

*2020 Mid-Year Meeting
Virtual Meeting*

**JOINT MEETING OF EXECUTIVE (EX) COMMITTEE
AND INTERNAL ADMINISTRATION (EX1) SUBCOMMITTEE**

Meeting Summary Report

The Executive (EX) Committee and the Internal Administration (EX1) Subcommittee met in joint session July 14, 2020. The meeting was held in regulator-to-regulator session, pursuant to paragraph 4 (internal or administrative matters of the NAIC) and paragraph 6 (consultations with NAIC staff members) of the NAIC Policy Statement on Open Meetings. During this joint meeting, the Committee and Subcommittee:

1. Adopted its May 12 minutes.
2. Adopted the Internal Administration (EX1) Subcommittee's May 20 minutes, which included the following action:
 - a. Received an update on the Defined Benefit Plan portfolio as of March 31.
 - b. Received an update on the NAIC long-term investment plan portfolio as of March 31.
 - c. Approved a recommendation to replace one of the NAIC's fund managers responsible for short-term bond funds.
3. Adopted the report of the Audit Committee, which met via conference call June 2 and received the 2019/2020 Service Organization Control (SOC) 1 and SOC 2 reports.
4. Received an update on the 2020 financial results and preliminary 2021 budget assumptions and approved extension of unused 2020 grant funds to the end of 2021.
5. Established a Special Committee on Race and Insurance.
6. Established the Climate & Resiliency (EX) Task Force and adopted its draft charges.
7. Received a System for Electronic Rate and Form Filing (SERFF) Assessment and directed NAIC staff to prepare and issue a request for proposal (RFP) to solicit proposals to help complete a "modernization pilot" and "Wave One" as recommended in the SERFF Assessment.
8. Approved Management's recommendation to extend the residential mortgage-backed securities (RMBS)/commercial mortgage-backed securities (CMBS) modeling contract with BlackRock for another year.
9. Approved the release of the Economic Scenario Generator (ESG) fiscal for a two-week public review period prior to a final vote of the Executive (EX) Committee during a future meeting.
10. Approved a U.S. Department of Labor (DOL) Information Sharing Agreement.
11. Selected the meeting locations for the 2024 summer and fall national meetings: the 2024 Summer National Meeting will be held in Chicago, IL; and the 2024 Fall National Meeting will be held in Denver, CO.
12. Received the joint chief executive officer (CEO)/chief operating officer (COO) report.

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EXECUTIVE (EX) COMMITTEE
May 12, 2020 / April 2, 2020 / February 13, 2020 / January 10, 2020**Summary Report**

The Executive (EX) Committee met May 12, April 2, Feb. 13 and Jan. 10, 2020. These meetings were held in regulator-to-regulator session, pursuant to paragraph 4 (internal or administrative matters of the NAIC or any NAIC member) of the NAIC Policy Statement on Open Meetings. During these meetings, the Committee:

1. Adopted the 2019 Fall National Meeting minutes of the Joint Meeting of the Executive (EX) Committee and Internal Administration (EX1) Subcommittee.
2. Adopted its April 2, Feb. 13 and Jan. 10 minutes.
3. Adopted the report of the NAIC Audit Committee.
4. Adopted the report of the Investment Committee.
5. Adopted the recommendation of the Life Actuarial (A) Task Force to delay the start of Principle-Based Reserving (PBR) Experience Data Reporting from 2020 to 2021.
6. Appointed Commissioner Vicki Schmidt (KS) and Director Bruce R. Range (NE) to serve on the National Insurance Producer Registry (NIPR) Board of Directors effective May 12.
7. Heard a report on a change in membership for the System for Electronic Rate and Form Filing (SERFF) Advisory Board. Andrea Davey (Athene Annuity and Life Company) will serve as the Life Insurance Representative on the SERFF Advisory Board.
8. Discussed the National Association of Registered Agents and Brokers (NARAB) Board recommendations.
9. Heard an update on Economic Scenario Generator (ESG) request for proposal (RFP).
10. Heard an update on the SERFF Assessment.
11. Heard an update on cybersecurity.
12. Discussed the status of the Mid-Year Roundtable and the Summer National Meeting.
13. Heard a joint chief executive officer (CEO)/chief operating officer (COO) report.
14. Discussed 2020 NAIC Strategic Priorities in light of COVID-19.
15. Received an update on the 2019 Year-End Financial Results.
16. Approved the fiscal impact statement for the Long-Term Care Insurance Data Call and authorized management to contract with a selected vendor.
17. Approved the fiscal impact statement for the SERFF Filing Review Tools Pilot.
18. Approved the following non-regulator appointments to the SERFF Advisory Board: Birny Birnbaum (Center for Economic Justice—CEJ) as the Consumer Representative; Theresa Boyce (Chubb Group) for Property & Casualty (P&C); Amanda Wheeler (LifeSecure Insurance Company) for Life Insurance; and Rachel Benton (Bright Health) for Health Insurance and Vice-Chair.
19. Appointed Director Chlora Lindley-Myers (MO) as Vice Chair of the 2020 Consumer Participation Board of Trustees.

