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NCOIL Spring Meeting  
March 15th—17th  
Nashville, TN

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Sen. Dan "Blade" Morrish, LA  
President



Thomas B. Considine  
NCOIL CEO



Rep. Matt Lehman, IN  
Vice President

## FROM THE PRESIDENT'S DESK LA SEN. BLADE MORRISH, NCOIL PRESIDENT

Welcome to my first quarterly newsletter column as NCOIL President. I have taken a circuitous though expedited route to this office. Last July I was elected as vice president after a vacancy occurred and then as the president at the NCOIL Annual Meeting in December. While I had expressed an interest in serving in the officer ranks a few years ago, term limits in my state did not make it feasible at that time. I am very excited to be leading NCOIL during its' 50th year.

This year is also my last year in the Louisiana State Senate. I've served on the insurance committee in both chambers and even chaired the Senate Insurance Committee.

I think you will find it amusing that when I was first asked to serve on the insurance committee, I protested. No, I said. I own a business and represent a coastal, rural southwest Louisiana district.

Insurance?

Was Speaker Downer punishing me?

His response? "That's exactly why you need to be on the committee; we need a good, common sense businessman." *Con'd on Page 2.*

## NCOIL Model Regarding Air Ambulance Insurance Claims

As the 2019 sessions begin, the issue of air ambulance costs and their passage to consumers is garnering press attention across the country.

Legislators should be reminded that in 2017 the National Council of Insurance Legislators (NCOIL) established an Air Ambulance Insurance Claims Task Force and spent the better part of that year examining potential solutions before ultimately passing model legislation. You can view the model here - <http://ncoil.org/wp-content/uploads/2017/11/Air-Ambulance-Model-Act-Final.pdf>.

The purpose of this legislation is to protect consumers who are covered by commercial insurance from overall disproportionate financial responsibility and sometimes overwhelming liability for air ambulance services in an emergency situation, including balance bills from out-of-network air ambulance service providers in a manner that is not preempted by the Employee Retirement Income Security Act of 1974 ("ERISA") or the Airline Deregulation Act ("ADA").

As this issue is timely NCOIL wanted to make sure you were aware of the model and encourage you to introduce it in your state as a solution to this challenging policy issue.

As always, the NCOIL staff is available should you have any questions.



Asm. Ken Cooley, CA  
Treasurer



Asm. Kevin Cahill, NY  
Secretary



Sen. Jason Rapert, AR  
Immediate Past President



Sen. Travis Holdman, IN  
Immediate Past President

## President's Desk Con'd

He said "there are a few members from industry, a few members from the trial bar and a few with consumer protection leanings.

You need to be there because your main experience is as a customer – as a property owner, as a business owner- and someone who, along with your family, goes to the doctor and uses health insurance."

Who knew that many years later I'd be elected President of a national group of insurance legislators!

We have legislators from both houses and both parties that regularly participate on NCOIL's 7 policy committees to shape common sense legislation that protects consumers, promotes growth & ensures company solvency and protects state-based regulation of insurance.

That last point is exceedingly important. More than seven decades ago the congress passed the McCarran-Ferguson Act that ensures the primacy of state based regulation of insurance. There have been increasing regulatory creep attempts at the federal and international levels. NCOIL believes that state based regulation of insurance is best for the consumer, best for the individual companies and best for state budgets that rely on revenue from premium taxes.

I plan on spending time as NCOIL president educating trade groups about the value of NCOIL so if you have an audience you would like me to address, please call the NCOIL national office to arrange.

There are a few initiatives that I plan to implement as NCOIL President over the next year:

In many states, and especially those that have term limits, legislative and subject matter staff are an invaluable part of the legislature and our work as legislators. They help us with highly technical matters, and work through the nuts-and-bolts and unintended consequences of our ideas. So, during my term as president, I plan to implement a staff training program that includes webinars in spring & fall as well as in-person training at the NCOIL Summer Meeting. This will allow legislative staff to participate more fully with NCOIL and encourage new legislators to do so as well.

