

Question	Text	Mandatory Condition Met	(Primary)	(Secondary)
Requirement 1				
1a	Does the department have the general authority to collect and analyze information whenever it is deemed necessary?	No	No	No
1b	Is the department's authority broad enough to cover these market regulation activities?	No	Yes	No
1c	If the department has authority specific to any of these itemized activities, please provide the citation:	No	No	Yes
Requirement 2				
2a	Does the department have authority by statute, rule or other authority to utilize the Market Regulation Handbook or its predecessor/successor?	No	No	No
2b	When conducting examinations or continuum activities, does the department incorporate applicable Market Regulation Handbook review standards and related materials to the extent they are consistent with state laws?	No	Yes	No
2c	Does the department have examination-specific policies and procedures in addition to those guidelines set forth in the Market Regulation Handbook or its predecessor/successor? If Yes:	No	Yes	No

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2c1	Is the jurisdiction able to demonstrate that it has followed its own established policies and procedures in adopting any process that deviates from the Market Regulation Handbook, including review and concurrence by a department’s legal staff member?			
Requirement 3				
3a	Does the department have analysts on staff or under contract whose responsibility is to conduct market analysis of insurers doing business in the state?			
3b	If the department utilizes contract analysts, please describe in a separate attachment the manner and extent of utilization in the department’s recent activities.			
3c	Indicate below the number of contract and staff analysts, and supervisors for each of the last three years.			
3d	Does the department have examiners on staff whose responsibility is to examine and/or conduct continuum actions of insurance companies as indicated by the department’s market analysis or as prescribed by state laws?	Read 3d and 3e together. Satisfaction of one satisfies both.		

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3e	Does the department utilize contract examiners to examine and/or conduct continuum actions of insurance companies as indicated by the department's market analysis or as prescribed by state laws?	Read 3d and 3e together. Satisfaction of one satisfies both.		
3f	If the department utilizes contractual examiners, please describe in a separate attachment the manner and extent of utilization in the department's recent activities			
3g	Indicate below the number of full-time market examiners, including supervisory personnel on the department's staff and/or the number of individual contract examiners used compared to the last three years. For contract examiners convert the number of contract hours to a full-time equivalent employee position. Also list your jurisdiction's premium volume for any and all examinations or actions written in the most recently completed year.			

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3h	As a separate attachment, provide a list of market examiners that includes the following: name; professional designation(s); title; years employed by the department (include functional area); type of college degree; and prior regulatory or insurance experience. Also indicate those market conduct examiners that are contractual and whether each is full-time with the department			
3i	Does the department have established staffing policies and procedures, subject to periodic review and updates, for identifying and addressing market conduct issues through the use of market analysis and market conduct continuum activities, including examinations?			
3j	If the answer to item 3i. is "Yes," what quantitative and subjective measurements are available to evaluate the department's achievement of such policies and procedures?			
3k	Has the department performed any targeted exams or continuum actions in the prior two years?			
3l	If the answer to item 3k. is "Yes," please provide a list of such exams or market continuum actions and the scope of the exams/actions.			

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3m	If the answer to item 3k. is “No,” does the department have the onstaff resources or the ability to contract additional resources to perform targeted exams/actions, if deemed necessary?			
3n	Does the department have the authority to hire contractors as specialists to perform market regulation?			
3o	If the department has authority to hire contractors, does it have either a statewide or departmental established process it follows for selecting contractors for market regulation purposes? Briefly explain			
3p	Does the department oversee and manage contractors [should this say "if the department has authority to hire contractors, does it oversee and manage those contractors?]			
3q	Does the department have the appropriate staff to oversee and manage contractors? [see comment in 3p]			
3r	Based on the review of staff resources, please provide an explanation of any significant changes in resources and/or workload over the three-year period covered in the data above.			
Requirement 4				

