?” and “Is your company exploring the use of Artificial Intelligence as defined for this survey?”. For the purposes of this survey, we are interested in AI/ML that are in a research, prototype, or proof of concept (POC) phase, or currently in use, by level of deployment.