Second, in collaboration with the Institutes Griffith Insurance Education Foundation, we are creating a "legislative toolkit" that will allow insurance legislators to educate their colleagues and constituents on insurance matters. It will be available online for all legislators to use and share as a way to inform and educate on insurance public policy matters.

Third, I am pleased to announce the formation of a Special Committee on Natural Disaster Recovery to examine how states deal with recovery from natural disasters and aim to create best practices, so each state is not creating a new model every time they suffer from a natural disaster. It is my understanding that NCOIL had a similar group over 10 years ago, and I believe that now is an opportune time for NCOIL to again focus on these issues due to the new issues that states have confronted when responding to the natural disasters that have occurred throughout the country since then, such as the recent California wildfires. We have begun soliciting legislator participation so please let the NCOIL national office know if you wish to participate.

It's going to be an exciting year and I look forward to your participation and seeing you at the Spring Meeting in Nashville in March and throughout the year.

**Click below to register for the 2019 Spring Meeting  
Nashville, TN March 15-17**



**REGISTER NOW**  
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## NCOIL URGES SUPPORT OF HEALTH SAVINGS ACCOUNTS

At the recently concluded 2018 NCOIL Annual Meeting in Oklahoma City, the organization unanimously passed a bi-partisan resolution in support of state regulated health savings account-based coverage. The resolution was sponsored by KY Rep. Steve Riggs and ND Sen. Jerry Klein.

Health Savings Accounts (HSAs) are linked to high deductible health plans (HDHPs), which must meet certain requirements, most notably that the plan deductible must apply to all covered benefits received from in-network providers – the only exception being for “preventive care services” as defined by the Internal Revenue Service (IRS).

The resolution aims to advise states to avoid the actions that certain states undertook relating to enacting laws requiring fully-insured plans issued within their borders to cover male sterilization benefits without application of the plan deductible, copays or coinsurance. Those laws effectively made HSAs inoperable in those states because the laws go beyond a clear understanding of what the IRS considers “preventive care services” that could be exempt from the deductible.

Accordingly, the resolution encourages state legislatures to adopt a provision in their state statutes exempting HSA-qualified insurance plans from any requirement, past or future, to cover any benefit without such benefit being subject to the policy deductible, coinsurance, or other cost-sharing unless such benefit is “preventive care” - as defined by the IRS.

“In my final NCOIL meeting as a legislator, I am proud to sponsor a resolution that aims to make health insurance more affordable for consumers and preserve coverage for the millions of Americans with HSAs” stated KY Rep. Steve Riggs, NCOIL Immediate Past President, who did not seek re-election and is retiring at the end of his term. “In my nearly three decades in the state legislature, the increasing cost of health insurance has been alarming and finding ways to save constituents money should be a priority for all lawmakers.”

“Encouraging state legislators to adopt a provision of their state statutes exempting HSA-qualified insurance plans from these particular cost-sharing requirements is imperative so that residents with HSAs in those states can continue with coverage without any interruption,” stated ND Sen. Jerry Klein, co-sponsor of the resolution. “Some of the states that created these conflicts in their statutes did so unknowingly, so it is important that NCOIL step in to make sure all states are aware of the problem and provide them with a solution.”

“This is another example of NCOIL ensuring that that legislators understand the broader implication of their actions” said Commissioner Tom Considine, NCOIL CEO. “By communicating this with the Secretary of Health and Human Services NCOIL aims to ensure state regulation of insurance is protected.”

## NCOIL PRESIDENT ANNOUNCES 2019 COMMITTEE LEADERSHIP

LA Senator Dan “Blade” Morrish, NCOIL President, announced the lineup of Committee Chairs and Vice Chairs for 2019.