20. Appointed Commissioner Mark Afable (WI) to serve on the NIPR Board of Directors effective Feb. 13.
21. Received an update confirming the committee structure changes: the Executive (EX) Committee disbanded the joint Long-Term Care Insurance (B/E) Task Force, the NAIC/State Government Liaison Committee, and the NAIC/Industry Liaison Committee; and the Executive (EX) Committee also removed the membership limit on the Life Actuarial (A) Task Force and the Health Actuarial (B) Task Force.
22. Approved the fiscal impact statement for the PBR Yearly Renewable Term Reinsurance Study.
23. Voted to release for public review and comment the Long-Term Care Insurance Data Call and Analysis fiscal impact statement.
24. Approved the debt restructure terms between the NAIC and Interstate Insurance Product Regulation Commission (Compact).
25. Appointed Florida, Idaho, Kentucky, Massachusetts, Missouri, Nebraska, Nevada, Ohio and Oklahoma as members of the NAIC 2020 Audit Committee.

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Draft: 8/3/20

REPORT OF THE EXECUTIVE (EX) COMMITTEE TASK FORCES

Financial Stability (EX) Task Force—The Financial Stability (EX) Task Force plans to meet Aug. 5 to: 1) adopt its Feb. 26, 2020, and 2019 Fall National Meeting minutes; 2) hear an update on Financial Stability Oversight Council (FSOC) developments; 3) adopt the report of the Liquidity Assessment (EX) Subgroup, which provides an update on its progress toward achieving its deliverables related to liquidity stress testing; 4) receive an update from the Receivership and Insolvency (E) Task Force on its work to address the Financial Stability (EX) Task Force’s referral letter to undertake analysis relevant to the NAIC Macroprudential Surveillance Initiative; 5) hear an update on collateralized loan obligation (CLO) stress tests; 6) hear an update on the International Association of Insurance Supervisors (IAIS); 7) hear an update on the London Interbank Offered Rate (LIBOR); and 8) discuss exposure comments for the draft revisions to the Holding Company Model Law.

Government Relations (EX) Leadership Council—The Government Relations (EX) Leadership Council did not meet at the Summer National Meeting. The Leadership Council meets weekly via conference call in regulator-to-regulator session, pursuant to paragraph 8 (consideration of strategic planning issues) of the NAIC Policy Statement on Open Meetings, to discuss federal legislative and regulatory developments affecting insurance regulation.

Innovation and Technology (EX) Task Force—The Innovation and Technology (EX) Task Force plans to meet Aug. 7 to: 1) consider adoption of its July 23 minutes; 2) consider adoption of its working group reports and hear a report on the activities of the Innovation and Technology State Contact Group; 3) discuss comments related to the Artificial Intelligence Principles adopted by the Artificial Intelligence (EX) Working Group; 4) hear presentations on algorithmic auditing and receive an update from the Accelerated Underwriting (A) Working Group; 5) discuss comments submitted related to the draft *Unfair Trade Practices Act* (#880) amended language pertaining to Section 4. H. specific to rebating; and 6) hear updates from the Privacy Protections (D) Working Group and Casualty Actuarial and Statistical (C) Task Force to ensure coordination between activities of the Task Force and its working groups with other committees working on related topics.

The **Artificial Intelligence (EX) Working Group** met multiple times in 2020 and after publishing five draft principles and accepting comments from stakeholders, it adopted Artificial Intelligence Principles for the insurance industry during its June 30 meeting.

The **Big Data (EX) Working Group** plans to meet Aug. 4 to: 1) adopt its Dec. 7, 2019, minutes; 2) receive an update from the Casualty Actuarial and Statistical (C) Task Force regarding its draft white paper on best practices for the review of predictive models and analytics filed by insurers to justify rates; 3) receive an update on the work of the Accelerated Underwriting (A) Working Group; and 4) receive an update on NAIC technical and nontechnical rate review trainings.

The **Speed to Market (EX) Working Group** met via conference call June 15, June 30 and July 15. During its June 15 meeting, the Working Group: 1) received an update on the SERFF Advisory Board and System for Electronic Rate and Form Filing (SERFF) metrics; 2) received an update from the Interstate Insurance Product Regulation Commission (Compact); 3) discussed SERFF state reports; and 4) adopted the suggestion to create a SERFF canned report for rate changes. During its June 30 meeting, the Working Group: 1) discussed suggestions for 2020 changes to the Life, Accident/Health, Annuity and Credit Uniform Product Coding Matrix (PCM) and Uniform Transmittal Document (UTD) effective Jan. 1, 2021. Two of the suggested changes were adopted: a) change the term “implementation date” to “effective date” on the UTD within the SERFF system general information area on the disposition letter; and b) add a sub-type of insurance (TOI) for expatriate plans under H15G and H15I. The description would be expatriate plans that are not required to comply with all state or federal mandates for health benefits. During its July 15 meeting, the Working Group: 1) adopted its June 15 minutes; 2) discussed suggestions for 2020 changes to the Property and Casualty PCM and UTD effective Jan. 1, 2021. None of the suggested changes were adopted; and 3) discussed plans for its next meeting, which will take place Aug. 27 to discuss the SERFF canned report in more detail and other topics related to the Working Group’s charges.

Long-Term Care Insurance (EX) Task Force—The Long-Term Care Insurance (EX) Task Force plans to meet Aug. 7 to: 1) adopt its July 2 minutes, which includes the following action: a) adopt its 2019 Fall National Meeting minutes; and b) receive progress reports on the activities of its six workstreams; 2) adopt the formation of three subgroups and related charges (Attachment Three-A); 3) receive a progress report on the activities of two of the Task Force’s workstreams: a) the rate review practices workstream has made progress developing a multi-state rate review process, which includes coordination with states and collaboration with the Compact; and b) the reduced benefit options (RBO) and consumer notices workstream developed and exposed for public comment a draft RBO Principles document that is intended to assist in providing guidance to state

insurance regulators when evaluating RBO offerings by insurers; and 4) hear from consumer and industry representatives on their comments on the draft RBO Principles document.

