Draft: 12/13/22

Antifraud (D) Task Force
Virtual Meeting
September 6, 2022

The Antifraud (D) Task Force met Sept. 6, 2022. The following Task Force members participated: Trinidad Navarro, Chair, (DE); John F. King, Vice Chair (GA); Lori K. Wing-Heier represented by Alex Romero (AK); Alan McClain represented by Crystal Phelps (AR); Evan G. Daniels represented by Paul Hill (AZ); Ricardo Lara represented by George Mueller (CA); Andrew N. Mais represented by Kurt Swan (CT); Karima M. Woods represented by Brian Bressman (DC); Doug Ommen represented by Jared Kirby (IA); Dean L. Cameron represented by Hermoliva Abejar (ID); Vicki Schmidt represented by Jamie Nickoley, John Eichkorn and LeAnn Crow (KS); Sharon P. Clark and Juan Garret (KY); Kathleen A. Birrane represented by Jason Little and Joe Smith (MD); Anita G. Fox represented by Austin Millner and Danielle Torres (MI); Grace Arnold represented by Paul Hansen (MN); Chlora Lindley-Myers represented by Carrie Couch and Marjorie Thompson (MO); Mike Chaney represented by John Hornback (MS); Troy Downing represented by Troy Bidon (MT); Mike Causey represented by Angela Hatchet and Tracy Biehn (NC); Jon Godfread represented by Dale Pittman (ND); Eric Dunning represented by Connie Van Slyke (NE); Chris Nicolopoulos represented by Brendhan Harris (NH); Marlene Caride represented by Richard Besser (NJ); Russel Toal represented by Devin Chapman and Roberta Bacca (NM); Barbara D. Richardson represented by Dave Long (NV); Judith L. French represented by David Barney (OH); Glen Mulready represented by Rick Wagnon (OK); Andrew R. Stolfi represented by Dorothy Bean (OR); Michael Humphreys represented by Deborah Lee (PA); Michael Wise represented by Gwendolyn McGriff, Joshua Underwood (SC); Larry D. Deiter represented by Melissa Manning and Travis Jordan (SD); Jon Pike represented by Tracy Klausmeier (UT); Scott A. White represented by Juan Rodriguez and Richard Tozer (VA); and Allan L. McVey represented by Karla Nuissl, Isabelle Turpin Keiser, Marcia Violette, Mary Block and Nick Marineau (VT). Also participating were: Steven Giampaolo (CO); and Matthew Guy, Sheryl Parker, Scott Woods, and Simon Blank (FL).

1. Adopted its June 30 minutes.

The Task Force met June 30 and took the following action: 1) adopted the NAIC Antifraud Plan Repository Workflow document.

Bacca made a motion, seconded by Mueller, to adopt the Task Force's June 30 minutes. The motion passed unanimously.

2. Discussed the 2022 Priorities

Commissioner Navarro said the Task Force has remained vigilant in its work against insurance fraud. Navarro said the Antifraud Technology (D) Working Group finalized the Antifraud Plan Repository Workflow document, which was adopted and presented to the Executive (EX) Committee. The Improper Marketing of Health Insurance (D) Working Group has continued its work, holding monthly regulator-to-regulator meetings and open meetings during the national meetings.

Navarro said the Task Force is working on a proposal to create a centralized producer portal that would allow consumers to find licensing information on insurance producers.

Tim Mullen (NAIC) said the NAIC has been discussing with Harry Ting (Health Consumer Advocate) and Commissioner Navarro the creation of a public search portal for producer information. Mullen said there is currently an existing search for a "find an agent" available on the NAIC web page. However, this new portal would

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provide additional information for consumers to review on existing agents. He said they are working with NAIC technical departments to create prototype screens as a beginning. Mullen said the idea would be to create search functionalities that go beyond the status of a producer. The functionalities would include the appointment of information, regulatory actions, and complaint information. He said one of the challenges that will be encountered is that the NAIC does not create the data. This data comes from the state insurance department and is then shared with the NAIC technology departments and the National Insurance Producer Registry (NIPR), which makes it public and for insurance companies' due diligence. Mullen said the next step will be to bring the Task Force screenshots of this proposal and work through the process of what the functions will be for this portal. He said during this review process, there is a need to figure out how to integrate with some existing state websites. Mullen said there are currently 15–20 states that have consumer lookups for producer information, and it will be necessary to ensure that once this portal is created, it will still drive consumers to their local state departments.

Commissioner Navarro said this was originally brought to the Task Force from Dr. Ting. He said the proposal was modeled after the Financial Industry Regulatory Authority (FINRA) Broker Check available online. Navarro said this proposal is a good example of the collaboration among the Task Force members, interested parties, and the NAIC.

