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Rep. Tom Oliverson MD, TX  
President



Thomas B. Considine  
NCOIL CEO



Asw. Pamela Hunter, NY  
Vice President

## NCOIL Holds Ninth Consecutive D.C. Fly-In to Educate Congress About the Importance of State-Based Insurance Regulation

Belmar, NJ- A bipartisan group of NCOIL leaders from State Legislatures around the country met in Washington, D.C. to educate Members of Congress and their staffs about the vital importance of the state-based regulation of insurance and its success for over 70 years.

Participating legislators included: TX Rep. Tom Oliverson, M.D., NCOIL President; NY Asw. Pamela Hunter, NCOIL Vice President; MN Sen. Paul Utke, NCOIL Treasurer; LA Rep. Edmond Jordan, NCOIL Secretary; AR Rep. Deborah Ferguson, DDS, NCOIL Immediate Past President; KY Rep. Rachel Roberts, Chair of the NCOIL Joint State-Federal Relations & International Insurance Issues Committee; OK Rep. Forrest Bennett, Chair of the NCOIL Property & Casualty Insurance Committee; and IN Rep. Matt Lehman, former NCOIL President.

They, together with NCOIL CEO, Commissioner Tom Considine, General Counsel Will Melofchik and staff, participated in dozens of meetings with Members of Congress and congressional staff, including significant numbers of both the House Financial Services Committee and Senate Banking Committee, to highlight the importance of preserving the state-based system of insurance regulation, along with other NCOIL policy priorities.

“Preserving the state-based system of insurance regulation is vital in ensuring that states are able to act as ‘laboratories of democracy’ and create solutions that are well-tailored and benefit the consumer and industry alike,” said Rep. Oliverson. “As federal encroachment into the state-based system of insurance regulation is reaching arguably unprecedented heights, this was a particularly important time for NCOIL legislators to come to The Hill and have a constructive dialogue with Members of Congress and their staffs.”



## NCOIL Holds Ninth Consecutive D.C. Fly-In to Educate Congress About the Importance of State-Based Insurance Regulation (cont'd)



Sen. Paul Utke, MN  
Treasurer



Rep. Edmond Jordan, LA  
Secretary



Rep. Deborah Ferguson DDS, AR  
Immediate Past President

The day began with U.S. Representative Pete Sessions (R-TX) speaking to NCOIL legislators about current congressional priorities including his interest in amending the Employee Retirement Income Security Act of 1974 (ERISA) to add a statutory waiver provision so that States could seek ways to apply their particular reforms to all health insurance plans whose members all reside in that State – including self-insured plans of a certain number of members. Rep. Sessions, who has served in Congress for over two decades, currently is a Member of the House Financial Services Committee and Chairman of the House Oversight and Accountability Subcommittee on Government Operations and the Federal Workforce.

Throughout their meetings, NCOIL legislators discussed several topics including: the preservation of the McCarran Ferguson Act; amending ERISA to add a statutory waiver provision; the need for a long-term reauthorization and modernization of the National Flood Insurance Program (NFIP); the American Privacy Rights Act (APRA); the Disaster Mitigation and Tax Parity Act; the Secure and Fair Enforcement Regulation Banking (SAFER) Act; and the Federal Housing Finance Agency's proposed "Title Acceptance Pilot."

"It's important that we as state legislators are regularly engaging with our federal counterparts to ensure that our goals are aligned in promoting a strong and fair insurance market for our constituencies," said Asw. Hunter. "The state-based system has protected consumers and promoted solvency in the market for over 70 years and it's important that Congress knows the States are more than well suited to continue to do so for many more years to come."

NCOIL CEO Commissioner Tom Considine said, "With so many proposals relating to insurance regulation circulating at the federal level right now, this was a crucial time for NCOIL legislators to visit The Hill and educate Congress about the established and proven state-based system of insurance legislation and regulation. It was a shame most of Congress didn't make it back to Washington on a Tuesday, which is listed on the official House Calendar as a working session day; nonetheless, we had very productive meetings that made progress on a range of issues."

