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2019 YEAR IN REVIEW

NCOIL Spring Meeting
March 6th—8th
Charlotte, NC

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Rep. Matt Lehman, IN
President



Thomas B. Considine
NCOIL CEO



Asm. Ken Cooley, CA
Vice President

NCOIL 2019 YEAR IN REVIEW

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.

Con'd on Page 2.

NCOIL CONCLUDES SUCCESSFUL SPRING MEETING IN NASHVILLE

The National Council of Insurance Legislators (NCOIL) met from March 14-17 at the Sheraton Grand in Nashville, TN and hosted a successful Spring Meeting with nearly 300 attendees, four dozen legislators from 24 states, including 14 first time attendees, 5 Insurance Commissioners (or equivalent), and representatives of 13 state insurance departments. The 7 policy committees all met, as well as the first meeting of the Special Committee on Natural Disaster Recovery. LA Sen. Blade Morrish presided over his first meeting as NCOIL President.

“I was pleased that NCOIL attracted a large number of attendees and first-time legislators to the spring meeting” said Morrish. “It validates the hard work NCOIL has done to advocate and educate state legislators on insurance matters.”

Participants at the Welcome Breakfast heard from TN Rep. Ron Travis, Chair of the TN House Insurance Committee as well as Commissioner Tom Considine, NCOIL CEO who delivered a three-year progress report based on the Strengths, Weaknesses, Opportunities and Threats (SWOT) exercise that took place during 2016.

“It is appropriate that NCOIL is on an upward trend as we celebrate the 50th year of existence, but it doesn’t make any sense to do a SWOT exercise if we are not transparent about how we’re measuring up against the results of that exercise” said Considine.

“The organization has made tremendous progress since the SWOT exercise in all aspects where there were concerns – number of states participating, number of legislators participating, time allotted to consider and act on model laws, and interaction with federal and regulatory counterparts.

Con'd on Page 3



Asm. Kevin Cahill, NY
Treasurer



Rep. Joe Fischer, KY
Secretary



Sen. Dan "Blade" Morrish, LA
Immediate Past President



Sen. Jason Rapert, AR
Immediate Past President

HEALTH SAVINGS ACCOUNTS Con'd

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 PASSES RESOLUTION IN SUPPORT OF GOOD SAMARITANS' EFFORTS TO PREVENT OPIOID OVERDOSE

During the 2019 NCOIL Spring Meeting, the organization passed a Resolution sponsored by NY Asw. Pamela Hunter, Chair of the NCOIL Health Insurance and Long Term Care Issues Committee, in Support of Good Samaritans' Efforts to Prevent Loss of Life Due to Opioid Overdose. The measure passed on a voice vote without objection.

"The opioid crisis affects all Americans in some way. First responders or Good Samaritans should not be adversely rated when applying for life insurance solely for having a prescription for Narcan" said NY Asw. Pamela Hunter, "The use of opioid overdose-reversing drugs such as Narcan have been promoted by many as a vital part of the public health response to combat the opioid crisis."

NCOIL became aware of instances in which applicants for life insurance were denied coverage for carrying Narcan, even in states with "Standing Orders" that apply to the entire population so as to facilitate the presence of overdose-reversing medication in society.

Accordingly, the resolution urges life insurers to review their current policy application review procedures/guidelines and if necessary make appropriate changes so that no applicants are denied coverage solely for having a prescription for Narcan, and so that life insurers can

identify applicants who obtained a supply of Narcan because of their role as medical professionals, first responders, Good Samaritans or family members.

"This is an issue that legislators, regulators and insurance trade groups publicly support" said LA Sen. Dan "Blade" Morrish, NCOIL President. "I was pleased that both SC Insurance Director Farmer and ACLI representatives testified in support of the resolution."

"A key part of NCOIL's mission is to ensure that consumers are protected" said Commissioner Tom Considine, NCOIL CEO. "This resolution, and its unanimous support shows that NCOIL seeks out issues consistent with that mission."

The resolution can be viewed [here](#).