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Proposed Charges:

The **LTCI Multistate Rate Review (EX) Subgroup** will:

Develop a consistent national approach for reviewing LTCI rates that results in actuarially appropriate increases being granted by the states in a timely manner and eliminates cross-state rate subsidization. The Subgroup should complete its charges by the 2021 Summer National Meeting.

- *Chair: Commissioner Michael Conway (CO)*
- *Consolidation of workstream 1—Multi-state Rate Review Practices and workstream 5— Non-Actuarial Variance Among the States*
- *Open Sessions or Regulator Only Sessions, pursuant to open meetings policy #3 – discussion of companies, entities or individuals*

The **LTCI Reduced Benefit Options (EX) Subgroup** will:

Identify options and develop recommendations for the rate review approach that provides consumers with choices regarding modifications to LTCI contract benefits where policies are no longer affordable due to rate increases. The Subgroup should complete its charges by ~~Dec. 31, 2020~~ **the 2021 Summer National Meeting**.

- *Chair: Commissioner Jessica K. Altman (PA)*
- *Former workstream 3—Reduced Benefit Options and Consumer Notices*
- *Open Sessions*

The **LTCI Financial Solvency (EX) Subgroup** will:

- a. Explore restructuring options and techniques to address potential inequities between policyholders in different states; and techniques to mitigate policyholders' risk to state guaranty fund benefit limits including states' pre-rehabilitation planning options. Evaluate the work of the consultant and report on the work to the Task Force
- b. Evaluate the results of consultants' work on the completion of a data call and report on the work to the Task Force
- c. Monitor work performed by other NAIC solvency working groups and assist in the timely multi-state coordination/communication of the review of the financial condition of LTC insurers

The Subgroup should complete its charges by the 2021 Summer National Meeting.

- *Co-Chairs: Doug Slape (TX) and Fred Andersen (MN)*
- *Consolidation of workstream 2—Restructuring Techniques, workstream 4—Valuation of Long-Term Care Insurance (LTCI) Reserves and workstream 6—Data Call Design and Oversight*
- *Regulator Only Sessions, pursuant to open meetings policy #3 – discussion of companies, entities or individuals*

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:

Receivership Law (E) Working Group

2. NAIC staff support contact information:

Jane Koenigsman
jkoenigsman@naic.org
816-783-8145

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.

- *Insurance Holding Company System Regulatory Act (#440)*
- *Insurance Holding Company System Model Regulation with Reporting Forms and Instructions (#450)*

In 2018 the Financial Stability (EX) Task Force made a referral to the Receivership and Insolvency (E) Task Force as part of the Macro Prudential Initiative (MPI). At the 2019 Summer National Meeting, the Receivership and Insolvency (E) Task Force adopted a report including recommendations to address receivership powers that are implicit in state laws, rather than explicit. One such area is the power to ensure the continuity of essential services and functions within a holding company group once an insurer is placed into receivership.

The Financial Stability Board's (FSB) Key Attributes (KAs) of Effective Resolution Regimes for Financial Institutions KA 3.2 states that a resolution authority should have the power to ensure the continuity of essential services and functions by requiring companies in the group to continue providing services. Under Common Framework for the supervision of Internationally Active Insurance Groups (ComFrame) (CF 12.7a), a resolution authority may take steps to provide continuity of essential services by requiring other entities within the IAIG (including non-regulated entities) to continue services. The Task Force identified the following authority and remedies available within the US regime related to these international standards:

- The *Insurance Holding Company System Model Act (#440)* requires approval of affiliated transactions, allowing a regulator to identify agreements that could create obstacles in a receivership. The *Insurance Holding Company System Model Regulation (#450)*, Section 19, provides that cost sharing and management agreements specify if the insurer is placed in receivership that an affiliate has no automatic right to terminate the agreement.
- The Receiver can take action against a provider that refuses to continue services under a contract, or seek an order requiring it to turn over records. If an affiliate providing services is inextricably intertwined with the insurer, the Receiver could also seek to place the affiliate into receivership.

However, it was noted that some of these authorities and remedies may not address the immediate need to continue services in some receiverships. Despite these available remedies, receivers continue to be challenged by this issue in receivership, often resulting in significant additional legal and administrative expenses to the receivership estate.

One potential solution is to revise the definition of "insurer" under state insurance holding company laws to encompass affiliated entities whose sole purpose is to provide services to the insurer.

The NAIC adopted 2020 charges for the Receivership Law (E) Working Group to: "Review and provide recommendations for remedies to ensure continuity of essential services and functions to an insurer in receivership by affiliated entities, including non-regulated entities. Consult with the Group Solvency Issues (E) Working Group as the topic relates to affiliated intercompany agreements."