## Capital

**O** By Will Melofchik – NCOIL General Counsel

**r** Greetings -

**n** Welcome to the latest installment of **Capital Corner**, a column that aims to update you on some of the issues that NCOIL is following. Below are some of the issues that NCOIL will be discussing at the upcoming NCOIL Summer Meeting, along with a brief summary of this year's D.C. Fly-In.

**r** **NCOIL Visits D.C. for Ninth Consecutive Fly-In**

Earlier this week, a bipartisan group of NCOIL legislators met in Washington, D.C. to meet with Members of Congress and their staffs about the importance of the state-based regulation of insurance. This was the ninth consecutive year that NCOIL has held a D.C. educational fly-in. While it was disappointing that all of Congress was not present and working (on a Tuesday!), the fly-in was nonetheless successful.

The day began with U.S. Representative Pete Sessions (TX) speaking to NCOIL legislators about his vast experiences in Congress, and his support for the state-based system of insurance regulation. Throughout their meetings during the day, NCOIL legislators discussed several topics including: the preservation of the McCarran-Ferguson Act; the need for a long-term reauthorization and modernization of the National Flood Insurance Program (NFIP); amending the Employee Retirement Income Security Act of 1974 (ERISA) to add a statutory waiver provision so that States could seek ways to apply their particular reforms to all health insurance

## Future NCOIL Meetings:

Summer 2024  
July 17-20  
Costa Mesa, CA  
Westin South Coast  
Plaza

Annual 2024  
November 21-24  
San Antonio, TX  
The Westin Riverwalk

Spring 2025  
April 24-27  
Charleston, SC  
Francis Marion Hotel

Summer 2025  
July 16-19  
Chicago, IL  
Renaissance Chicago  
Downtown Hotel

## Capital Corner (cont'd)

plans whose members all reside in that State, including self-insured plans of a certain number of members; the American Privacy Rights Act; the Disaster Mitigation and Tax Parity Act; and the Secure and Fair Enforcement Regulation Banking (SAFER) Act.

We thank everyone who made this year's fly-in a success. Taking the time to participate in the fly-in demonstrates a tremendous amount of dedication to NCOIL, especially with the fly-in coming on the heels of the CIP Planning Meeting attended by many of these very same legislators. We look forward to next year's 10<sup>th</sup> anniversary!

### **Eye in the Sky: How Insurers' Use of Aerial Images is Impacting Coverage**

One of the most talked about insurance issues in the country the past several months relates to insurers' increased use of aerial images when making coverage determinations. During the upcoming Summer Meeting in Costa Mesa, a general session will be held focusing on this issue and what type of type of policy, if any, should be enacted to ensure policyholders are protected while permitting insurers to continue proper business practices.

News outlets such as the Wall Street Journal and the New York Post have been reporting that there has been an increase in homeowners losing their coverage on the basis of aerial images<sup>1</sup>. State legislatures and insurance departments have taken notice. Louisiana passed a law that prohibits insurers from "solely relying upon aerial images of an insured property to identify the specific condition that serves as the insurer's basis for cancellation or nonrenewal of a policy of homeowner's insurance unless the images are taken within 24 months of the date of the cancellation or nonrenewal of the policy."<sup>2</sup>

The Massachusetts Division of Insurance<sup>3</sup> and Pennsylvania Insurance Department<sup>4</sup> have also issued materials to both inform policyholders of their rights and remind insurers of certain processes they must follow, such as conducting a physical inspection to confirm the type and extent of damage to a roof supposedly evidenced by aerial imagery, and "providing residents... the opportunity to challenge aerial imagery results or correct confirmed roof deficiencies before they are cancelled or nonrenewed<sup>5</sup>."