Wes Bissett (Independent Insurance Agents & Brokers of America) said that this would be a good tool for consumers. However, he said he does have some concerns about the information that would be displayed on producers. Bissett said the concerns are primarily with unverified complaints that are lodged against producers. Commissioner Navarro said he welcomes the feedback. He said that the quality of the data is important and that it is a concern to have the correct information displayed. He said as they continue working on this proposal, they will bring updates to the Task Force to achieve transparency.

Birny Birnbaum (Center for Economic Justice—CEJ) said he recommends that the proposed portal not be adjudicated complaints only. He said financial services do not focus on only adjudication. Birnbaum said there are various types of public methods for causing dissatisfaction with the vendor of a company. He said the consumer representatives would respectfully disagree on limiting this information to adjudicated only. Bonnie Burns (California Health Advocates) said that she agrees with Birnbaum and would recommend the portal be transparent in what is displayed.

3. Heard Reports from Interested Parties

   a. Coalition

Matthew Smith (Coalition Against insurance Fraud—Coalition) said that on Sept. 8, the Coalition will be hosting a webinar on a study on workers' compensation fraud. Smith said at this time, there are more than 1,000 attendees. He said the Coalition has been working on a major study for the use of ethical use of data and plans to have the data available soon. Smith said the Coalition has completed its economic impact study and determined that the cost of fraud has risen to $308.6 billion.

Smith said upcoming events include the Insurance Summit with a session on natural disasters, the annual fraud directors conference, the International Global Insurance Fraud Summit, the Nebraska Department of Insurance (DOI) fraud conference, the Montana fraud meeting, and an upcoming Northeast Zone training in October. Smith said the Coalition will hold its annual end-of-year meeting in December.

   b. HFPP

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Shaun O'Neill said the Healthcare Fraud Prevention Partnership (HFPP) currently has 261 partners. He said the HFPP has launched a new redesigned secure portal producing one data analytic per month on traditional health insurance claims. O'Neill said the HFPP has worked with the Coalition Against Insurance Fraud, the National Insurance Crime Bureau (NICB) and NHCAA to provide useful information. O'Neil said the HFPP is focusing on 2 initiatives. The first is the spin on how we look at analytics with a view on partners in same class with high and low exposure and a cross over data project with aggregate medical database and the HFPP medical warehouse.

c. NICB

Howard Handler (NICB) said the NICB has been around for 112 years and has approximately 1,200 property/casualty (P/C) members, affiliate members, rental car companies, vehicle companies, and finance companies. Handler said that the NICB's core capabilities include data analytics, investigations, training, public affairs, and governmental affairs.

Handler said the NICB focuses on and is engaged in operational and legislative issues. He said their key services include geospatial intelligence center, case preparation, vehicle reparations, insurance fraud prosecutors conference, fraud reporting, and vehicle identification number verification.

Handler said the NICB has focused on emerging fraud and crime schemes, including street gang-controlled medical clinics, telemedicine, COVID-19 billing schemes, increased "jump-ins", cyber-incident threats, insurance-related history, and the insurance use of temporary license plates. Handler said the government affairs side covers all 50 states tracking more than 1,000 pieces of legislation.

d. NHCAA

Leigh McKenna (National Health Care Anti-Fraud Association—NHCAA) said the NHCAA is in the midst of planning an annual training conference, which has been virtual for the past two years. Mckenna said the annual training this year will be in person Nov. 15–18 with 60–70 different sessions solely on health care fraud topics. She said there will be approximately 1,500 investigators with law enforcement and antifraud agencies. McKenna said the NHCAA also is planning for 2023 training programs, some of which will be virtual and others in person. She said there are currently 35 different fraud briefs that are 1–2 pages, which provide a notification of potential fraud schemes.

4. Discussed Future Antifraud Training Activities

Commissioner Navarro said one of the Task Force's priorities has been to bring additional education and training. Commissioner Navarro said this year's Insurance Summit will be taking place Sept. 19–23. He said three years ago, the Insurance Summit started to include a track devoted to insurance fraud. This year, there are several fraud sessions taking place Sept. 21–22. Commissioner Navarro said the sessions include: a regulator-only session for those new to insurance fraud, open sessions on natural disasters and catastrophes, new technology, how the COVID-19 pandemic has affected insurance fraud, improper marketing of health insurance, international fraud priorities, and the importance of collaboration.

Commissioner Navarro said due to the COVID-19 pandemic, the annual fraud directors conference has not taken place for the past three years. This year, thanks to the Insurance Fraud Bureau of Massachusetts and its executive director Tony DiPaolo, the conference will take place in Boston, MA, Oct. 3–6.