Scope of the Proposed Revisions to Models 440 and 450

The scope of the request is limited to addressing the issue of continuation of essential services through affiliated intercompany agreements that arise during the receivership of an insurance company. The Receivership Law (E) Working Group under the Receivership and Insolvency (E) Task Force would complete the review and recommend proposed revisions. Revisions may be necessary to the following sections of Models 440 and 450 including, but not limited to:

- Model 440 Section 1. Definitions
- Model 440 Section 5. Standards and Management of an Insurer Within an Insurance Holding Company System
- Model 440 Section 12. Receivership

Model 450. Consistency with any revisions to Model 440

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:

While this change is being made in connection with the NAICs Macro Prudential Initiative, most important is that such changes are needed to address the challenges receivers continue to encounter in the area of continuation services which often result in significant additional legal and administrative expenses to the receivership estate and all members of the Task Force supported this request.

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:

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: See previous discussion.

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:

At this juncture, the changes in concepts being considered are simple and because they have the potential to reduce expenses incurred by receivership estates, we believe such changes will be widely supported by all parties.

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?

The *Insurance Holding Company System Model Act* (#440) is an Accreditation Standard but the task force has not yet considered whether this should become part of the required elements of that specific standard. However, given the potential the changes have in reducing the cost of regulation under receiverships, a national standard is likely appropriate.

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

No.

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

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

Financial Stability (EX) Task Force

2. NAIC staff support contact information:

Todd Sells
tsells@naic.org
816-783-8403

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.

- *Insurance Holding Company System Regulatory Act (#440)*
- *Insurance Holding Company System Model Regulation with Reporting Forms and Instructions (#450)*

Background & Description

One of the key deliverables of the Financial Stability (EX) Task Force is to implement the Macroprudential Initiative (MPI) domestically, which includes enhancements to the U.S. regulatory toolkit as part of the *State Ahead* initiative. The most significant of the deliverables from the MPI includes the development of a liquidity stress test for the largest life insurers.

Scope of the Proposed Revisions to Model #440 and Model #450

The scope of the request is limited to addressing the issue of establishing regulatory authority to require stress testing and disclosures related to liquidity risk and establish, in statute, the confidentiality of those disclosures as appropriate. The Financial Stability (EX) Task Force would complete the review and recommend proposed draft revisions to Model #440 and Model #450. It is anticipated that these revisions will need to reference liquidity stress testing framework documents that will need to be able to be modified annually without opening up the models themselves (e.g., directions regarding the liquidity stress test, reporting templates, and specific requirements of the stress scenarios). Revisions may be necessary to the following sections of Model #440 and Model #450, including, but not limited to:

Model #440 Section 1. Definitions
Model #440 Section 5. Standards and Management of an Insurer Within an Insurance Holding Company System
Model #440 Section 8. Confidential Treatment
Model #450: Consistency with any revisions to Model #440

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:

While this change is being made in connection with the NAIC's MPI, most important is that such changes are needed for confidentiality protections for those who would be filing this stress test, which includes the largest life insurers that are operating in all of the states.

- 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:

- 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:

At this juncture, the changes in concepts being considered are simple; the Task Force believes that such changes will be widely supported.

- 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?**

The Model #440 is an accreditation standard, but the Task Force has not yet considered whether this should become part of the required elements of that specific standard.

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

No.

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Approved by the Life Insurance and Annuities (A) Committee, July 10, 2020

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:

Life Actuarial (A) Task Force

2. NAIC staff support contact information:

Reggie Mazyck

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.

The *Standard Nonforfeiture Law for Individual Deferred Annuities* (#805) sets the floor for the nonforfeiture interest rate at 1 percent. The current low interest rate environment necessitates lowering the nonforfeiture interest rate to 0 percent to allow companies to support the nonforfeiture guarantees in their deferred annuity contracts. The Life Actuarial (A) Task Force proposal seeks to amend Section 4B(3) of #805 to lower the 1 percent interest rate floor to 0 percent.

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

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:

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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To: Members of the NAIC Executive Committee

From: Superintendent Beth Dwyer, Rhode Island Department of Business Regulation Insurance Division
Chair, NAIC Insurance Regulator Professional Designation Program Advisory Board

Date: August 13, 2020

Subject: 2019 Annual Report of NAIC Designation Program Advisory Board Activities

In October of 2006, the NAIC launched the Insurance Regulator Professional Designation Program (“Designation Program”), a formal credentialing program designed for regulators, by regulators to establish structured training and development paths for insurance department employees. In that same year, the Internal Administration (EX1) Subcommittee directed the program’s Advisory Board to present a brief annual report of program benchmarks and board activities. This memorandum, with its supplemental charts, sets forth an account of the program’s year in review.

Program Enrollments

We continued our outreach to states and have seen increased interest and enrollments across the board. In 2019, the NAIC Education & Training Department processed over 350 Designation Program enrollments, bringing the total number of enrollments since 2006 to 2,392.

We awarded 235 new designations in 2019. By year-end, earned designation totals were as follows: 943 APIR designees, 343 PIR designees, 22 SPIR designees, and 2 IPIR designees.

With the continuation of the State Ahead Strategic Plan, we expect a continuing increase in enrollments in 2020. Goal III of State Ahead speaks to Superior Member Services and Resources, which includes the initiative to “continue to increase regulator participation in the NAIC Insurance Regulator Professional Designation Program.”

Program Updates

Goal I of State Ahead speaks to providing regulators with the data, training and tools required to support a collaborative regulatory environment which, in part, includes utilizing cloud capabilities. The NAIC Designation Program cloud-based enrollment system was released at the end of 2017 to allow regulators to enroll, pay, apply for the designation, renew and keep their transcripts in the site. Work is underway to enhance functionality and expand support for participants as the program continues to grow.