Accordingly, in light of these developments, the session will be a great opportunity to hear from a panel of experts as to how state insurance legislators and regulators should deal with this issue going forward. Panelists will include:

- Amy Bach, Executive Director of United Policyholders;
- Dave Tobias, Co-founder and COO of Betterview/Nearmap;
- David Bairstow, SVP & GM of Insurance at EagleView;
- Matt Overturf, Regional VP, Ohio Valley/Mid-Atlantic, of the National Association of Mutual Insurance Companies (NAMIC); and
- Karl Susman, President of Susman Insurance Agency.

A number of NCOIL legislators have expressed interest in discussing this issue further following the Costa Mesa session, and perhaps developing a Model Law. Please submit any thoughts or comments on this topic to [wmelofchik@ncoil.org](mailto:wmelofchik@ncoil.org).

### **Financial Literacy: Providing Students with More Life Skills But At What Cost?**

Financial literacy has become a "hot topic" across the country the past several years. Often cited during conversations surrounding financial literacy is the research showing that financial literacy is linked to positive outcomes, like wealth accumulation, stock market participation, effective retirement planning and avoiding high-cost alternative financial services<sup>6</sup>. Also cited is research showing that poor financial literacy and negative financial behavior often go hand in hand<sup>7</sup>.

<sup>1</sup><https://www.wsj.com/real-estate/home-insurance-aerial-images-37a18b16>—<https://nypost.com/2024/04/08/business/insurance-companies-use-drones-manned-planes-and-high-altitude-balloons-to-spy-on-homes-and-deny-coverage-report/>

<sup>2</sup><https://legiscan.com/LA/text/SB242/2024>

<sup>3</sup><https://www.mass.gov/news/the-truth-about-your-roof-understanding-how-insurance-companies-use-aerial-imaging-to-assess-roof-condition>

<sup>4</sup><https://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/data/vol54/54-21/735.html>

<sup>5</sup>Id.

<sup>6</sup>[https://financialliteracy.champlain.edu/wp-content/uploads/2023/11/Champlain-College\\_2023-National-High-School-Report-Card.pdf](https://financialliteracy.champlain.edu/wp-content/uploads/2023/11/Champlain-College_2023-National-High-School-Report-Card.pdf)

<sup>7</sup>Id.



## Future NCOIL Meetings:

Annual 2025  
November 10-15  
Atlanta, GA  
The Whitley Hotel

Spring 2026  
Louisville, KY  
The Hyatt Regency

Summer 2026  
July 15-18  
Boston, MA  
Westin Copley Place

Annual 2026  
TBD

## Capital Corner (cont'd)

Legislation requiring that all students take a stand-alone course in personal finance to graduate from high school has been growing in popularity. And in some states such as California, the requirement has been introduced as a ballot measure. While support for these initiatives is strong, not everyone is on board. Some argue that, while increased financial literacy is a good thing, when another class is added, that could result in either removal of another class (such as biology, English, math or history), or the performance in other classes suffering. Others also argue that the research, such as what is mentioned above, that is often cited by supporters of financial literacy requirements is not accurate and does not provide evidence that the teaching requirements actually work<sup>8</sup>.

In light of this surge in legislation and ballot initiatives, during the upcoming Summer Meeting, a general session will be held where a panel of experts will offering their perspectives as to what has and hasn't worked with this issue in recent years. Panelists will include:

- Mike Humphreys, Pennsylvania Insurance Commissioner;
- Brenda Cude, Professor at the University of Georgia;
- Tim Ranzetta, Co-founder of Next Gen Personal Finance (and driver of the abovementioned California ballot initiative); and
- Morgan Polikoff, Professor of Education at the USC Rossier School of Education.

Please submit any thoughts or comments on this issue to [wmelofchik@ncoil.org](mailto:wmelofchik@ncoil.org).

We hope to see you in Costa Mesa, and hear from you in the interim.

*-Will*

<sup>8</sup>[https://scholarship.law.upenn.edu/cgi/viewcontent.cgi?referer=&httpsredir=1&article=1198&context=faculty\\_scholarship](https://scholarship.law.upenn.edu/cgi/viewcontent.cgi?referer=&httpsredir=1&article=1198&context=faculty_scholarship)

## Alzheimer's & Brain Awareness Month From the CIP

*Submitted by the Alzheimer's Association*

This June during Alzheimer's & Brain Awareness Month, the Alzheimer's Association is encouraging all Americans to take charge of their brain health.

