

Draft Pending Adoption

Draft: 3/28/24

NAIC/Consumer Liaison Committee
Phoenix, Arizona
March 15, 2024

The NAIC/Consumer Liaison Committee met in Phoenix, AZ, March 15, 2024. The following Liaison Committee members participated: Grace Arnold, Chair (MN); D.J. Bettencourt, Vice Chair (NH); Mark Fowler (AL); Lori K. Wing-Heier represented by Heather Carpenter (AK); Alan McClain (AR); Ricardo Lara represented by Lucy Jabourian (CA); Andrew N. Mais represented by Kurt Swan (CT); Karima M. Woods represented by Michael Ross (DC); Trinidad Navarro (DE); Dean L. Cameron represented by Randy Pipal (ID); Vicki Schmidt (KS); Kathleen A. Birrane (MD); Anita G. Fox represented by Renee Campbell (MI); Mike Chaney represented by Ryan Blakeney (MS); Chlora Lindley-Myers represented by Joseph D. Stodolnik (WI); Michael Humphreys represented by David Tillinghast (VA); Mike Kreidler represented by Gary D. Anderson (WI). Also participating was Gary D. Anderson

1. Adopted its 2023 Fall National Meeting Minutes

Commissioner Stolfi made a motion, seconded by Cpersonal information. The Board discussed its budget, suggested changes to and automation of the application this year.

3. Heard a Presentation from the CFA on its Report on Uninsured American Homes

Michael DeLong (Consumer Federation of America—CFA) said that CFA's report, *Exposed: A Report on \$1.6 Trillion of Uninsured American Homes*, is a statistical analysis of data from the 2021 American Housing Survey and American Community Survey that he, Sharon Cornelissen, Ph.D., and Douglas Heller published. He said the analysis of the data began with research questions asking how many households lacked homeowners' insurance; the type of household, the market value of the homes, and locations are more likely to lack homeowners' insurance; and what portion of uninsured homes belong to Black and Hispanic homeowners. The results showed 6.1 million homeowners or one in 13 (7.4%) representing \$1.6 trillion in property value that is not covered by insurance. It also showed homeowners of color, rural homeowners, and homeowners in metropolitan Miami, FL, and Houston, TX, are disproportionately without insurance. DeLong said lower-valued homes are the most likely to not have insurance, with 19% of homes under \$150,000 not being insured compared to 4% to 5% of homes over \$150,000 not being insured. Homes built before 2000 are more likely to be uninsured than homes built after 2000. Owners of manufactured homes are the most likely not to have homeowners

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Harry Ting (Health Care Consumer Advocate) recommended that states: 1) make state and CMS regulations as consistent as possible regarding prior authorization decision timelines, transparency rules, reviewer qualifications, and data reporting; 2) collect data to identify outlier plans by comparing prior authorization turnaround times and approval rates by category, as well as reversal rates of adverse determinations; and 3) establish the states' role in enforcing compliance with CMS rules. Dr. Ting said other steps might be to: 1) adopt elements of the CMS rule, such as public reporting of statistics, process transparency, clinically recognized standards, and decision timelines; 2) include prescription drugs using National Council for Prescription Drug Programs (NCPDP); and 3) add gold carding to providers with high approval rates. Dr. Ting said the steps the NAIC can take are to: 1) maintain an inventory of state prior authorization regulations; 2) have the National Insurance Producer Registry (NIPR) compare outcomes under different state regulations; and 3) collaborate to promote consistency of requirements across states.

Lucy Culp (The Leukemia and Lymphoma Society—LLS), filling in for Caitlin Westerson, (United States of Care—USofCare) said other federal updates include the Association Health Plan (AHP) proposed rule, which would rescind the 2018 rule and return to pre-2018 guidance that included a more comprehensive review process. This rule is on the regulatory agenda for April and is subject to change. Culp said the short-term, limited-duration insurance (STLDI) proposed rule is currently at the Office of Management and Budget (OMB) and on the agenda for April 2024. (l) 3 (o) 13.1 (e) 12 (t)-3 (h) 13 () 11.2 (w)-d (io) 4.3 (d) 2.3 (a fo)-6sr.2 -miioneirmúdie leril(ld) 2.2 (li) 10.tl,erm