The Designation Program Mentoring Network

States have been encouraged to appoint a “mentor” that can serve as a liaison between the Department and the NAIC’s Education & Training Department as a means of disseminating information about the program to interested regulators, and to assist candidates as they have questions. All but one territory has individuals active in this role. Most mentors have earned an NAIC Designation or are currently working toward one.

The Annual Designation Program Advisory Board Meeting

The Designation Program Advisory Board met regularly throughout 2019 via conference call to discuss policy matters and other issues. The annual in-person board meeting was held May 6 in Kansas City. Discussion items included policy recommendations and promotion of the program in conjunction with the State Ahead goals.

2020 Accomplishments

Several significant accomplishments have occurred in 2020, including:

- Replacing the program's enrollment site with a new program management system (Certemy) to streamline and automate many of the processes done manually today, which will provide a better user experience for program participants. Onboarding to the Certemy system began July 1 for an October implementation.
- Created and implemented a new course for the APIR level, "Introduction to Financial Regulation for Non-Financial Regulators."
- Updated program policies in response to program participant needs and requests (waiving first retake fee, removing tenure requirements for APIR and PIR, and allowing courses to be taken "out of sequence").
- Granted a 1-year extension on all Designation renewal dates.

About the Insurance Regulator Professional Designation Program Advisory Board

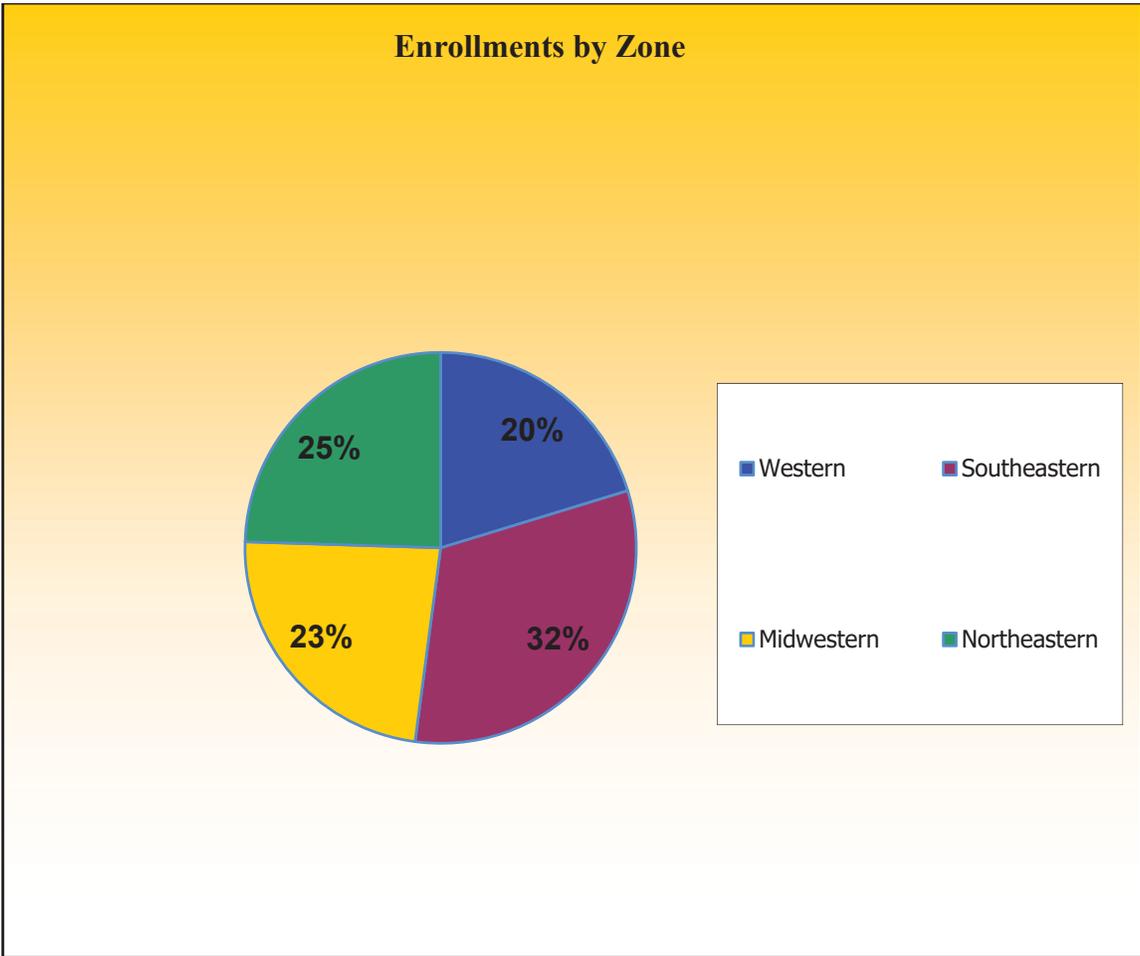
The 2019 Advisory Board was composed of Mary Mealer, Life and Health Manager, Market Regulation Division, Missouri Department of Insurance; Pat McNaughton, Chief Financial Examiner, Washington Office of the Insurance Commissioner; Rachel Chester, Chief of Consumer and Licensing Services, Rhode Island Department of Business Regulation Insurance Division and Scott Sanders, Supervisor of Insurance and Financial Oversight, Georgia Office of Insurance.

North Dakota Commissioner Jon Godfread chaired the 2019 Advisory Board.

