

Draft Pending Adoption

Draft: 1/4/22

NAIC/American Indian and Alaska Native Liaison Committee
Tampa, Florida
December 14, 2022

The NAIC/American Indian and Alaska Native Liaison Committee met in Tampa, FL, Dec. 14, 2022. The following Liaison Committee members participated: Troy Downing, Chair (MT); Russell Toal, Vice Chair (NM); Lori K. Wing-Heier (AK); Dean L. Cameron represented by Shannon Hohl (ID); Grace Arnold represented by Peter Brickwedde (MN); Mike Causey represented by Tracy Biehn (NC); Jon Godfread represented by John Arnold (ND); Glen Mulready (OK); Larry D. Deiter represented by Frank Marnell (SD); Mike Kreidler represented by Todd Dixon (WA); and Jeff Rude (WY). Also participating were Peg Brown (CO); Renee Campbell (MI); and Molly Plummer (MT).

1. Adopted its Summer National Meeting Minutes

Commissioner Downing said the Liaison Committee met Aug. 9.

The Liaison Committee also met Oct. 14 in regulator-to-regulator session, pursuant to paragraph 8 (consideration of strategic planning issues) of the NAIC Policy Statement on Open Meetings, to discuss a response to the letter from Sovereign Nations Health Consortium.

Dixon made a motion, seconded by Biehn, to adopt the Liaison Committee's Aug. 9 minutes (*see NAIC Proceedings – Summer 2022, NAIC/American Indian and Alaska Native Liaison Committee*). The motion passed unanimously.

2. Announced the Reaffirmation of its 2023 Mission Statement Via E-Vote

Commissioner Downing announced that the 2022 Mission Statement of the Liaison Committee was reaffirmed for 2023 via e-vote on Oct. 21.

3. Received a Status Report on the NAIC Response to the Letter from Sovereign Life Insurance Company

Commissioner Downing said the Liaison Committee received a letter from the general counsel at the Sovereign Nations Health Consortium (SNHC) requesting membership in the NAIC as one of the commissioners of insurance. As this request was above the authority level of the Liaison Committee, the letter was forwarded to NAIC leadership for handling. As legal representative for the NAIC, Kay Noonan (NAIC) sent the NAIC response letter on behalf of the Liaison Committee to the SNHC. In this letter, the NAIC indicated that the request would not be allowed in the NAIC bylaws, but the NAIC is still interested in continuing an open dialogue with the company. Commissioner Downing asked Lois E. Alexander (NAIC) to send the draft and final version of the letter to Liaison Committee members prior to this meeting. He said the letter was sent Nov. 14, but no response was received from the company. He also asked if there were any comments or questions about this issue. Dixon said the letter was very well written with the right tone, noting some states will be and are addressing the issues within their respective jurisdictions. He said it brings up some issues with the McCarran-Ferguson Act and whether state insurance regulators have the right to regulate in their own states. He said there is speculation this topic may lead to state actions because complaints are being heard in different states about this company and its practice of selling insurance off the reservations in these states. Commissioner Downing said he spoke with Noonan regarding setting up a periodic call, monthly, for states to continue their discussion on this issue in a separate forum outside the Liaison Committee, where states can share specific information on this development. He said states could share what they are seeing in their states and what actions, if any, are being taken. He said once he gets the details figured out, he will reach out to the states with the information on how to participate in these collaborations.

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4. Adopted the Work Products of the Ad Hoc Drafting Groups

Commissioner Downing said Ad Hoc Drafting Group A asked Alexander to distribute its work product document on cultural awareness and communication to Liaison Committee members for review prior to this meeting. He said this document would be a living document that could be updated on a regular basis because the cultural differences are so diverse that they need to be addressed continually as well. He said having some effective communication and awareness on cultural points is the key to facilitating and improving communications between Native and non-Native communities. He thanked the drafting group for its work in developing this product, and he asked if there were any comments or corrections to the work product. Hearing none, he asked if there was a motion to publish the final document.

Superintendent Toal made a motion, seconded by Commissioner Rude, to adopt the Cultural Awareness and Communication document (Attachment One) and publish it on the Liaison Committee's website. The motion passed unanimously.

Commissioner Downing said Ad Hoc Drafting Group B did a fantastic job on this project by developing a framework that could be used in Native communities. He said Alexander distributed its work product document on lessons learned during the COVID-19 pandemic to Liaison Committee members for review prior to this meeting. He asked if there were any comments or corrections to the work product. Hearing none, he asked if there was a motion to publish the final document.

Dixon made a motion, seconded by Commissioner Rude, to adopt the Lessons Learned During the COVID-19 Pandemic document (Attachment Two) and publish it on the Liaison Committee's website. The motion passed unanimously.

Commissioner Downing said he appreciates the fantastic work completed by the Ad Hoc Drafting Group C on Native community access to the federal Affordable Care Act (ACA). He said Alexander distributed its work product document on tribal access and the ACA to Liaison Committee members for review prior to this meeting. He asked if there were any comments or corrections to the work product. Hearing none, he asked if there was a motion to publish the final document.

Commissioner Rude made a motion, seconded by Hohl, to adopt the Tribal Access and the Affordable Care Act document (Attachment Three) and publish it on the Liaison Committee's website. The motion passed unanimously.

Commissioner Downing thanked the ad hoc drafting group members and their staff for their hard work on all three of the work products. He especially wanted to thank his chief of staff, Plummer, for all her work in coordinating with the drafting group members to complete the projects.

Having no further business, the NAIC/American Indian and Alaska Native Liaison Committee adjourned.

SharePoint/NAIC Support Staff Hub/Member Meetings/Consumer Cmte/AIAN/Minutes_2022 Fall National Meeting_AIAN