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July 21, 2023

Mr. Martin Swanson, Chair
Mr. Frank Pyle, Vice Chair
Improper Marketing of Health Insurance (D) Working Group
National Association of Insurance Commissioners
444 North Capitol Street NW, Suite 700
Washington, D.C. 20001-1512

Submitted via email to gwelker@naic.org

Dear Mr. Swanson and Mr. Pyle:

AHIP appreciates the opportunity to provide feedback on the NAIC Improper Marketing of Health Insurance (D) Working Group's third draft of proposed amendments to Model #880, the Unfair Trade Practices Act (UTPA). We reiterate our commitment to continuing to work in partnership with the Working Group and regulators across the country as you consider potential solutions to ensure consumer protection in the insurance market.

AHIP appreciates the Working Group's consideration of our comments on the second draft of the proposed amendments, and we support the third draft of proposed amendments to Model #880, the Unfair Trade Practices Act (UTPA). The proposed changes establish a clear definition of a Health Insurance Lead Generator and require these entities to maintain business records. These changes appropriately (and for the first time) identify entities in the business of insurance that are neither insurance companies nor producers. The record-keeping requirements will improve state insurance regulators' abilities to conduct investigations and issue civil fines where state laws allow. As many of the improper marketing practices identified by the Working Group may constitute fraud, these requirements could also help state authorities build stronger criminal cases. **The Working Group's current draft amendments to Model #880 are, at a minimum, an excellent first step and should be passed expeditiously.**

AHIP appreciates the efforts of the Working Group to engage stakeholders in this process and commits to continuing to partner with you as this important work continues. Please contact me with any questions or concerns at mstringer@ahip.org.

Sincerely,

A handwritten signature in blue ink that reads 'Meghan Stringer'. The signature is fluid and cursive, with the first name 'Meghan' and last name 'Stringer' clearly legible.

Meghan Stringer
Senior Policy Advisor
Product and Commercial Policy

AHIP is the national association whose members provide health care coverage, services, and solutions to hundreds of millions of Americans every day. We are committed to market-based solutions and public-private partnerships that make health care better and coverage more affordable and accessible for everyone. Visit www.ahip.org to learn how working together, we are Guiding Greater Health.