Today, there are nearly 7 million people age 65 and older in the U.S. living with Alzheimer's dementia. The lifetime risk for the disease at age 45 is 1 in 5 for women and 1 in 10 for men. The brain changes that cause Alzheimer's are thought to begin 20 years or more before symptoms start, which suggests that there may be a substantial window of time in which we can intervene in the progression of the disease.

Experts believe there isn't a single cause of Alzheimer's. It's likely the disease develops as a result of multiple factors. While not a direct cause of Alzheimer's, the greatest known risk factor is advancing age. Although some risk factors like age cannot be changed, others — including physical activity, not smoking, education, challenging your mind, blood pressure and diet — may be modified to reduce a person's risk.

Research shows that adopting healthy habits may reduce the risk of cognitive decline. As many as 40% of dementia cases worldwide may be attributable to modifiable risk factors. Based on mounting scientific evidence, the Alzheimer's Association encourages individuals to incorporate these [10 Healthy Habits](#) to reduce the risk of cognitive decline and possibly dementia.

Many individuals experiencing memory and thinking problems often put off discussing them with a doctor. A [report](#) released in 2022 found that 60% of U.S. adults say they would not see a doctor right away if they were experiencing symptoms of mild cognitive impairment. Rather,

## NCOIL Honors Juneteenth:

NCOIL honors Juneteenth as an opportunity to acknowledge our nation's past, promote diversity, and foster a future of freedom and justice for all. This is an important time to commemorate the contributions of Black Americans to the fabric of our society.

## NCOIL Summer Meeting Welcome Reception:

We are pleased to announce the 2024 Summer Meeting Welcome Reception will be held on the rooftop terrace of the Orange County Museum of Art

A convenient 5 minute walk from the conference host hotel, the Reception will take place from 5:30 pm - 7:30 pm on Wednesday, July 17th

## Alzheimer's & Brain Awareness Month (cont'd)

they would wait until symptoms persisted, worsened or until family and friends expressed concern.

However, early detection and diagnosis of Alzheimer's and other dementia offers the best opportunity for care, management and treatment. It also provides diagnosed individuals more time to plan for the future, participate in clinical trials and to live with a higher quality of life, for as long as possible. **There are now treatments that may slow disease progression for people in the early stage of Alzheimer's, making a timely diagnosis critically important.**

Physicians use a variety of tools to evaluate memory and thinking problems. An Alzheimer's diagnosis currently relies largely on observing cognitive decline — a point at which the disease has already damaged the brain. Researchers hope to discover accessible and accurate ways of detecting Alzheimer's disease that will allow for earlier diagnosis, so that treatments can be started before the onset of symptoms. Several potential biomarkers are being studied for their ability to indicate early stages of Alzheimer's — and a few are already used more widely today. For example, two hallmark brain changes of Alzheimer's disease — the accumulation of protein fragments known as beta-amyloid and tau — are biomarkers that can be detected using imaging technologies or assessed through a cerebrospinal fluid test. However, a reliable blood test, some of which are already improving the design of clinical trials, are being used in some specialty care centers and in the future are likely to revolutionize the diagnostic process.

Receiving an Alzheimer's diagnosis in the early stage of the disease gives the individual time to assemble medical and caregiving teams to provide support and help prevent or treat medical concerns. This proactive approach includes discussions about the treatment and management of coexisting medical conditions, which represent a significant and expensive problem in individuals with undiagnosed Alzheimer's. An early diagnosis also enables potential safety issues, such as problems with driving or wandering, to be addressed ahead of time.