In addition to overseeing Designation Program policy and advising NAIC Education Department staff on designation program policy administration, the board members work on outreach to regulators during NAIC Zone Meetings and other regulatory meetings. Additional information about the Designation Program can be found by visiting the NAIC website: http://naic.org/education_designation.htm

TOTAL ENROLLMENTS - 2392
Designation Participation by Zone
As of December 31, 2019

<i>Western Zone</i>	<i>Enrollments</i>	<i>Southeastern Zone</i>	<i>Enrollments</i>
Alaska	22	Alabama	19
American Samoa	1	Arkansas	34
Arizona	37	Florida	215
California	31	Georgia	20
Colorado	20	Kentucky	46
Guam	1	Louisiana	49
Hawaii	46	Mississippi	12
Idaho	20	North Carolina	83
Montana	40	Puerto Rico	45
Nevada	69	South Carolina	58
New Mexico	28	Tennessee	68
N. Mariana Isle	0	Virgin Islands	11
Oregon	27	Virginia	32
Texas	16	West Virginia	69
Utah	93		
Washington	19		
Wyoming	15		
Total	485	Total	761
<i>Midwestern Zone</i>	<i>Enrollments</i>	<i>Northeastern Zone</i>	<i>Enrollments</i>
Illinois	51	Connecticut	26
Indiana	37	Delaware	21
Iowa	53	District of Col	21
Kansas	40	Maine	17
Michigan	80	Maryland	46
Minnesota	41	Massachusetts	22
Missouri	15	New Hampshire	17
Nebraska	60	New Jersey	69
North Dakota	15	Pennsylvania	69
Ohio	36	New York	188
Oklahoma	109	Rhode Island	46
South Dakota	12	Vermont	44
Wisconsin	11		
Total	560	Total	586

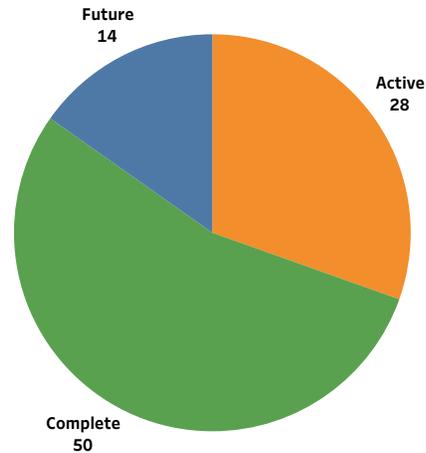


State	Enrollments	APIR	PIR	SPIR	IPIR
Alabama	19	6		1	
Alaska	22	2	2	1	
American Samoa	1				
Arizona	37	12	6		
Arkansas	34	12	7		
California	31	1	1		
Colorado	20	8	3	1	
Connecticut	26	8	6	1	1
DC	21	6	3		
Delaware	21	10	2		
Florida	215	86	27	2	
Georgia	20	7	2		
Guam	1				
Hawaii	46	14	3		
Idaho	20	8	1		
Illinois	51	20	7		
Indiana	37	19	2		
Iowa	53	20	3		
Kansas	40	12	7	1	
Kentucky	46	21	9		
Louisiana	49	20	3	1	
Maine	17	6	2		
Maryland	46	21	5		
Massachusetts	22	7	3	1	
Michigan	80	38	19		
Minnesota	41	26	1		
Mississippi	12	3			
Missouri	15	4	1	1	
Montana	40	16	8	1	
Nebraska	60	33	5		
Nevada	69	20	9	1	
New Hampshire	17	5	2		
New Jersey	69	27	8	2	
New Mexico	28	6	2		
New York	188	93	34		
North Carolina	83	38	20	1	
North Dakota	15	7	1		
Northern Mariana Islands	0				
Ohio	36	19	5		
Oklahoma	109	43	24		1
Oregon	27	9	5		
Pennsylvania	69	32	19		
Puerto Rico	45	22	2		
Rhode Island	46	21	5	2	
South Carolina	58	26	15		
South Dakota	12	4	1		
Tennessee	68	23	5	1	
Texas	16	8	3		
Utah	93	29	18	2	
Vermont	44	18	11	1	
Virginia	32	6			
Virgin Islands	11	3	2		
Washington	19	4	2		
West Virginia	69	24	9	1	
Wisconsin	11	1			
Wyoming	15	9	3		
TOTALS	2392	943	343	22	2