Question	Text	Mandatory Condition Met	(Primary)	(Secondary)
4a	Does the department have a policy or procedure in place on necessary credentials or minimum educational and experience requirements for selecting and hiring staff and contractors?		Allows for unions*. Continue to discuss	
4b	Does the department have a staff development program that encourages and financially supports educational and training pursuits, including training, courses, webinars and certifications offered by the NAIC?			
4c	Does the department determine the composition of members of an examination team?			
4d	Is the Examiner in charge making progress towards completion of noted designations?		and competency of an exam	

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4e	Does the department recognize licenses and other highly technical credentials of professionals and experts such as attorneys, actuaries, cybersecurity experts, certified public accountants, information technology (IT) experts and other professionals and specialists as qualified to perform certain market regulation activities?		Do they have the authority to use specialists. Utility versus recognition	
4f	Does the department maintain written procedure manuals to demonstrate a succession plan?			
Requirement 5				
5a	Does the jurisdiction have laws, regulations or case law that specify how the confidentiality of market conduct examination workpapers is to be handled?			
5b	Has the jurisdiction entered into the Multi-State InformationSharing Agreement with other jurisdictions and the NAIC?			

Question	Text	Mandatory Condition Met	(Primary)	(Secondary)
5c	Does the jurisdiction have written policies and procedures and has communicated such policies and procedures to employees relating to the protection of confidential information which includes PII and PHI, handling of public records requests and requirements for confidentiality agreements when it becomes necessary to share confidential information with other federal and international regulatory or law enforcement agencies, not otherwise covered by the multi-state agreement?	Yes	No	No
5d	Does the jurisdiction have a records retention schedule which outlines plans for secure storage and timeline for destruction of work papers?	No	Yes	No
Requirement 6				
6a	Has the department adopted the Market Regulation Handbook and the Market Actions (D) Working Group Policies and Procedures or are the department's policies and procedures consistent with those in the Market Regulation Handbook and the Market Actions (D) Working Group Policies and Procedures?	Yes	No	No

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6b	If the department identified a potential collaborative action, did the department notify all CADs—via meeting, bulletin board or other communication—of the activities identified that may have the potential for collaboration?		What if state never had one of these situations?	
6c	If the department received a positive response to its inquiries to other CADs regarding a potential collaborative action, did the department refer the action to Market Actions (D) Working Group using the reporting procedures outlined in the Market Actions (D) Working Group Policies and Procedures, including completing the Request for Review form and submitting the form to the designated NAIC support staff?		<p>What if state never had one of these situations do they get full points by default?</p> <p>Do they get points if they don't try to get a positive response?</p>	
6d	If the response to item 6a., item 6b., item 6c. or item 6d. is “No,” please provide a brief explanation			Provide examples to support. May have situations that do not go to MAWG as an RFR
6e	Does the department have written procedures for reviewing and evaluating its participation in potential collaborative actions brought to its attention, either through the Market Actions (D) Working Group or by another department?			

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6f	If the department declined to participate in a collaborative action, has the department provided a response to the Market Actions (D) Working Group regarding its decision?			
6g	If the response to item 6e. or item 6f. is "No," please provide a brief explanation.			Was Paul informed somehow
Requirement 7				
7a	Does the department require eligible companies to file the MCAS with the NAIC?			
7b	Does the department require that the MCAS be prepared in accordance with the NAIC MCAS user guides and instructions?			
7c	Does the department require such companies to file the MCAS in an electronic format acceptable to the NAIC?			
7d	Does the department utilize the data obtained from the MCAS for market analysis? (Examples of utilization include, but are not limited to, such activities as performing baseline or Level 1 analysis.)			
Requirement 8				
8a	Does the department enter or transmit data at least quarterly into the CDS?			
8b	Does the department enter or transmit data at least quarterly into RIRS?			

