

20220728 Model 880 amendment- RI review and proposal

RHODE ISLAND COMMENTS August 1, 2022

Draft proposal to amend model 880, the Unfair Trade Practices Act to address the jurisdictional issue of insurance lead generators.

Link to Unfair Trade Practices Act – Model #880:

https://content.naic.org/sites/default/files/inline_files/MDL_880_0.pdf

Section 2. Definitions

E. "Insurance Lead Generator" means any marketing related activity or entity that

NEW LETTER: Failure to Maintain Marketing and Performance Records. Failure of an 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 STATUTE).

Proposed language r r r r r

J. Failure to Maintain Marketing and Performance Records Failure of an insurer, insurance lead generator, third party marketing organization or any entity engaged in the business of insurance to maintain its books, records, documents and other business records in such an order that data regarding complaints, claims, rating, underwriting 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.

(1) Every insurer shall establish and at all times maintain a system of control over the content, form and method of dissemination of advertisements of its plan or plans. All such advertisements, without regard of by whom written, created, designed or be