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Commissioner Navarro said the last piece of training is the upcoming Northwest Zone fraud training, which will take place in Ocean City, MD, Oct. 12–14. He said the Delaware DOI has put together a great agenda for this training and has been working with NAIC staff to make this a worthwhile training addition. Commissioner Navarro said the goal is to begin with the Northeast Zone and then work toward getting this out to the remaining zones.

Having no further business, the Uniform Education (D) Working Group.

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Antifraud (D) Task Force
Virtual Meeting
November 16, 2022

The Antifraud (D) Task Force met Nov. 16, 2022. The following Task Force members participated: Trinidad Navarro, Chair, (DE); John F. King, Vice Chair, represented by Weston Burleson (GA); Lori K. Wing-Heier represented by Alex Romero (AK); Peni Itula Sapini Teo represented by Elizabeth Perri (AS); Alan McClain and Crystal Phelps (AR); Evan G. Daniels represented by Jon Savary and Paul Hill (AZ); Ricardo Lara represented by Charlene Ferguson and George Mueller (CA); Michael Conway represented by Steven Giampaolo (CO); Andrew N. Mais represented by Kurt Swan and Richard Reid (CT); Karima M. Woods represented by Brian Bressman (DC); David Altmaier represented by Jan Davis , Scott Woods and Simon Blank (FL); Dean L. Cameron represented by Hermoliva Abejar and Randy Pipal (ID); Doug Ommen represented by Andria Seip (IA); Vicki Schmidt represented by Jamie Nickoley, John Eichkorn, and LeAnn Crow (KS); Sharon P. Clark, Lee Webb, Juan Garret, Nancy Phillips, and Rob Roberts (KY); Kathleen A. Birrane represented by Joe Smith, Mary Kwei, Natalie Nelson, and Theresa Morfe (MD); Anita G. Fox represented by Austin Millner and Danielle Torres (MI); Grace Arnold represented by Cam Jenkins, Chris Ness, Jennifer Catechis, Paul Hansen, and T.J. Patton (MN); Chlora Lindley-Myers represented by Carrie Couch, Cynthia Amann, Jeana Thomas, and Marjorie Thompson (MO); Mike Chaney represented by John Hornback and Vanessa Miller (MS); Troy Downing represented by Troy Bidon (MT); Mike Causey represented by Angela Hatchet and Tracy Biehn (NC); Jon Godfread represented by Dale Pittman (ND); Eric Dunning represented by Laura Arp and Martin Swanson (NE); Chris Nicolopoulos represented by Brendhan Harris and Heather Silverstein (NH); Marlene Caride represented by Richard Besser (NJ); Russel Toal represented by Cass Brulotte, Devin Chapman, and Roberta Bacca (NM); Barbara D. Richardson represented by Dave Long (NV); Judith L. French represented by Michelle Brugh Rafeld (OH); Glen Mulready represented by Courtney Khodabakhsh, Landon Hubbart, and Rick Wagnon (OK); Andrew R. Stolfi represented by Brian Fordham, Dorothy Bean, and Stephanie Noren (OR); Michael Humphreys represented by Jodi Frantz (PA); Michael Wise represented by Gwendolyn McGriff and Joshua Underwood (SC); Larry D. Deiter represented by Melissa Manning and Travis Jordan (SD); Jon Pike represented by Randy Overstreet and Tracy Klausmeier (UT); Scott A. White represented by Julie Fairbanks and Richard Tozer (VA); and Allan L. McVey represented by Karla Nuissl, Isabelle Turpin Keiser, Marcia Violette, Mary Block, and Nick Marineau (VT); and Allan L. McVey, Erin K. Hunter, and Greg Elam (WV).

1. Discussed the Request for NAIC Model Law Review for Model #880

Commissioner Navarro said the Improper Marketing of Health Insurance (D) Working Group has been focusing on its charge to review existing NAIC models and guidelines that address the use of lead generators for sales of health insurance products and identify models and guidelines that need to be updated or developed to address current marketplace activities. He said the Working Group determined its first model review will be on the *Unfair Trade Practices Act* (#880). Commissioner Navarro said in order for the Working Group to continue its work, the NAIC needs to complete the review of and adopt the Request for NAIC Model Law Review. Commissioner Navarro said the form is intended to gather information to support the development of a new model law or amendment to an existing model law.

Commissioner Navarro said the Working Group met Nov. 3 to review the form, and it was adopted unanimously. Commissioner Navarro said the form was sent to the Task Force for discussion during today's meeting. He said the Task Force is to discuss only the form and not address specific language that will be added as an amendment.