“This bipartisan, bicameral groups represents countless years of experience in insurance public policy” said Morrish. “I am confident they will do a commendable job representing NCOIL and leading these committees throughout the year at our three meeting and many interim committee calls.”

The NCOIL Chairs and Vice Chairs are:

### **Financial Services:**

Chair: Sen. Bob Hackett, OH  
Vice Chair: Rep. Bart Rowland, KY

### **Life Insurance & Financial Planning:**

Chair: Rep. Joe Fischer, KY  
Vice Chair: Rep. Martin Carbaugh, IN

### **Health Insurance and Long Term Care Issues:**

Chair: Asw. Pam Hunter, NY  
Vice Chair: Rep. Tom Oliverson, M.D., TX

### **NCOIL-NAIC Dialogue:**

Chair: Rep. Matt Lehman, IN  
Vice Chair: Sen. Jim Seward, NY

## NCOIL Committee Chairs/V. Chairs Con'd

**Property & Casualty Insurance:**  
Chair: Rep. Edmond Jordan, LA  
Vice Chair: Rep. Richard Smith, GA

**Joint State-Federal and International Insurance Issues:**  
Chair: Sen. Jerry Klein, ND  
Vice Chair: Sen. Roger Picard, RI

**Workers' Compensation Insurance:**  
Chair: Asw. Maggie Carlton, NV  
Vice-Chair: Rep. David Santiago FL

**Articles of Incorporation/Bylaws:**  
Chair: Rep. Deborah Ferguson, AR  
Vice-Chair: Asm. Andrew Garbarino, NY

**Audit Committee:**  
Chair: Rep. Matt Lehman, IN  
Vice Chair: Asm. Ken Cooley, CA

**Budget Committee:**  
Chair: Asm. Ken Cooley, CA  
Vice Chair: Sen. Neil Breslin, NY

**Business Planning:**  
Chair: Sen. Dan "Blade" Morrish, LA  
Vice Chair: Rep. Matt Lehman, IN

**Nominating:**  
Chair: Sen. Jason Rapert, AR  
Co-Chair: Sen. Travis Holdman, IN

## NCOIL 2019 Spring Meeting Tentative Schedule

### THURSDAY MARCH 14TH

CIP Member & Sponsor Reception	6:30 PM	-	7:30 PM
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### FRIDAY MARCH 15TH

Welcome Breakfast	8:15 AM	-	9:30 AM
Networking Break	9:30 AM	-	9:45 AM
General Session	9:45 AM	-	11:15 AM
Joint State-Federal Relations & International Insurance Issues Committee	11:15AM	-	12:15 PM
The Institutes Griffith Foundation Legislator Luncheon	12:15 PM	-	1:15 PM
Health Insurance and Long Term Care Issues Committee	1:15 PM	-	3:00 PM
Networking Break	3:00 PM	-	3:15 PM
Financial Services Committee	3:15 PM	-	4:15 PM
NCOIL- NAIC Dialogue	4:15 PM	-	5:15 PM
Special Committee on Natural Disaster Recovery	5:15 PM	-	6:15 PM
Welcome Reception	6:15 PM	-	7:15 PM

### SATURDAY MARCH 16TH

IEC Board Meeting	8:15 AM	-	9:00 AM
Life Insurance & Financial Planning Committee	9:00 AM	-	10:00 AM
Networking Break	10:00 AM	-	10:15 AM
General Session	10:15 AM	-	11:30 AM
Legislative Micro Meetings	11:30 AM	-	12:00 PM
Luncheon with Keynote Address	12:00 PM	-	1:30 PM
Workers' Compensation Insurance Committee	1:30 PM	-	2:30 PM
Articles of Organization & Bylaws Revision Committee	2:30 PM	-	2:50 PM

### SUNDAY MARCH 17TH

Property & Casualty Insurance Committee	9:00 AM	-	10:45 AM
Networking Break	10:45 AM	-	11:00 AM
Business Planning & Executive Committee	11:00 AM	-	12:00 PM