2019 NCOIL SUMMER MEETING IN NEWPORT BEACH A SUCCESS

The National Council of Insurance Legislators (NCOIL) met in July at the Newport Beach Marriott Hotel and Spa in Newport Beach, CA and hosted a successful Summer Meeting with more than 315 attendees, 57 legislators from 27 states, including 14 first time attendees, 4 Insurance Commissioners (or equivalent), and representatives of 14 state insurance departments. The 7 policy committees all met, as well as the third meeting of the Special Committee on Natural Disaster Recovery. *Con'd on Page 4*

SUCCESSFUL SPRING MEETING IN NASHVILLE Con'd

There is more to do, of course, but the spring meeting agenda, registration and items NCOIL is considering shows 2019 will be a very robust year consistent with that upward trend.”

There were two timely general sessions: Assignment of Benefits (AOB) Clauses: A Tool for Abuse or a Benefit to Homeowners?; and Business Interruption Coverage: Are Businesses REALLY Covered?

The Joint State-Federal Relations and International Insurance Issues Committee continued discussion about the development of an NCOIL Insurance Business Transfer Model Act, in addition to starting a discussion about possible amendments to the NCOIL Market Conduct Surveillance Model Law; the Health Insurance and Long Term Care Issues Committee discussed a draft Model Law on Drug Pricing Transparency; the Special Committee on Natural Disaster Recovery discussed amendments to the NCOIL State Flood Disaster Mitigation and Relief Model Act relating to the private flood insurance market; the Workers' Compensation Insurance Committee discussed development of an NCOIL Workers' Compensation Drug Formulary Model Act; the Property & Casualty Insurance Committee discussed development of Model Legislation in Response to the American Law Institute's Restatement of the Law of Liability Insurance; and the Financial Services Committee discussed the development of model legislation relating to insurance modernization initiatives including rebate reforms, electronic issuance of salvage titles, and the electronic delivery of policyholder information. Discussions of these proposals will continue during interim committee calls and at the 2019 Summer Meeting in Newport Beach, CA.

The Life Insurance & Financial Planning Committee readopted the Life Settlements Model Act and the Unclaimed Life Insurance Benefits Act. The Property & Casualty Insurance Committee readopted the NCOIL State Flood Disaster Mitigation and Relief Model Act until the Summer Meeting while amendments are still being considered.

The Articles of Incorporation and Bylaws Revision Committee met and voted to change the name of the Financial Services Committee to the Financial Services & Multi-lines Issues Committee so policy issues that cross multiple lines of insurance will have a more suitable place to be discussed.

The Health Insurance and Long-Term Care Issues Committee passed a Resolution sponsored by NY Asm. Kevin Cahill, NCOIL Secretary, and UT Rep. Jim Dunnigan in Support of Amending ERISA to Enable State Policymakers to Enact More Meaningful State Healthcare Reforms. The Life Insurance and Financial Planning Committee passed a Resolution sponsored by NY Asw. Pamela Hunter in Support of Good Samaritans' Efforts to Prevent Loss of Life Due to Opioid Overdose. The Special Committee on Natural Disaster Recovery adopted a Resolution recognizing September 1st – 7th 2019 as “Natural Disaster Resiliency Week”. All three resolutions were affirmed by the Executive Committee.

The Keynote Luncheon Address was delivered by Nicholas Whyte, Ph.D., Senior Director, Global Solutions, APCO Worldwide, who provided a spellbinding presentation on “Brexit on the Brink and Other Matters.”

Sen. Morrish announced the formation of a four-part training program for legislative staff and new legislators that includes two webinars and two on-site trainings at the NCOIL Summer Meeting in Newport Beach, CA.

“The Special Committee on Natural Disaster Recovery has much work to consider over the course of the year so states can formulate best practices where disasters have occurred” Morrish concluded.

Committee meeting minutes can be viewed at [here](#).