Question	Text	Mandatory Condition Met	(Primary)	(Secondary)
8c	Does the department enter continuum actions into the appropriate NAIC database (MATS/RIRS) when initiated and the resulting applicable final status reports or updates (if applicable) at least quarterly?			
8d	Did the department initiate an examination of a regulated entity during the most current certification period?			
8e	If the answer to item 8d. is “Yes,” was the examination entered into MATS at least 45 days before the start of the examination or at least 60 days before the start of the on-site examination as set forth in the Market Regulation Handbook? (Note: The start of the examination is the date the department began work on the examination materials received from the examined entity.)			
8f	If the answer to item 8a., item 8b., item 8c., item 8d. or item 8e. is “No,” please provide an explanation.			

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Requirement 9				
9a	Does the department participate in or monitor the Market Analysis Procedures (D) Working Group as a working group member or interested regulator either by conference calls or by attending meetings?			
9b	Does the department participate in or monitor the Market Conduct Examination Standards (D) Working Group as a working group member or interested regulator either by conference calls or by attending meetings?			
9c	Who in the department, by functional title, participates in or monitors the Market Analysis Procedures (D) Working Group?			
9d	Who in the department, by functional title, participates in or monitors the Market Conduct Examination Standards (D) Working Group?			
9e	List any other market conduct or market analysis-related working groups and/or task forces that your department participates in or monitors.			
Requirement 10				
10a	Has the department appointed a CAD?			
10b	Has the department appointed a CAD alternate?			

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10c	Does the CAD and/or CAD alternate attend at least 50% of all meetings and conference calls of the Market Actions (D) Working Group?			
10d	Does the Market Actions (D) Working Group member, CAD and/or CAD alternate actively monitor the bulletin board discussions?			
Requirement 11				
11a	Does your state participate in the review of national analysis data on an annual basis?			
11b	Who in the department, by functional title, participates in the annual national analysis project?			
11c	Does your state participate in one national analysis team at least every other year?Has the department established procedures to ensure participation on a national analysis team at least every other year?			
11d	Who in the department, by functional title, participates on a national analysis team at least every other year?			
Requirement 12				

Question	Text	Mandatory Condition Met	(Primary)	(Secondary)
12a	<p>Has the department established procedures for the market analysis chief (MAC), or appropriate designee, to communicate interdepartmentally with the appropriate staff, either through written channels or by sufficient demonstration of action (such as regularly scheduled department head meetings, department managers' meetings, or information requests to other areas of the department?)</p>			
12b	<p>Does the MAC, or appropriate designee provide the appropriate interdepartmental staff with market concerns such as, but not limited to, financial data, consumer complaints, policy termination activity, producer misconduct or use of noncompliant forms or rates, related to the following functional areas:</p> <ul style="list-style-type: none"> i. Consumer Services ii. Enforcement iii. Legal iv. Forms and Filing v. Financial vi. Market Analysis vii. Market Conduct 			

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12c	On a quarterly basis, does the MAC, or appropriate designee, solicit information from the above functional areas regarding adverse patterns on, but not limited to, financial data, consumer complaints, policy termination activity, producer misconduct, or use of noncompliant forms or rates?	Yes		
Certification Score Total				
Total Points Possible				
Score				
Pass/NoPass				
Points needed to pass		0		

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		<p>12 THIS SCORE SHOULD BE THE TOTAL OF MANDATORY ITEMS IDENTIFIED IN THE CHART ABOVE -- its not necessary to assign a score value for meeting expectations</p>	<p>38 The PRIMARY GOALS should be given a scorable point basis that is weighted by the total of primary goals inside each REQUIREMENT; this would include the requirements needed of any secondary goals == this would achieve the 100% assigned overall points to each REQUIREMENT;</p>	<p>19 Secondary goals that are "working toward" meeting the requirements of the Red Mandatory or Yellow Primary goals should be partial point values that equal up to 75% of the total score value that is assessed for the primary goals in this REQUIREMENT AREA. (All other green tagged secondary goals are designed to be supportive of requirements to meet red and yellow -- so those would not be given a partial score value at all when used to support only).</p>