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Sen. Jason Rapert, LA
Rep. Steve Riggs, KY

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NCOIL CONCLUDES SUCCESSFUL 2018 ANNUAL MEETING IN OKLAHOMA CITY

PBM Model Passes, Morrish Assumes Presidency, Cahill Elected Officer

Manasquan, NJ – The National Council of Insurance Legislators (NCOIL) concluded a successful 2018 Annual Meeting in Oklahoma City from December 5th – 8th at the Renaissance Oklahoma City. There were 271 participants, 40 legislators, 7 first-time legislators, 5 insurance commissioners, and 9 insurance departments represented.

“This has been a truly remarkable year to be NCOIL President” said AR Sen. Jason Rapert, who concluded his term as NCOIL’s President at the Annual Meeting’s conclusion. “I am grateful for the support and assistance of NCOIL legislators over this past year. Further, I am proud that the PBM Model Law I sponsored has passed after a year of discussion and negotiation. I will be strongly advocating for its introduction and passage in the states.”

The packed agenda was highlighted by the passage of the NCOIL Pharmacy Benefits Manager Licensure and Regulation Model Act by the NCOIL Health, Long Term Care and Health Retirement Issues Committee, sponsored by AR Sen. Jason Rapert. The model was affirmed by the Executive Committee.

The Financial Services Committee passed two resolutions, the first in Support of State Regulated Health Savings Account-Based Coverage sponsored by KY Rep. Steve Riggs, NCOIL Past President, and ND Sen. Jerry Klein. The second resolution titled: Asserting McCarran-Ferguson Reverse Preemption over the Supervision of Insurance Companies by the Federal Reserve Board and its Examiners, was sponsored by LA Sen. Dan “Blade” Morrish, who was elected NCOIL President later in the Meeting. Both measures passed on a voice vote without opposition and were affirmed by the Executive Committee.

“In my final NCOIL meeting as a legislator, I am proud to sponsor a resolution that makes health insurance more affordable for consumers” stated KY Rep. Steve Riggs, NCOIL Immediate Past President, who did not seek re-election and is retiring at the end of his term.

“We encourage state legislators to adopt a provision of their state statutes exempting HSA-qualified insurance plans because it allows the consumers health care dollar to go further” stated ND Sen. Jerry Klein, co-sponsor of the resolution.



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“Thank you to the wonderful host committee and to Oklahoma City for being a great host city. Even the threat of winter weather that barely materialized could not stop our progress” stated Commissioner Tom Considine, NCOIL CEO. “As NCOIL enters its 50th year, I am proud that the organization has reasserted relevance with the passage of timely Model Laws and Resolutions and has engaged in meaningful dialogues with our federal counterparts in both the Congress and the Executive Branch. The participants at the Annual Meeting bear that out.”

The Nominating Committee selected NY Assemblyman Kevin Cahill to serve as Secretary, the first step in the NCOIL Officer ranks. The other officers were elected to the next chair in the sequence: CA Asm. Ken Cooley moved up to Treasurer, IN Rep. Matt Lehman moved up to Vice President and LA Sen. Dan “Blade” Morrish moved up and will serve as President. Outgoing President AR Sen. Jason Rapert will serve as Immediate Past President along with IN Sen. Travis Holdman.

“In my final year in the legislature, I am proud to serve as President of NCOIL” said LA Sen. Blade Morrish, NCOIL President. “I plan to speak to as many organizations over the course of the next year to highlight the positive impact NCOIL has on insurance and financial services public policy. Further, we will soon be announcing a few programs designed to educate legislators, staff and the general public about insurance that will further enhance what NCOIL mission.”

At the all-attendee Welcome Breakfast, the assembled group heard from Oklahoma Governor Mary Fallin who discussed Oklahoma’s economic growth over the past eight years, and University of Minnesota Law School Professor Daniel Schwarcz who presented his Law Review Article titled: “Is U.S. Insurance Regulation Unconstitutional?”.

Former Oklahoma Governor Frank Keating delivered the keynote luncheon address on Friday. In addition to his service as Oklahoma’s chief executive, he has had an exceptional career including service as the former Associate Attorney General of the United States, former CEO of the American Council of Life Insurers (ACLI) and former CEO of the American Bankers Association (ABA). During a warm and well-received address, Governor Keating discussed the need for pragmatism in governmental decision making.

There were other interesting and timely speakers including Dr. Daniel Kaniewski, Deputy Administrator, Resilience, Federal Emergency Management Association (FEMA); Randy Pate, Director of the Center for Consumer Information and Insurance Oversight (CCIO), and Deputy Administrator, Centers for Medicare and Medicaid Services (CMS); Michael McRaith, former Director of the Federal Insurance Office (FIO), and former Director of the Illinois Department of Insurance; and, Nat Shapo, who preceded McRaith as Illinois Insurance Director.

Three general sessions were held to educate legislators and participants including:

- 1) Examining the Role of ERISA in the State Based System of Insurance Regulation: Can Meaningful State Reforms be Achieved in an ERISA-Dominated Marketplace?

2) Reverse Preemption – Can States Preempt Federal Insurance Laws and Regulations through use of the McCarran-Ferguson Act?

3) Understanding InsurTech and FinTech – What Legislators and Regulators Can do to Promote Innovation in the Insurance and Financial Services Industries.

The Property & Casualty Insurance Committee re-adopted the State Flood Disaster Mitigation and Relief Model Act. It is expected that amendments to this model, which serve to facilitate the expansion of the private flood insurance market will be discussed throughout 2019. Also discussed during this committee was the plan to develop model legislation in response to the American Law Institute's (ALI's) Restatement of the Law of Liability Insurance, and an update on the National Flood Insurance Program (NFIP) and private flood insurance market.

The Workers' Compensation Insurance Committee adopted amendments to the NCOIL Model Act on Workers' Compensation Repackaged Pharmaceutical Reimbursement Rates that deal with physician dispensing practices and drug compounding. The amendments passed on a voice vote without opposition and were affirmed by the Executive Committee.

Sen. Dan "Blade" Morrish (LA) and Rep. Tom Oliverson, M.D. (TX) - Vice Chair of the Health and Long Term Care Issues Committee introduced a Model Law Framework focusing on drug pricing transparency and expect to further develop the framework throughout 2019 for consideration and final adoption.

Minutes for the Annual Meeting will be posted in the next two weeks.

The 2019 NCOIL Spring Meeting will be in Nashville, TN from March 14th – 17th at the Sheraton Grand Nashville Downtown. Registration will open before 2019. Please visit ncoil.org for more information.

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 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.