NCOIL – SOUND PUBLIC POLICY IN 50 STATES FOR 50 YEARS

Not all model law organizations are the same

By: Dan “Blade” Morrish, Republican Louisiana State Senator & NCOIL President
 Matt Lehman, Republican Indiana State Representative & NCOIL Vice President
 Kenneth Cooley, Democrat California State Assemblyman & NCOIL Treasurer
 Kevin Cahill, Democrat New York State Assemblyman & NCOIL Secretary

We read with interest your article Copy, Paste, Legislate on April 4th, 2019 and twice revised on June 20th and July 18th. We want to make clear that the National Council of Insurance Legislators (NCOIL) is different in several important respects from the organizations you reference.

NCOIL is, and has been since its founding in 1969, a bipartisan organization of state legislators with the 50 states as members. We legislators both make the decisions that guide the organization as well as consider and pass model legislation.

Con'd on Page 5.

SUMMER MEETING IN NEWPORT BEACH con'd



“I am proud that NCOIL attracted a large number of first-time attendees and legislators from more than two dozen states” said Louisiana Senator Dan “Blade” Morrish, NCOIL President. “NCOIL continues to grow and its’ reputation as a force to protect state based regulation of insurance is enhanced every day.”

Participants at the Welcome Breakfast heard from CA Insurance Commissioner Ricardo Lara who discussed his first few months in office and the policy challenges

California and the nation face with regard to climate change, cannabis policy and how technology is changing the insurance industry.

“As we celebrate NCOIL’s 50th year, I am proud that the upward trend in participation continues to grow” said Commissioner Tom Considine, NCOIL CEO. “Combine that with high level speakers including FIO Director Steven Seitz, Senior Advisor to the Secretary of Health and Human Services Jim Parker and California Insurance Commissioner Ricardo Lara show that we are making progress and educating legislators, and now staff about insurance public policy trends.”

Steven Seitz, Director of the Federal Insurance Office delivered remarks about the goals of his office and engaged in a question and answer conversation with Commissioner Considine.

There were three interesting and timely general sessions: “Prior Authorization: An Obstacle to Care or a Needed Cost Saver?”; “Driving Rx Drug Costs Down via Biosimilars?”; and a “Discussion on the Evaporating Insurance Market for Contact Sports.”

The Financial Services & Multi-Lines Committee re-adopted the Insurance Fraud Model Act with amendments to strengthen it since it was passed nearly two decades ago. The Joint State-Federal Relations & International Insurance Issues Committee passed a resolution in support of the recently amended NAIC Credit for Reinsurance Models. The Property & Casualty Insurance Committee re-adopted the State Flood Disaster and Mitigation Relief Model Act and adopted a Model Law in Response to the American Law Institute’s (ALI) Restatement of the Law, Liability Insurance.

The Workers’ Compensation Insurance Committee continued discussion of an NCOIL Workers’ Compensation Drug Formulary Model Act; the Special Committee on Natural Disaster Recovery discussed development of a model law relating to the private flood insurance market; the Joint State-Federal Relations and International Insurance Issues Committee continued discussion about the development of an NCOIL Insurance Business Transfer Model Act and amendments to the NCOIL Market Conduct Surveillance Model Law; the Financial Services & Multi-Lines Issues Committee continued discussion on the development of model legislation relating to insurance modernization initiatives including rebate reforms, and an Insurance E-Commerce Model Act; the Health Insurance and Long Term Care Issues Committee continued discussion of a draft Model Law on Drug Pricing Transparency and began discussions regarding the development of possible model legislation concerning short term limited duration insurance and health care sharing ministries. Discussions of these proposals will continue during interim committee calls and at the 2019 Annual Meeting in Austin, TX.

Jim Parker, Senior Advisor for Health Reform to the Secretary of Health and Human Services delivered a compelling Keynote Luncheon Address.

Two staff training sessions took place at the Summer Meeting in conjunction with the Institutes Griffith Insurance Education Foundation entitled: “Essential Education for Legislative Staff: Exploring Risk Management & Insurance Regulation Fundamentals”.

“Since there is much work that remains, there will likely be multiple committees that have interim committee calls before the Annual Meeting in December.” Considine concluded.

Committee meeting minutes can be found [here](#).

SOUND PUBLIC POLICY Con'd

By act of Congress, insurance regulation has happened at the state level for seventy-four years. For more than half a century, NCOIL, led by state legislators, has drafted model laws in insurance to ensure consumer protections and company solvency.

