

2023 Fall National Meeting
Orlando, Florida

ANTIFRAUD (D) TASK FORCE

Saturday, December 2, 2023
1:30 – 2:30 p.m.

Meeting Summary Report

The Antifraud (D) Task Force met Dec. 2, 2023. During this meeting, the Task Force:

1. Adopted its Oct. 20 minutes.
2. Adopted amendments to the *Unfair Trade Practices Act* (#880), including revisions to Section 2—Definitions: (E) “Health Insurance Lead Generator.” The term “entity” will be replaced with “person,” which is defined in Section 2. Additionally, Section 4—Unfair Trade Practices Defined (C) will be included, which states, “Failure to Maintain Marketing and Performance Records. Failure of a health insurance lead generator to maintain its books, records, documents, and other business records in such an order that data regarding complaints and marketing are accessible and retrievable for examination by the insurance commissioner. Data for at least the current calendar year and the two (2) preceding years shall be maintained. Failure to do so shall constitute a violation of (INSERT STATE STATUTE).”
3. Received the report of the Improper Marketing of Health Insurance (D) Working Group, which met Dec. 2. During this meeting, the Working Group:
 - A. Adopted its Summer National Meeting minutes.
 - B. Heard a presentation from the federal Centers for Medicare & Medicaid Services (CMS) on the 2025 Medicare Advantage and Part D proposed rule.
 - C. Discussed the new proposed rule and was notified that the comment period for this new proposed rule would end Jan. 5, 2024.
 - D. Heard a presentation from Insurance Care Direct on an agent transfer issue that all jurisdictions are experiencing.
 - E. Discussed continued agent transfers of policy, which is an issue consumers are experiencing, with industry representatives and the CMS. The Working Group discussed the importance of conducting regulator-to-regulator meetings with the CMS concerning this issue, as well as a public forum to discuss with industry representatives, to protect consumers.
4. Received an update on the Antifraud Technology (D) Working Group. The Working Group chair advised that NAIC staff is finalizing the new web service for the redesign of the NAIC’s Online Fraud Reporting System (OFRS). The Working Group will be meeting in 2024 upon completion of the OFRS new web service to review potential enhancements and coordinate with the National Insurance Crime Bureau (NICB) on the fraud referral fields provided to state insurance regulators. The Working Group chair advised the Task Force on the 2023 Global Insurance Summit that took place in October. The chair also advised that the Working Group’s completion of the Antifraud Plan Repository is currently in queue with the NAIC information systems staff.



5. Heard reports from the Coalition Against Insurance Fraud (CAIF) and the NICB on antifraud activity.
6. Recognized Matthew Smith (CAIF) with a resolution honoring his retirement.