Early diagnosis is not only good care, but it is also more cost effective. The Precision Health Economics study used The Health Economics Medical Innovation Simulation (THEMIS), a peer-reviewed model, to provide projections of the effect of early diagnosis of Alzheimer's disease on future medical and long-term care costs. The average per-person cost for an individual with Alzheimer's is projected to be \$360,000, saving \$63,000 per individual. Under the assumptions of the model, this represents \$30,000 in Medicare savings, \$20,000 in Medicaid savings and \$13,000 in other savings. The results of this model underscore the economic benefits — to the government, to individuals, and to the medical and long-term care systems overall — of an early and accurate diagnosis of Alzheimer's.

During this Alzheimer's and Brain Awareness Month, consider joining the millions of individuals living with Alzheimer's and their families as they encourage all Americans to take charge of their brain health, and celebrate the progress that is being made thanks to state policies that support risk reduction, early detection, diagnosis, and treatment of Alzheimer's and other dementias.

## NCOIL Property & Casualty Insurance Committee Interim Meeting

Oklahoma Representative Forrest Bennett called an interim meeting of the NCOIL Property & Casualty Insurance Committee on June 14th. During the call, the Committee: continued discussion and passed the NCOIL Catalytic Converter Theft Prevention Model Act, sponsored by Rep. Tom Oliverson (TX), M.D. NCOIL President; continued discussion on the NCOIL Strengthen Homes Program Model Act, sponsored by Rep. Jim Dunnigan (UT); discussed the proposed "Title Acceptance Pilot" from Federal Housing Finance Agency (FHFA); and provided an opportunity for discussion and comments on the NCOIL Model Laws scheduled for re-adoption at the upcoming NCOIL Summer Meeting in July.

A video recording of the Meeting can be viewed on the NCOIL YouTube Channel here: [https://www.youtube.com/watch?v=O\\_hWBF9BejI](https://www.youtube.com/watch?v=O_hWBF9BejI).

## REGISTRATION FOR NCOIL SUMMER MEETING IS OPEN

Registration for the 2024 NCOIL Summer Meeting at the Westin South Coast Plaza in Costa Mesa, CA from July 17th—20th is open.



For registration information please click [here](#)

See the meeting schedule on page 8 or view at the NCOIL website [here](#)

**Reminder that Contributing States are eligible for two legislator stipends per National Meeting to help underwrite the cost of participating.**

**Click below for more information**

**Please reach out to Pat Gilbert at [pgilbert@ncoil.org](mailto:pgilbert@ncoil.org) with any questions**

**LEGISLATOR STIPENDS NOW AVAILABLE FOR CONTRIBUTING STATES**

**CLICK HERE FOR MORE INFORMATION**

**Hotels Near the Conference Host Hotel:**

**Costa Mesa Marriott**

**Avenue of the Arts (Costa Mesa)**

**Irvine Marriott International**

**Renaissance Newport Beach Hotel**

**Newport Beach Marriott Bayview**



**SPRING MEETING MINUTES**

**CLICK HERE FOR MORE INFO**

## Things to See in Costa Mesa:

### California Scenario

### Fairview Park

### Heroes Hall Museum

### The LAB

### Orange County Beaches

### Orange County Museum of Art

### Pacific Amphitheatre

### South Coast Plaza

## NCOIL Summer Meeting: Models to be Considered for Re-Adoption

At the upcoming 2024 NCOIL Summer Meeting, per NCOIL Bylaws, the following Models are up for consideration for re-adoption:

- [NCOIL Model Act Regarding Use of Claims History Information](#) (To be considered for re-adoption by the Property-Casualty Insurance Committee)
- [NCOIL Model Act Concerning Interpretation of State Insurance Laws](#) (To be considered for re-adoption by the Property-Casualty Insurance Committee)
- [NCOIL State Flood Disaster Mitigation & Relief Model Act](#) (To be considered for re-adoption by the Property-Casualty Insurance Committee)
- [NCOIL Model Act Concerning Workers' Compensation Drug Formulary Act](#) (To be considered for re-adoption by the Workers' Compensation Insurance Committee)

## NCOIL One on One

NCOIL One on One Interview with California Assemblymember Tim Grayson is out now. Click the link [here](#) to check it out!