NCOIL gathers publicly three times a year and all seven of its policy committees, comprised solely of state legislators, meet - Financial Services & Multi-lines Issues; Health Insurance and Long Term Care Issues; Life Insurance and Financial Planning; Joint State-Federal Relations and International Insurance Issues; NCOIL-NAIC Dialogue; Property & Casualty Insurance; and Workers' Compensation Insurance.

At NCOIL, it is a bipartisan group of state legislators, acting in that elected capacity, who are the decision-makers from beginning to end. Interested parties, whether they are regulators, companies, consumer groups or trade organizations also have a participatory role, just as they do in each state's legislative process, so the final model law is a product that is balanced and can be introduced, often in a customized manner, to fit the needs of a specific state.

Once an issue has been introduced and discussed at an NCOIL meeting, if it is the will of the membership, potential model law language is placed on the agenda for discussion and consideration. Items to be considered are announced publicly at least 30 days prior to a meeting.

During this process, all draft language and model minutes are publicly available on the NCOIL website and anyone is free to submit comments. After members have determined there has been sufficient debate and discussion, the item is either tabled or voted upon. If a model is adopted, the final version is publicly available.

Over the past two years NCOIL has adopted model laws and resolutions on a diverse set of subjects: Resolution in Support of Amending the Employee Retirement Income and Security Act of 1974 (ERISA) to Enable State Policy-makers to Enact More Meaningful State Healthcare Reforms; Resolution in Support of Good Samaritans' Efforts to Prevent Loss of Life Due to Opioid Overdose; Resolution in Support of State Regulated Health Savings Account-Based Coverage; Resolution Asserting McCarran-Ferguson Reverse Preemption over the Supervision of Insurance Companies by the Federal Reserve Board and its Examiners; Pharmacy Benefits Manager Licensure and Regulation Model Act; Consumer Protection Towing Model Act; Model Act to Support State Regulation of Insurance by Requiring Competition Among Insurance Rating Agencies; Out-of-Network Balance Billing Transparency Model Act; Credit Report Protection for Minors Model Act; Model Act Prohibiting Consumer Reporting Agencies from Charging Fees Related to Security Freezes; Travel Insurance Model Act; Model Act Regarding Air Ambulance Insurance Claims; and Asbestos Bankruptcy Trust Claims Transparency Model Act.

That is just a sampling of the dozens of model laws and resolutions that have been adopted or re-adopted by NCOIL. As you can see, we aim to craft solutions to what we view as problems consumers are facing in the insurance and financial services industries across the country, whether that problem involves consumers receiving "surprise" bills from out-of-network healthcare providers, or being denied life insurance coverage solely for having a prescription for the life-saving, opioid-reversal drug Narcan.

Lastly, NCOIL is funded largely by the states with an equal dues structure regardless of state population, and the three meetings annually.

While we can not speak to how other organizations operate, we, the current officers of NCOIL are confident that our organization's membership, level of transparency, and bipartisanship makes us unique and effective in our operations. We are proud of the work we do to advance sound public policy in the form of model laws and resolutions in a collaborative and bipartisan manner.

NCOIL RECOGNIZES NATURAL DISASTER RESILIENCY WEEK

During the Special Committee on Natural Disaster Recovery earlier this year, Louisiana Senator Dan "Blade" Morrish, NCOIL President, sponsored a resolution declaring September 1st – 7th Natural Disaster Resiliency Week. The motion carried unanimously on a voice vote and was affirmed by the Executive Committee.

"I sponsored this resolution because it is vital that we do everything we can to be prepared for natural disasters" said Morrish. "It is impossible to know when a natural disaster will happen, where it will happen and what the ultimate consequences will be, but a strategy can be in place."

"This is a fine example of NCOIL providing a value added for the states. NCOIL works diligently to ensure that state legislators have tools to be prepared" said Commissioner Tom Considine, NCOIL CEO. "The Special Committee on Natural Disaster Recovery is discussing best strategies and examining what states have previously done to recover as well as working to develop model legislation aimed at facilitating the growth of the private flood insurance market.

