

Atlantic Corporate Center
2317 Route 34, Suite 2B
Manasquan, NJ 08726
732-201-4133
CHIEF EXECUTIVE OFFICER: Thomas B. Considine



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For Immediate Release
July 22, 2022
Contact: Pat Gilbert
(732) 201-4133

NCOIL CONCLUDES SUCCESSFUL SUMMER MEETING IN JERSEY CITY, NJ
New Jersey Attorney General Matthew Platkin Delivered Keynote Address; Three Resolutions Adopted; Six Model Laws Re-Adopted; Development Continued on New Model Laws

Manasquan, NJ – The National Council of Insurance Legislators (NCOIL), the nation’s premier legislator-led insurance public policy organization, concluded a successful 2022 Summer National Meeting (Meeting) on July 16th in Jersey City, NJ. In what was the organization’s second of three scheduled National Meetings for 2022, there were 325 registrants including 48 legislators from 26 states, 7 first-time attendee legislators from 6 states, and 12 Insurance Commissioners (or equivalent).

“NCOIL’s second meeting of 2022 kept the year’s strong momentum building. Outstanding turnout, many new and refreshed contacts, and sessions ensuring attendees more nuanced and informed perspectives as a takeaway all came together to put NCOIL on track for another very successful year,” said NCOIL President Ken Cooley of the California State Assembly. “The work done in Jersey City by NCOIL’s member lawmakers sets up a very productive NCOIL Annual Meeting in New Orleans this November where several Model Laws are ripe for final adoption.”

“Now is a great time to be active in NCOIL,” Cooley continued. “Its continued growth and prominence as the premier legislative policy body supporting state insurance lawmakers is impressive. Since NCOIL is where broad-based give and take on key insurance topics happens in front of the nation’s insurance lawmaker and policy leaders, it’s no wonder in Jersey City we had a record number of Insurance Commissioners attend, strengthening our relationship with the NAIC.”

NCOIL CEO, Commissioner Tom Considine said, “It was great to have our Summer National Meeting in Jersey City, right in NCOIL’s home state.” Considine continued, “We had yet another extremely productive Meeting in terms of serving as an educational forum for legislators and interested parties.”

“Additionally, this meeting made clear just how truly bipartisan and representative NCOIL has become,” Considine added. “At various times throughout the meeting there was an equal balance



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of members from both parties as well as a mix of male and female elected officials representing various regions and racial diversity.”

After the Meeting began with the traditional Welcome Breakfast, the focus shifted to the latest installment of the NCOIL Innovation Series, titled “Private Equity’s Influence and Impact on the Insurance Industry”. The panelists were Leslie Scism, News Editor at the Wall Street Journal; Jeff Hooke, Senior Lecturer at the John Hopkins Carey Business School; Jamal Hagler, Vice President of Research at the American Investment Council; and David Burton, Senior Fellow at the Heritage Foundation.

The Joint State-Federal Relations & International Insurance Issues Committee, chaired by MI Representative Brenda Carter, Vice Chair of the Committee, followed, and continued discussions regarding the federal 340B drug pricing program. The Committee also heard from ID Insurance Director and NAIC President Dean Cameron, and MA Insurance Commissioner Gary Anderson, Chair of the NAIC International Insurance Relations (G) Committee regarding international insurance issues of legislative and regulatory concern. Carter Harrison, Director of State Regulatory & Legislative Affairs at the Alzheimer’s Association, also delivered a presentation on developments surrounding new treatments for Alzheimer’s disease.

The Institutes Griffith Foundation then hosted a legislator luncheon during which Ben Eikey, State Training and Communications Manager for The Carl Levin Center for Oversight & Democracy, and John Huff, CEO of the Association of Bermuda Insurers & Reinsurers (ABIR) and former NAIC President and MO Insurance Director spoke about legislative oversight and its role in our system.

The Health Insurance & Long-Term Care Issues Committee, chaired by NY Assemblywoman Pamela Hunter, met next and heard from Randy Pate, Founder of Randolph Pate Advisors and former Director of the Center for Consumer Information and Insurance Oversight (CCIIO), who spoke about the development of a legislative toolkit focusing on developments in medical coverage for obesity. The Committee also heard a presentation from Chris Koller, President of the Milbank Memorial Fund and former RI Health Insurance Commissioner, on using health insurance rate review authority to constrain health care costs. Miranda Motter, Senior VP of State Affairs and Policy at American’s Health Insurance Plans (AHIP) briefed the Committee on the implications of the end of the federal Public Health Emergency, and Jeff Wu, Deputy Director for Policy at CCIIO spoke about CCIIO’s healthcare marketplace priorities.

