

## REQUEST FOR NAIC MODEL LAW DEVELOPMENT

This form is intended to gather information to support the development of a new model law or amendment to an existing model law. Prior to development of a new or amended model law, approval of the respective Parent Committee and the NAIC's Executive Committee is required. The NAIC's Executive Committee will consider whether the request fits the criteria for model law development. Please complete all questions and provide as much detail as necessary to help in this determination.

Please check whether this is:  New Model Law or  Amendment to Existing Model

**1. Name of group to be responsible for drafting the model:**

Innovation and Technology (EX) Task Force

**2. NAIC staff support contact information:**

Denise Matthews  
[dmatthews@naic.org](mailto:dmatthews@naic.org)  
816-783-8007

**3. Please provide a brief description of the proposed new model or the amendment(s) to the existing model. If you are proposing a new model, please also provide a proposed title. If an existing model law, please provide the title, attach a current version to this form and reference the section(s) proposed to be amended.**

NAIC Unfair Trade Practices Act (Model #880)  
Section 4(H)(1)  
<https://www.naic.org/store/free/MDL-880.pdf>

The Innovation and Technology (EX) Task Force will draft amendments to the NAIC Unfair Trade Practices Act (Model #880), focusing on Section 4H, to clarify what is considered a "rebate" or "inducement".

**4. Does the model law meet the Model Law Criteria?  Yes or  No (Check one)**

(If answering no to any of these questions, please reevaluate charge and proceed accordingly to address issues).

**a. Does the subject of the model law necessitate a national standard and require uniformity amongst all states?  Yes or  No (Check one)**

**If yes, please explain why:** Inconsistency in the interpretation of the Model language necessitates revisions to clarify the intent and ensure necessary consumer protections remain in place in light of technologies being deployed to add value to existing insurance products and services.

**b. Does Committee believe NAIC members should devote significant regulator and Association resources to educate, communicate and support this model law?**

Yes or  No (Check one)

5. What is the likelihood that your Committee will be able to draft and adopt the model law within one year from the date of Executive Committee approval?

1       2       3       4       5      (Check one)

High Likelihood

Low Likelihood

**Explanation, if necessary:** A significant amount of time and discussion has already been devoted to this topic including presentations from all stakeholders and discussion around draft guideline language. That should help in accelerating the development process related to this model language.

6. What is the likelihood that a minimum two-thirds majority of NAIC members would ultimately vote to adopt the proposed model law?

1       2       3       4       5      (Check one)

High Likelihood

Low Likelihood

**Explanation, if necessary:**

7. What is the likelihood that state legislatures will adopt the model law in a uniform manner within three years of adoption by the NAIC?

1       2       3       4       5      (Check one)

High Likelihood

Low Likelihood

**Explanation, if necessary:**

8. Is this model law referenced in the NAIC Accreditation Standards? If so, does the standard require the model law to be adopted in a substantially similar manner?

No

9. Is this model law in response to or impacted by federal laws or regulations? If yes, please explain.

No.

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