A full copy of the resolution can be viewed [here](#)

NCOIL CONCLUDES FOURTH ANNUAL DC FLY-IN TO EDUCATE MEMBERS OF CONGRESS ABOUT THE IMPORTANCE OF STATE-BASED INSURANCE REGULATION



On September 18th, a bi-partisan group of NCOIL legislators from State Senates and State Houses of Representatives around the country met in Washington DC to educate Members of Congress and their staffs about the vital importance of state-based regulation of insurance and its success for more than 70 years.

Participating legislators including LA Senator Dan "Blade" Morrish, NCOIL President; IN Rep. Matt Lehman, NCOIL Vice President; AR Senator Jason Rapert, NCOIL Immediate Past President; KY Rep. Joe Fischer, Chair of the NCOIL Life Insurance & Financial Planning Committee; KY Rep. Bart Rowland, Vice Chair of the NCOIL Financial Services & Multi-Lines Committee; LA Rep. Edmond Jordan, Chair of the NCOIL Property & Casualty Insurance Committee; NC Sen. Vickie Sawyer, Chair of the NCOIL Special Committee on Natural Disaster Recovery; and TX Rep. Tom Oliverson, Vice-Chair of the NCOIL Health Insurance and Long Term Care Committee. They, together with NCOIL CEO Commissioner Tom Considine and staff, participated in more than 60 meetings with Senators, Congressman, and committee and congressional staff, including significant numbers of both the House Financial Services Committee

and Senate Banking Committee, to highlight the need to protect the state-based system of insurance regulation.

Meetings included more than 60 meetings overall and more than two dozen member meetings including Senate Majority Leader Mitch McConnell and senior staff to Rep. Maxine Waters, Chair of the House Financial Service Committee.

"Members of Congress and their staff need to know the importance of state-based regulation of insurance to their states and the country" said LA. Sen. Dan "Blade" Morrish, NCOIL President. "The efforts of NCOIL legislators to educate our federal colleagues and have a continuous dialogue with them on a variety of issues has proven to be useful in advancing shared policy goals."

Legislators discussed protection of the state based regulation of insurance; reauthorization of the Terrorism Risk Insurance Act; the role of the Federal Insurance Office; the need for a long-term reauthorization and modernization of the National Flood Insurance Program; the Clarifying Law Around Insurance Marijuana (CLAIM) Act, which would establish a federal "safe harbor" for insurers engaged in the business of insurance with cannabis-related businesses operating under the color of state law; and amending the Employee Retirement Income Security Act of 1975 (ERISA) to add a statutory waiver provision so that the protections set forth in state balance billing laws apply to all health insurance plans – including self-insured plans. *Con'd on Page 7.*



NCOIL URGES SUPPORT FOR BILL REAUTHORIZING TRIA UNTIL 2030

House Financial Services Committee Chairwoman Maxine Waters introduced H.R. 4634, the Terrorism Risk Insurance Program Reauthorization Act of 2019 (TRIPRA) on October 11th. NCOIL supports this bi-partisan bill for a long-term reauthorization of the Terrorism Risk Insurance Act of 2002 (TRIA) for ten more years, from December 31, 2020 to December 31, 2030.

Congress reauthorized and modified TRIA in 2005, 2007, and 2015 through TRIPRA. Signed by President George W. Bush in 2002, TRIA created a temporary federal program that provides for a transparent system of shared public and private compensation for certain insured losses resulting from a certified act of terrorism. Its enactment permitted private markets to stabilize, resume pricing, and build capacity after the events of September 11, 2001. The Secretary of the Treasury administers the program with the assistance of the Federal Insurance Office.

Just last month, a bi-partisan group of NCOIL legislators met with members of Congress in Washington to discuss the importance of terrorism risk insurance and ensuring that TRIA is reauthorized in a timely manner. Congress must take action to extend the protection offered by TRIA well in advance of the December 31, 2020 deadline in order to avoid adverse economic consequences. *Con'd on Page 7.*

NCOIL DC FLY-IN Con'd

NCOIL legislators met with and engaged in dialogue with House Financial Services member Rep Steve Stivers – OH who is the ranking member of the Subcommittee on National Security, International Development, and Monetary Policy. In his previous role as a state legislator, Rep. Stivers was a regular participant at NCOIL meetings.