Thursday ended with the Financial Services & Multi-Lines Issues Committee meeting, chaired by LA Representative Edmond Jordan. The Committee continued discussion on the NCOIL Insurance Regulatory Sandbox Model Act, sponsored by Rep. Bart Rowland (KY) and co-sponsored by Rep. Wendi Thomas (PA) and Rep. Tom Oliverson, M.D. (TX), NCOIL Treasurer. NC Insurance Commissioner Mike Causey briefed the Committee on his Department’s efforts fighting insurance fraud. The Committee also heard presentations from John Feeney, VP of External Affairs at Prudential Financial on developments in electronic delivery of insurance documents, and Neil Spector, President of Underwriting Solutions at Verisk, on trends in the use of artificial intelligence in insurance underwriting.

Friday began with the Workers' Compensation Insurance Committee, chaired by OH Senator Bob Hackett. The Committee heard from Jeff Eddinger, Executive Director of Regulatory Business Management at the National Council on Compensation Insurance (NCCI), who delivered a “State of the Line” presentation focused on the status of and trends in the workers’ compensation insurance marketplace. John Logue, Chief of Strategic Direction at the Ohio Bureau of Workers’ Compensation, briefed the Committee on the structure of the Ohio workers’ compensation system, and Michael Dworsky, Ph.D., Senior Economist at RAND, delivered a presentation on the effects of COVID-19 presumptions on the workers’ compensation insurance system. The Committee also adopted amendments to the NCOIL Model State Structured Settlement Protection Act, sponsored by MN Senator Paul Utke and co-sponsored by KY Representative Bart Rowland.

A special discussion on Federal Insurance Office (FIO) Priorities was then held during which FIO Director Steven Seitz spoke to attendees on important issues such as the status of the EU-U.S. and U.S.-UK Covered Agreements, and FIO’s ongoing work in the areas of climate risk and cybersecurity. “We were honored to have Director Seitz join us at this meeting,” stated Cooley. “While we may not always agree, it is important to have a working dialogue and relationship based on respect and trust.”

A very productive NCOIL-NAIC Dialogue, chaired by TX Representative Tom Oliverson, M.D., NCOIL Treasurer and Vice Chair of the Committee, was then held which included an impressive lineup of NAIC representatives: NAIC President and ID Director Dean Cameron; AK Director Lori Wing-Heier; DE Commissioner Trinidad Navarro; GA Commissioner John King; MD Commissioner Kathleen Birrane; NJ Commissioner Marlene Caride; OK Commissioner Glen Mulready; and PA Acting Commissioner Michael Humphreys.

The Dialogue included discussions regarding developments in private equity’s role in the insurance marketplace; the NAIC’s Employee Retirement Income Security Act (ERISA) Working Group; the Pennsylvania Department of Insurance initiative to promote health equity; and the work of the new NAIC Innovation Cybersecurity and Technology (H) Committee.

Matthew Platkin, New Jersey Attorney General, delivered an insightful Keynote Address at the luncheon. Attorney General Platkin discussed how his office, in addition to the Murphy Administration overall, works with leaders in the New Jersey legislature to ensure that the state’s priorities are met. Attorney General Platkin also addressed how his office is dealing with various issues in the state of New Jersey as it emerges from the pandemic.

The Luncheon was followed by a general session titled “Biomarker Testing and Precision Medicine: Connecting Patients with the Right Treatment at the Right Time.” Panelists were: Tiffany Westrich-Robertson, CEO & Co-Founder of the International Foundation for Autoimmune & Autoinflammatory Arthritis; Hilary Gee Goeckner, Senior State & Local Campaigns Manager at Access to Care American Cancer Society Action Network, Inc.; Alyssa Schatz, Senior Director of Policy & Advocacy at the National Comprehensive Cancer Network; and Miranda Motter of AHIP. This session was moderated by NY Asw. Pam Hunter who announced her intent to start developing NY A09149, which requires health insurance coverage of biomarker testing in certain circumstances, into a similar NCOIL model law.

The Life Insurance & Financial Planning Committee met next and adopted three Resolutions: Resolution Identifying Certain Enhanced Cash Surrender Value Endorsements as Violating the Standard Nonforfeiture Law, sponsored by IN Senator Travis Holdman and co-sponsored by Rep. Oliverson; Resolution in Support of Position Statement Recognizing Congressional Consent to the Interstate Insurance Product Regulation Compact (IIPRC), sponsored by IN Representative Matt Lehman, NCOIL Immediate Past President, and AR Representative Deborah Ferguson, NCOIL Secretary; and Resolution Regarding Recruitment, Retention, and Diversity within the Life Insurance Agent Profession, sponsored by Asw. Hunter.