Interested in learning more about other NCOIL participants? Visit the link [here](#) to see past NCOIL One on One Interviews.

Thank you to all who have participated so far:

- IN Rep. Matt Lehman
- NY Asw. Pam Hunter
- OH Sen. Bob Hackett
- AR Rep. Deborah Ferguson
- ND Sen. Jerry Klein
- LA Rep. Edmond Jordan
- CA Asm. Ken Cooley
- TX Rep. Tom Oliverson
- NV Asw. Maggie Carlton
- MN Sen. Paul Utke
- MI Rep. Brenda Carter
- WV Del. Steve Westfall
- SC Rep. Carl Anderson
- NC Sen. Vickie Sawyer
- IN Sen. Travis Holdman
- OK Rep. Forrest Bennett
- CT Rep. Tammy Nuccio
- MS Sen. Walter Michel
- KY Rep. Rachel Roberts
- UT Rep. Jim Dunnigan
- NJ Sen. Nellie Pou
- ND Sen. Shawn Veda
- RI Sen. Roger Picard
- WI Sen. Mary Felzkowski
- NY Sen. Neil Breslin
- LA Ins. Cmsr. Jim Donelon
- KY Rep. Sarge Pollock
- OK Rep. Ellyn Hefner
- Charise Richard, PhRMA
- MI Sen. Lana Theis
- OH Rep. Brian Lampton



## Don't Miss the NCOIL YouTube Channel: Subscribe Today

Weren't able to attend our past meetings? Good news— you can visit our YouTube channel for recordings of past meetings. Prior national meeting sessions and interim committee meetings are posted on our YouTube channel now.

Visit the link [here](#) to subscribe and keep up to date on all things NCOIL!



## 2024 NCOIL Summer Meeting Schedule

### WEDNESDAY, JULY 17TH

NCOIL & Institutes Griffith Foundation Legislator Workshop <i>***Open to Legislators Only***</i>	1:00 PM	-	4:00 PM
Budget Committee	4:00 PM	-	4:30 PM
Audit Committee (Members Only)	4:30 PM	-	5:00 PM
Welcome Reception <i>Orange County Museum of Art</i>	5:30 PM	-	7:30 PM

### THURSDAY, JULY 18TH

Welcome Breakfast	8:15 AM	-	9:45 AM
Networking Break	9:45 AM	-	10:00 AM
Joint State-Federal Relations & International Insurance Issues Committee	10:00 AM	-	11:30 AM
General Session	11:30 AM	-	1:00 PM
The Institutes Griffith Foundation Legislator Luncheon	1:00 PM	-	2:00 PM
Health Insurance & Long Term Care Issues Committee	2:00 PM	-	3:45 PM
Networking Break	3:45 PM	-	4:00 PM
Financial Services & Multi-Lines Issues Committee	4:00 PM	-	5:30 PM
CIP Member & Sponsor Reception	6:00 PM	-	7:00 PM

### FRIDAY, JULY 19TH

Workers' Compensation Insurance Committee	9:00 AM	-	10:30 AM
Networking Break	10:30 AM	-	10:45 AM
NCOIL—NAIC Dialogue	10:45 AM	-	12:00 PM
Luncheon with Keynote Address	12:00 PM	-	1:30 PM
General Session	1:30 PM	-	3:00 PM
Life Insurance & Financial Planning Committee	3:00 PM	-	4:30 PM
Articles of Organization & Bylaws Revision Committee	4:30 PM	-	5:00 PM
CIP Member & Sponsor Reception	6:00 PM	-	7:00 PM

### SATURDAY, JULY 20TH

The Institutes Griffith Foundation Legislator Breakfast	8:00 AM	-	9:00 AM
General Session	9:00 AM	-	10:30 AM
Networking Break	10:30 AM	-	10:45 AM
Property & Casualty Insurance Committee	10:45 AM	-	12:30 PM
Executive Committee	12:30 PM	-	1:00 PM