“During my time in the Ohio State Senate, I worked directly on improving insurance regulations and I was glad to see NCOIL represented in Washington,” said Rep. Stivers (OH). “Their efforts can have a real impact in strengthening the state-based regulation of insurance.”



“For the fourth year in a row, NCOIL has had a successful and beneficial educational fly-in with our federal colleagues. State legislators have worked to affirm the state-based system of insurance that promotes growth and solvency in the market while protecting consumers, and which has worked for nearly three quarters of a century since the passage of McCarran-Ferguson Act” said NCOIL CEO Tom Considine, former NJ Banking and Insurance Commissioner. “This year we had more participating legislators and met with more members of Congress and staff than the previous year and the effort is paying dividends in terms of the recognition of the success of the state-based system from our federal counterparts.

For the three previous years, NCOIL hosted an Education Fly-In where more than a half dozen NCOIL legislators traveled to Washington DC and participated in more than 50 meetings to educate Members of Congress and their staff about the well-established state-based regulation of insurance in the United States. This year represents the highest number of participating legislators and meetings participated.

TRIA REAUTHORIZATION Con'd

On September 17th, NCOIL Officers adopted a Resolution in Support of the Reauthorization of TRIA.

“TRIA is critical to the nation's economic security. Without this backstop, the space in which a viable private market for terrorism insurance has grown would be threatened,” said LA Sen. Dan “Blade” Morrish, NCOIL President. “NCOIL supports the enactment of a long-term extension of TRIA because it has provided this country with important protection for economic continuity and recovery in the event of a future terrorist attack.”

NCOIL is a long-time supporter of TRIA, as the United States continues to be engaged in an ongoing war against international terrorists and the threats of future attacks inside the country remains high. Without adequate coverage, a limited availability of insurance against terrorism would have a severe adverse effect on our country's economy. Financiers would be reluctant to lend, businesses would be reluctant to invest, and consumers would be unable to afford terrorism risk insurance.

Commissioner Tom Considine, NCOIL CEO, said “American businesses must be provided with the essential coverage to successfully operate in today's uncertain global environment. Failure by Congress to extend TRIA would likely result in the inability of insurers to offer coverage for future catastrophes resulting from terrorism, making terrorism risk insurance unavailable and unaffordable. NCOIL applauds Chairwoman Waters for introducing this bill as well as the 27 bipartisan cosponsors who signed on to ensure a sustained and stable terrorism risk insurance marketplace.”

H.R. 4634 was referred to the House Committee on Financial Services on October 11th. Chairwoman Waters announced her plan for long-term, bipartisan TRIA Reauthorization on October 16th at a press conference.

Two subcommittees of the House Financial Services Committee held a joint hearing on October 16th, at which NCOIL submitted the following Statement for the Record:

NCOIL Statement for the Record U.S. House Financial Services Committee Subcommittee on Housing, Community Development, and Insurance and Subcommittee on National Security, International Development, and Monetary Policy Hearing on “*Protecting America: The Reauthorization of the Terrorism Risk Insurance Program*” - October 16, 2019: <http://ncoil.org/wp-content/uploads/2019/10/TRIA-statement-10-14-19.pdf>

[NCOIL Resolution in Support of the Reauthorization of TRIA: Adopted Sep. 17, 2019](#)

[Congresswoman Waters' opening remarks from press conference discussing TRIA Reauthorization\](#)

Full information about H.R. 4634 can be viewed [here](#)

NCOIL URGES PASSAGE OF LONG-TERM NFIP REAUTHORIZATION LEGISLATION

NCOIL's President Dan "Blade" Morrish (Sen. LA) blasted Congress' "tepid" action on flood insurance, stating that Congress need to do more.