The Committee also continued discussion on the NCOIL Paid Family Medical Leave (PFML) Insurance Model Act, sponsored by Sen. Utke and co-sponsored by Rep. Ferguson.

Acting Chair of the Committee, SC Representative Carl Anderson said, “It was a pleasure to preside over the Life Insurance and Financial Planning Committee meeting. We had an extremely productive meeting with the adoption of three Resolutions, and I was glad to see the Committee further discuss the NCOIL Paid Family Medical Leave Model Act which may be adopted as soon as November for states to use as guidance on such an important issue.”

Saturday began with a Legislator Breakfast hosted by The Institutes Griffith Foundation during which Martin F. Grace, Ph.D., Professor of Risk at the Fox School of Business at Temple University delivered a presentation titled “Exploring the Hallmarks of the Insurance System and its Stabilizing Effect in Troubling Economic Times.”

Following the breakfast, the Property & Casualty Insurance Committee, chaired by KY Representative Bart Rowland, met and continued discussion on the development of three model laws: the NCOIL Delivery Network Company (DNC) Insurance Model Act, sponsored by Rep. Rowland; the NCOIL Insurance Underwriting Transparency Model Act, sponsored by Rep. Lehman; and the NCOIL Dog Breed Insurance Underwriting Study & Breed Protection Model Act, sponsored by NY Asm. Kevin Cahill, NCOIL Vice President, and co-sponsored by CT Rep. Tammy Nuccio.

The Committee also: heard a presentation from Robin Westcott of the American Association of Insurance Services (AAIS) on North Dakota’s efforts to use blockchain technology to lower the uninsured motorist population; and re-adopted five Model Laws: the NCOIL Auto Insurance Fraud Model Act; the NCOIL Asbestos Bankruptcy Trust Claims Transparency Model Act; the NCOIL Certificates of Insurance Model Act; the NCOIL Travel Insurance Model Act; and the NCOIL Model Act Regarding Use of Insurance Binders as Evidence of Coverage Model Act.

Another general session followed titled “‘Social Inflation’: Fact or Fiction?” The Panelists were: Victor Schwartz, Esq., Partner, Public Policy Group, Shook, Hardy & Bacon, L.L.P.; Kenneth M. Trombly, Esq., Trombly & Singer, PLLC; Jim Whittle, VP, Liability & Counsel at the American Property Casualty Insurance Association (APCIA); Peter Kochenburger, Associate Clinical Professor of Law at the University of Connecticut School of Law; and Tony Cotto, Director of Auto and Underwriting Policy at the National Association of Mutual Insurance Companies (NAMIC).

The Summer Meeting concluded Saturday afternoon with the meeting of the Executive Committee, which adopted a Resolution in Honor of Representative Warren Kitzmiller (VT), who passed away earlier this month.

“Rep. Kitzmiller was always a pleasure to work with, and he truly embodied the non-partisan spirit of NCOIL. We will all miss him deeply,” stated Rep. Lehman.

NJ Senator Nellie Pou, Chair of the NJ Senate Commerce Committee, said “I really enjoyed attending the NCOIL Summer Meeting, and I was thrilled to show off the great state of New Jersey. We had many productive and timely discussions, and I look forward to bringing the information that I learned back to my colleagues in the legislature.”

“As honored as I am to serve as NCOIL President, I’m very mindful it is our full membership that is the secret to why the influence and prestige of NCOIL continues to grow and advance. NCOIL’s participating lawmakers are what makes superb years like this one possible and they are the key to sustaining our American tradition of state-based insurance regulation in a healthy state,” said Cooley. “I’m looking forward to meeting again in New Orleans in November where we can continue this momentum and the thoughtful work which will support ongoing success and growth.”

Committee meeting minutes will be posted soon at www.ncoil.org.

The 2022 NCOIL Annual Meeting is scheduled to take place in New Orleans, LA at the Sheraton New Orleans from November 16th to 19th. Registration will open in September.

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NCOIL is a national legislative organization with the nation’s 50 states as members, represented principally by legislators serving on their states’ insurance and financial institutions committees. NCOIL writes Model Laws in insurance and financial services, works to preserve the State jurisdiction over insurance as established by the McCarran-Ferguson Act over seventy years ago, and to serve as an educational forum for public policymakers and interested parties. Founded in 1969, NCOIL works to assert the prerogative of legislators in making State policy when it comes to insurance and educate State legislators on current and longstanding insurance issues.