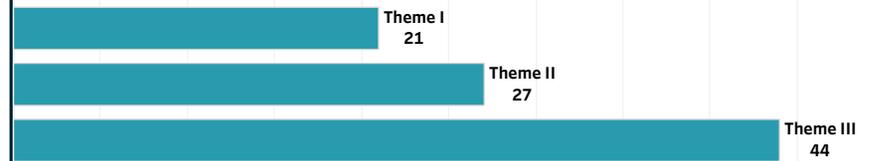


State Ahead Status Reporting - July 2020

Current Project Phase



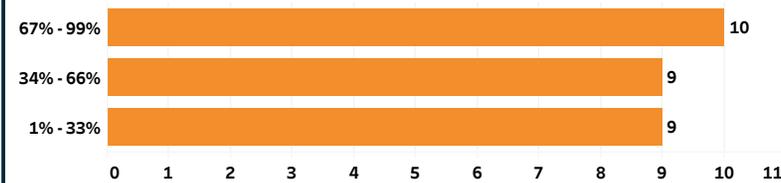
Projects by Strategic Themes



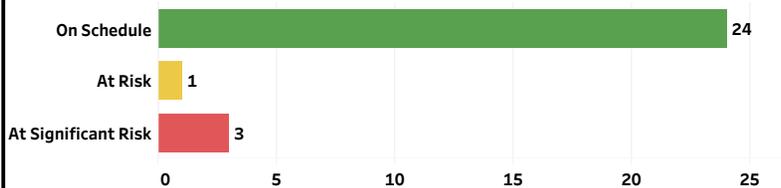
Projects by Strategic Goals



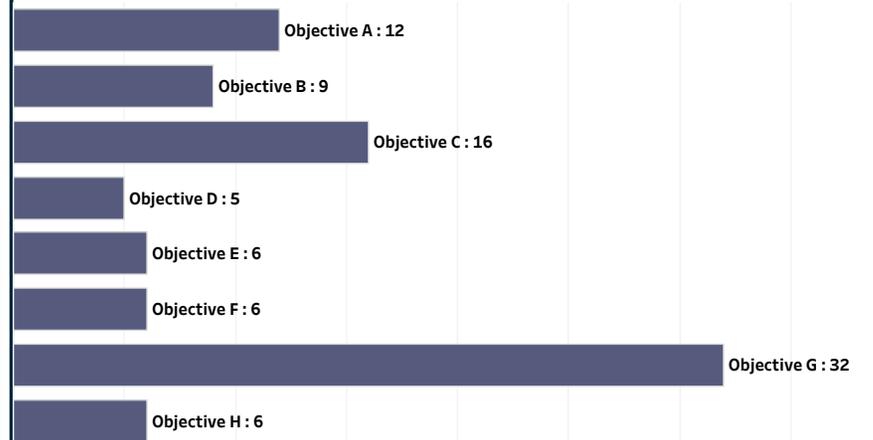
Progress On Active Projects



Current Status of Active Projects



Projects by Strategic Objectives



Draft: 7/31/20

Model Law Development Report

Amendments to the *Model Regulation to Implement the Accident and Sickness Insurance Minimum Standards Model Act (#171)*—Amendments to Model #171 are required for consistency with the federal Affordable Care Act (ACA); therefore, they did not require approval of a Request for NAIC Model Law Development by the Executive (EX) Committee. At the 2015 Fall National Meeting, the Regulatory Framework (B) Task Force discussed the proposed revisions to this model. The Task Force met Feb. 11, 2016, and appointed the Accident and Sickness Insurance Minimum Standards (B) Subgroup to work on revisions to this model. The Subgroup has been meeting on a regular basis since the 2016 Spring National Meeting, and it plans to continue meeting via conference call until it completes its work. During its meetings, the Subgroup has discussed several issues, including its approach for revising the model's disability income insurance coverage provisions, and decided preliminarily to review the Interstate Insurance Product Regulation Commission's (Compact's) approach. After pausing its work due to the ACA's potential repeal, replacement or modification—and the possible impact on the provisions of this model, as well as the Subgroup's preliminary proposed revisions to the model—the Subgroup began meeting again via conference call in May 2018. Revisions to the *Supplementary and Short-Term Health Insurance Minimum Standards Model Act (#170)* were adopted by the full NAIC membership at the 2019 Spring National Meeting. The Subgroup has been meeting via conference call to consider revisions to Model #171 for consistency with the revised Model #170 since the 2019 Summer National Meeting discussion on comments received on Sections 1–5 of Model #171. In December 2019, the Subgroup set a public comment period ending Feb. 7 to receive comments on Section 6 and Section 7 of Model #171. Due to the COVID-19 health emergency, the Subgroup has not scheduled any meetings. Any future meetings will depend on when a new co-chair is appointed and the duration of the COVID-19 health emergency. As requested, the Subgroup received comments from stakeholders on Section 6 and Section 7 of Model #171. Whenever the Subgroup meets next, the Subgroup will: 1) complete its discussion of the comments received on Sections 1–5 of Model #171; and 2) begin discussion of the comments received on Section 6 and Section 7 of Model #171. The Subgroup would like to complete its work by the end of 2020.

Amendments to the *Annuity Disclosure Model Regulation (#245)*—The Executive (EX) Committee met June 19, 2017, and approved a Request for NAIC Model Law Development to amend Model #245. The amendments will revise Section 6—Standards for Illustrations. The purpose of the revision is to address issues identified by the Annuity Disclosure (A) Working Group of the Life Insurance and Annuities (A) Committee related to innovations in annuity products that are not addressed, or not addressed adequately, in the current standards. Revisions addressing participating income annuities were adopted by the Life Insurance and Annuities (A) Committee during its July 19, 2018, conference call and held pending the resolution of the Working Group's discussions regarding illustrating indexes in existence for less than 10 years. The Working Group continues to discuss additional revisions on the index issue. The Working Group made progress during discussions via conference calls in late 2019 and early 2020, and it received an extension from the Life Insurance and Annuities (A) Committee at the 2020 Summer National Meeting to finish its work.