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Swanson said the purpose behind reviewing Model #880 is to provide flexibility to all those states that would use that model to make sure that they had jurisdiction over these entities that are improperly marketing these particular health plans. He said the purpose of today's meeting is to obtain a procedural vote to adopt the form before the Working Group can finalize reviewing any potential amendments. Swanson said due to the activity being witnessed in each state regarding the improper marketing of health insurance plans, it is important not to lose movement on these amendments. He said with the amendments applied to Model #880, it would provide states with the ability to take the necessary action.

Commissioner Navarro said the Task Force received a letter from the Ohio Department of Insurance (DOI). Rafeld said Ohio appreciates the work that the Working Group and the Task Force are conducting concerning the deceptive marketing practices with health insurance plans. She said they are concerned with the restricted scope that the Working Group has taken with reviewing Model #880. Rafeld said amendments to Model #880 would not provide states with additional authority above what they have today as it is written. She said unfair and deceptive trade practices would still not allow states to take action unless they are licensed. Rafeld said there have been several discussions at the Working Group level regarding this problem. She said while reviewing this model is admirable, the Ohio DOI does not feel this is the proper vehicle at this time. She said the proposed language does not provide any additional regulatory authority. She said it would only allow the ability to issue cease and desist orders against lead generators who are engaging in unfair and deceptive practices. Rafeld said another concern with reviewing Model #880 is that it was recently amended in 2020 and adopted in 2021. It is now within the three-year window for states to update their existing model language.

Rafeld said the Working Group was charged with reviewing existing models and guidelines, not just Model #880. Rafeld said the Working Group has focused its attention fully on Model #880 and that Ohio thinks additional consideration should be given to other models, such as the *Producer Licensing Model Act* (#218), the Advertisements of Accident And Sickness Insurance Model Regulation (#40), and the *NAIC Model Rules Governing Advertisements of Medicare Supplement Insurance With Interpretive Guidelines* (#660). Rafeld said that Ohio encourages the Working Group to take a more comprehensive look at which models would be more appropriate to potentially amend. She said it may be necessary for the Working Group to partner with other Working Groups or Task Forces, including the Producer Licensing (D) Task Force and the Health Insurance and Managed Care (B) Committee.

Commissioner Navarro said there was mention that some states are in the process of adopting amendments to Model #880. He asked if those states are known. Rafeld said she does not have that information. However, she said there was amended language concerning anti-rebating prohibitions that would impede innovations and insurance. Commissioner Navarro said the first goal is protecting consumers and trying to put an end to the improper marketing of health insurance plans.

Swanson said the Working Group has discussed with NAIC Legal and the NAIC Research Library to determine the best model to review. Swanson said there have been multiple discussions within the Working Group and with Brian Webb, support staff with the Life Insurance and Annuities (A) Committee . Swanson said amending Model #880 would provide clear jurisdiction over these entities, which is the intended movement from involving other NAIC committees, task forces, and working groups. He said the concern with reviewing other models would be getting direction from those parent committees. Swanson said the process of reviewing other models would take additional time and may lengthen this process. He said it is vital to get amendments made now in order to take action against these entities. Swanson said Model #880 would be the start of the charge to review other models and guidelines.

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Commissioner Gaffney said it would be good to know what states have or are in the process of adopting amendments to Model #880. He said Vermont adopted this in the 2022 legislative session. The Task Force discussed states that have adopted these amendments.

Rafeld said there are questions concerning the form. It mentions a maximum two-thirds vote. Rafeld said it is highly unlikely that state legislatures would adopt amended language to Model #880. She said she is unaware of where the decision was made to review Model #880 and that based on her prior experience, it would need to be vetted through the Working Group and Task Force.

Swanson said the decision was made from the research completed. He said the Working Group unanimously adopted the form for Model #880. Rafeld said it was adopted at the Working Group level, but she does not feel the proper due diligence has been completed to confirm that Model #880 should be amended. Rafeld said amendments to Model #880 would not provide the states with the ability to take action on these entities—only licensed entities or individuals.

Swanson said by making the proper amendments, it would provide the states with the ability to define these entities, which encompasses them into the actions and oversight of the state insurance departments. Swanson said it would also provide necessary restrictions under the current umbrella as it is written in other states.

Commissioner Navarro said it is important for everyone to remember that this is the start of the model review process and that it would not be limited to Model #880, but that would be where they start.

Swanson made a motion, seconded by Commissioner McVey, to adopt the Request for NAIC Model Law Review for Model #880. The motion passed, with 20 states abstaining, 12 voting yes, and five voting no.