On Thursday, November 21st, Congress granted an extension to the National Flood Insurance Program (NFIP) as part of a continuing resolution; The extension is for just 30 days. The resolution, now headed to the President's desk for signature, marks the fourteenth short-term extension to the NFIP since June 2017. NCOIL urges Congress to develop and pass long-term NFIP reauthorization legislation.

"While we do recognize that the program has avoided a lapse, we are beyond disappointed that Congress cannot make a long-term commitment to this program before it expires in a mere three weeks. It is impossible for states to plan accordingly and protect consumers. Never-ending short-term extensions is no way to maintain a stable market for flood insurance," said LA Sen. Blade Morrish, NCOIL President.

The extension until December 20th gives Congress more time to decide which of the multiple bipartisan bills it wants to pass that would reform and authorize a long-term extension of the program. "It is time for Congress to step up, to stop the tepid approach of the short-term extension, and protect our nation's at-risk homeowners," concluded Morrish.

"While NCOIL urges the President to sign this extension, we also urge Congress to pass legislation that would stabilize the NFIP, create availability of affordable flood coverage, and support growth of the private flood insurance market. Short-term extensions just leave policyholders on the brink again and again. NCOIL will continue to raise this issue until it is passed by both houses of Congress and signed by the President," said Commissioner Tom Considine, NCOIL CEO.

NCOIL CONCLUDES SUCCESSFUL 2019 ANNUAL MEETING IN AUSTIN



The National Council of Insurance Legislators (NCOIL) concluded a successful 2019 Annual Meeting in Austin, Texas from December 10th – 13th at the JW Marriott Austin. There were 353 participants consisting of 57 legislators and participants from 33 states, 16 first-time legislators, 4 insurance commissioners, and 9 insurance departments represented.

"In my final meeting as a legislator, I am proud of all the work we accomplished as an organization, and I am grateful for the support and assistance of NCOIL legislators and staff over this past year," said LA Senator Dan "Blade" Morrish, who concluded his term as NCOIL's President at the Annual Meeting's conclusion. "Further, I am pleased that NCOIL attracted a large number of attendees and first-time legislators to celebrate NCOIL's 50th year. I look forward to watching from afar the success of future NCOIL Presidents with great pride."

Participants at the Welcome Breakfast heard from TX Insurance Commissioner Kent Sullivan who discussed objectives for the department and the policy challenges Texas and the nation face in the insurance industry.

Tom Workman, Independent Member of the Financial Stability Oversight Council, delivered a compelling Keynote Luncheon Address as an insurance expert with more than four decades of experience in the insurance sector.

The packed agenda was highlighted by the passages of three NCOIL Model Laws – the NCOIL Drug Pricing Transparency Model Act by the Health Insurance & Long-Term Care Issues Committee, sponsored by TX Representative Tom Oliverson, M.D. and co-sponsored by LA Senator Dan "Blade" Morrish; *Con'd on Page 9.*

NCOIL 2019 ANNUAL MEETING IN AUSTIN Con'd

the NCOIL Workers' Compensation Drug Formulary Model Act by the Workers' Compensation Insurance Committee, sponsored by IN Representative Matt Lehman; and NCOIL Peer-to-Peer Car Sharing Program Model Act by the Property & Casualty Insurance Committee, sponsored by KY Representative Bart Rowland. These models were then passed by the Executive Committee.

"Thank you to the wonderful host committee and TX Rep. Tom Oliverson for being a great host to us in Austin. As NCOIL concludes its 50th year, I am proud that the organization has stayed on the cutting edge with the passage of timely Model Laws and Resolutions and has engaged in meaningful dialogue with federal and regulatory counterparts," said Commissioner Tom Considine, NCOIL CEO. "There is much work to be done in the new year, but the Spring meeting agenda NCOIL is considering shows 2020 will be consistent with NCOIL's upward trend."



The Nominating Committee selected KY Representative Joe Fischer to serve as Secretary, the first step in the NCOIL Officer ranks. The other officers were elected to the next chair in the sequence: NY Asm. Kevin Cahill moved up to Treasurer, CA Asm. Ken Cooley moved up to Vice President and IN Rep. Matt Lehman moved up and will serve as President. Outgoing President LA Sen. Blade Morrish will serve as Immediate Past President, until his term in the LA Senate ends in January 2020, along with AR Sen. Jason Rapert. Sen. Rapert and IN Sen.