Amendments to the *Health Maintenance Organization Model Act (#430)*—The Executive (EX) Committee approved the Request for NAIC Model Law Development to amend Model #430 at the 2019 Summer National Meeting. The HMO Issues (B) Subgroup of the Regulatory Framework (B) Task Force is drafting the amendments to address conflicts and redundancies with provisions in the *Life and Health Insurance Guaranty Association Model Act (#520)*. Following the 2019 Summer National Meeting, the Working Group met via conference call to consider recommendations from the Virginia Insurance Bureau on revising Model #430 consistent with its charge. During its Nov. 21, 2019, conference call, the Working Group decided to move forward with revising Model #430 based on recommendations from the Maine Bureau of Insurance (BOI). It is anticipated that the Subgroup will meet via conference call sometime after the 2019 Fall National Meeting to review an initial draft of revisions to Model #430 based on the Maine BOI's recommendations. The Subgroup adopted the revisions to Model #430 on July 13. The Regulatory Framework (B) Task Force and the Health Insurance and Managed Care (B) Committee will consider adoption of the revisions after the 2020 Summer National Meeting.

Amendments to the *Insurance Holding Company System Regulatory Act (#440)* and the *Insurance Holding Company System Model Regulation with Reporting Forms and Instructions (#450)*—The Executive (EX) Committee approved the Requests for NAIC Model Law Development for amendments to Model #440 and Model #450 at the 2019 Fall National Meeting. The Working Group recently exposed proposed changes to Model #440 for a second round of comments while also exposing proposed changes to Model #450 for a first round of comments. The Working Group is still striving to adopt the calculation before the end of 2020.

Amendments to the *Life Insurance Disclosure Model Regulation* (#580)—The Executive (EX) Committee met June 19, 2017, and approved the Request for NAIC Model Law Development to incorporate a policy overview document requirement into Model #580 and the *Life Insurance Illustrations Model Regulation* (#582) in order to improve the understandability of the life insurance policy summary and narrative summary already required by Section 5A(2) of Model #580 and Section 7B of Model #582. While the Life Insurance Illustration Issues (A) Working Group of the Life Insurance and Annuities (A) Committee was originally planning to revise both Model #580 and Model #582, it will now revise only Model #580. The Working Group has been meeting via conference call to develop language to add a requirement for a one- to two-page consumer-oriented policy overview. The Working Group continued to make progress during conference calls in late 2019 and early 2020, and it received an extension from the Life Insurance and Annuities (A) Committee at the 2020 Summer National Meeting to continue its work.

Amendments to the *Mortgage Guaranty Insurance Model Act* (#630)—The Executive (EX) Committee and Plenary approved the Request for NAIC Model Law Development to amend Model #630 on July 26, 2013. The Mortgage Guaranty Insurance (E) Working Group of the Financial Condition (E) Committee developed substantial changes to the model, but it continues to discuss those changes. COVID-19 has prevented the Working Group from working on Model #630, for which in February the Financial Condition (E) Committee adopted an extension until the 2020 Fall National Meeting.

Amendments to the *Unfair Trade Practices Act* (#880)—The Executive (EX) Committee approved the Request for NAIC Model Law Development to amend Model #880 at the 2019 Fall National Meeting. The Innovation and Technology (EX) Task Force will draft amendments to Model #880, focusing on Section 4H, to clarify what is considered a “rebate” or “inducement.” A drafting group was formed, led by Superintendent Elizabeth Kelleher Dwyer (RI), to develop language for exposure. The drafting group held its first call on Jan. 27, 2020, followed by three more calls. In all, five drafts were discussed, the drafting group disbanded on June 17, 2020, and the draft coming out of that work was distributed and posted to the NAIC website for comment. The Innovation and Technology (EX) Task Force continues to deliberate regarding the language, and it will discuss it during its meeting on Aug. 7, 2020.

New Model: *Real Property Lender-Placed Insurance Model Act*—The Executive (EX) Committee approved the Request for NAIC Model Law Development, submitted by the Property and Casualty Insurance (C) Committee, to draft the new Real Property Lender-Placed Insurance Model Act at the 2017 Summer National Meeting. The Lender-Placed Insurance Model Act (C) Working Group of the Property and Casualty Insurance (C) Committee exposed a draft of this proposed new model focusing on lender-placed insurance related to mortgage loans for a public comment period ending Oct. 31, 2018. At the 2020 Summer National Meeting, the Working Group received an extension of time to continue drafting the new model.

New Model: *Pet Insurance Model Law*—The Executive (EX) Committee approved the Request for NAIC Model Law Development at the 2019 Summer National Meeting. The Pet Insurance (C) Working Group is holding conference calls to draft the model law to define a regulatory structure for pet insurance and address issues, such as: producer licensing; policy terms; coverages; claims handling; premium taxes; disclosures; arbitration and preexisting conditions.

New Model: *Pharmacy Benefit Manager (PBM) Model Law*—The Executive (EX) Committee approved the Request for NAIC Model Law Development at the 2019 Summer National Meeting to draft a new model law addressing the licensure or registration of PBMs. The Pharmacy Benefit Manager Regulatory Issues (B) Subgroup of the Regulatory Framework (B) Task Force is drafting the model as a result of discussions that began during the Health Insurance and Managed Care (B) Committee’s work to revise the *Health Carrier Prescription Drug Benefit Management Model Act* (#22). Following the 2019 Summer National Meeting, the Working Group held several information-gathering sessions to assist it in working on its charge. The Working Group met via conference call in regulator-to-regulator session to discuss its next steps. The Working Group formed an ad hoc drafting group to develop an initial draft regulating PBMs. The Subgroup met via conference call July 16 to discuss a draft of establishing a PBM licensing requirement and other PBM provisions, including a gag clause provision. The Subgroup exposed the draft for a public comment period ending Sept. 1, 2020.

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