Commissioner Navarro said regarding next steps, the Market Regulation and Consumer Affairs (D) Committee will meet Nov. 28 to review and discuss the form and potentially consideration. He said the form would then be presented to the Executive (EX) Committee for consideration.

Having no further business, the Antifraud (D) Task Force adjourned.

AFTF 11.16.22 Minutes

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*Adopted by the Executive (EX) Committee and Plenary, Aug. 13, 2022*
*Adopted by the Market Regulation and Consumer Affairs (D) Committee, April 7, 2022*
*Adopted by the Antifraud (D) Task Force, March 28, 2022*

**2022 Amended Charges**

**ANTIFRAUD (D) TASK FORCE**

The mission of the Antifraud (D) Task Force is to serve the public interest by assisting the state insurance supervisory officials, individually and collectively, through the detection, monitoring, and appropriate referral for the investigation of insurance crime, both by and against consumers. The Task Force will assist the insurance regulatory community by conducting the following activities: 1) maintaining and improving electronic databases regarding fraudulent insurance activities; 2) disseminating the results of research and analysis of insurance fraud trends, as well as case-specific analysis, to the insurance regulatory community; and 3) providing a liaison function between state insurance regulators, law enforcement (federal, state, local, and international), and other specific antifraud organizations. The Task Force will also serve as a liaison with the NAIC Information Technology Group (ITG) and other NAIC committees, task forces, and/or working groups to develop technological solutions for data collection and information sharing. The Task Force will monitor all aspects of antifraud activities by its working groups on the following charges.

**Ongoing Support of NAIC Programs, Products or Services**

1. The **Antifraud (D) Task Force** will:
   A. Work with NAIC committees, task forces, and working groups (e.g., Title Insurance (C) Task Force, etc.) to review issues and concerns related to fraud activities and schemes related to insurance fraud.
   B. Coordinate efforts to address national concerns related to agent fraud and activities of unauthorized agents related to insurance sales.
   C. Coordinate the enforcement and investigation efforts of state and federal securities regulators with state insurance fraud bureaus.
   D. Coordinate with state, federal, and international law enforcement agencies in addressing antifraud issues relating to the insurance industry.
   E. Review and provide comments to the International Association of Insurance Supervisors (IAIS) on its Insurance CorePrinciples (ICPs) related to insurance fraud.
   F. Coordinate activities and information from national antifraud organizations and provide information to state insurancefraud bureaus.
   G. Coordinate activities and information with state and federal fraud divisions to determine guidelines that will assist with reciprocal involvement concerning antifraud issues resulting from natural disasters and catastrophes.
   H. Coordinate efforts with the insurance industry to address antifraud issues and concerns.
   I. Evaluate and recommend methods to track national fraud trends.
   J. Develop seminars, trainings, and webinars regarding insurance fraud. Provide three webinars by the 2022 Fall National Meeting.

2. The **Antifraud Technology (D) Working Group** will:
   A. Work with the NAIC to develop an Antifraud Plan Repository to be used by insurers to create and store an electronic fraud plan for distribution among the states/jurisdictions. Complete by 2022 Fall National Meeting.
   B. Evaluate sources of antifraud data and propose methods for enhancing the utilization and exchange of information among state insurance regulators, fraud investigative divisions, law enforcement officials, insurers, and antifraud organizations. Complete by the 2022 Fall National Meeting.

3. The **Improper Marketing of Health Insurance (D) Working Group** will:
   A. Coordinate with state insurance regulators, both on a state and federal level, to provide assistance and guidance monitoring the improper marketing of health plans, and coordinate appropriate enforcement actions, as needed, with other NAIC committees, task forces, and working groups.
   B. Review existing NAIC models and guidelines that address the use of lead generators for sales of health insurance products, and identify models and guidelines that need to be updated or developed to address current marketplace activities.

NAIC Support Staff: Greg Welker/Lois E. Alexander

# Insurance Agent/Broker Search

The NAIC's Insurance Agent Search is a free service for consumers to find out if a person is licensed to sell insurance. Consumers must have the first name, last name, city, and state of the individual being searched. The search results will provide immediate verification on whether the person is licensed in your state and the types of insurance products the person is authorized to sell.

## Insurance State/Jurisdiction Lookup for Agent/Broker

Some States/Jurisdictions also provide lookup for Agent/Brokers that may provide more information the lookup below.

SELECT STATE

### Individual Lookup

Last Name | First Name | City | State | ZIP CODE | NPN

### Firm Lookup

Firm Name | City | State | Zip Code

Search

### Agent Search Results

Name: John Smith
Licensed to Sell in these States: Kansas, Missouri
Licensed to Sell: Crop, Auto

Name:
Licensed to Sell in these States:
Licensed to Sell:



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