Travis Holdman will serve as Immediate Past Presidents in 2020.

IN Representative Matt Lehman, NCOIL President, said, "I look forward to continuing to increase state legislator participation at NCOIL. Our organization has been a leader in educating policymakers to make informed insurance policy decisions that protect consumers and ensure a vibrant insurance marketplace in every state. I know how valuable NCOIL has been to me in Indiana and to legislators across the country. Sen. Morrish has done an outstanding job as President and I look forward to his counsel as Past President."

KY Representative Joe Fischer, NCOIL Secretary, said, "I am honored to be elected, by my peers from across the nation, to serve as NCOIL's next Secretary. NCOIL is an important organization that I have partnered with for many years as a state legislator. I am eager to continue making a positive impact on insurance and financial services public policy as an NCOIL Officer."

Remarks from Managing Director of the MicroInsurance Centre at Milliman, Michael McCord, were delivered at The Institutes Griffith Foundation Legislator Luncheon titled "A Primer on Microinsurance for Public Policymakers". The luncheon was followed by concurrent sessions: "Microinsurance Explosion: Lessons from Abroad and their Impact on the U.S. Market" and a Special Drug Pricing Session for public policymakers and staff titled "Start Up CEO: The Role of Price in the Biopharmaceutical Business Model".

The NCOIL Innovation Series continued with a discussion on "The Gig Gap: Does Insurance Come With That?" There were two interesting and timely general sessions: "Insuring the Previously Unimaginable: A Discussion on the Active Shooter Insurance Coverage Landscape" and "The U.S. Healthcare System in Flux. Judicial Repeal of the ACA? Medicare For Whom?"

The Property & Casualty Insurance Committee re-adopted the NCOIL Model Act Regarding the Use of Insurance Claims History Information in Homeowners and Personal Lines Residential Property Insurance. The Executive Committee passed a resolution honoring Former NCOIL President William Larkin (NY) and a resolution in Support of the Reauthorization of the Terrorism Risk Insurance Act (TRIA).

The Special Committee on Natural Disaster Recovery continued discussion on the NCOIL Private Flood Insurance Model Act and heard from Michael Hecht, President & CEO of Greater New Orleans, Inc., regarding lessons in natural disaster recovery.

Con'd on Page 10.

NCOIL 2019 ANNUAL MEETING IN AUSTIN Con'd

The Health Insurance & Long Term Care Issues Committee continued discussions on the NCOIL Short-Term Limited Duration Insurance (STLDI) Model Act and the NCOIL Health Care Sharing Ministry (HCSM) Model Act. The Health Insurance & Long Term Care Issues Committee also heard briefings on upcoming Health Committee topics regarding the introduction of the Patient Dental Care Bill of Rights Model Act, prior authorization reforms, an update on the biosimilar landscape, and the introduction of a Vision Care Services Model Law Concept.

The Financial Services & Multi-Lines Issues Committee continued discussion on the development of NCOIL Insurance Modernization Model Legislation, including discussion on the NCOIL Rebate Reform Model Act, and NCOIL Electronic Salvage Title Model Act.

The Joint State-Federal Relations & International Insurance Issues Committee continued discussion on the NCOIL Insurance Business Transfer (IBT) Model Law, proposed amendments to the NCOIL Market Conduct Surveillance Model Law, and the reauthorization of TRIA

The Workers' Compensation Insurance Committee discussed Post Traumatic Stress Syndrome (PTSD) coverage and other expanding benefit changes in the workers' compensation insurance marketplace. The Life Insurance & Financial Planning Committee examined the use of genetic testing information in life insurance underwriting as well as overall life insurance underwriting trends and developments. The Property & Casualty Insurance Committee discussed the NCOIL Electric Scooter Insurance Model Act and insurance rating variables. Discussions of these model law proposals will continue during interim committee calls and at the 2020 Spring Meeting in Charlotte, NC.



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