



Asw. Pamela Hunter, NY  
President



Thomas B. Considine  
NCOIL CEO



Sen. Paul Utke, MN  
Vice President

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## 2024 Year in Review

### NCOIL Elects New Officer Team

***NY's Hunter, MN's Utke, LA's Jordan, & UT's Dunnigan to Lead National Insurance Legislator Group***

The National Council of Insurance Legislators (NCOIL) recently met and elected its lineup of officers for the upcoming year. The organization elected New York Assemblywoman Pamela Hunter as President; Minnesota Senator Paul Utke as Vice President; Louisiana Representative Edmond Jordan as Treasurer; and Utah Representative Jim Dunnigan as Secretary. Texas Representative Tom Oliverson, M.D., remains in the leadership as Immediate Past President.

"NCOIL has seen tremendous growth over the past several years and I'm honored to be elected President to further advance the organization and help it thrive for many more years to come," said Asw. Hunter. "I look forward to working with my fellow officers and legislative colleagues to continue to expand our national reach and develop sound public policy on the important and complex insurance and financial services issues 2025 is sure to bring."

Sen. Utke said, "NCOIL provides immense value to state insurance legislators and I'm very glad to be continuing my service to the organization this year as Vice President. This year was one of the organization's strongest in terms of participation from legislators and interested parties and I'm confident that trend of enthusiasm will continue in 2025 and beyond."

"As I complete my first year in the NCOIL officer ranks, I'm very excited for what lies ahead for the organization as I become its Treasurer. Making sure NCOIL is on a sound financial track is vital towards ensuring we can continue to grow our membership and make meaningful advances on policy," said Rep. Jordan.

Rep. Dunnigan said, "Having been involved with NCOIL throughout much of my time in the Utah Legislature, I know how important the organization is in keeping legislators informed on insurance issues. I'm proud to be taking the next step in my service to NCOIL by being elected to the officer group as Secretary, and I'll be doing all I can to keep moving the organization forward."

The officer group assumed their responsibilities at the conclusion of the 2024 NCOIL Annual Meeting in San Antonio,

## NCOIL Elects New Officer Team (Cont'd)

***NY's Hunter, MN's Utke, LA's Jordan, & UT's Dunnigan to Lead National Insurance Legislator Group***



Rep. Edmond Jordan, LA  
Treasurer

TX.

Rep. Oliverson said, "This was a great year to serve as NCOIL President in terms of growing our legislative membership around the country and developing policy on a wide range of issues. Everyone in the officer group has made great contributions to the organization and I could not be happier with the direction NCOIL is going."

NCOIL CEO Commissioner Tom Considine said, "We are very fortunate to have this officer group the membership has elected. Pam Hunter is a proven leader here at NCOIL both as an officer and during her years as a very effective policy committee chair. Paul Utke and Edmond Jordan continue to make immeasurable contributions as officers and our newest addition to the ranks, Jim Dunnigan, has shown great commitment to NCOIL over the years and we're all confident he will be an exceptional officer."

"Everyone at NCOIL is so appreciative of all Representative Oliverson has done this past year to move NCOIL forward. His perspective and knowledge on so many issues will prove to be very valuable as he continues his service as Immediate Past President," concluded Asw. Hunter.

## NCOIL Adopts Five New Model Laws at Annual Meeting in San Antonio

***Model Laws Include the NCOIL Value Based Purchasing Model Act; the NCOIL Earned Wage Access Model Act; the NCOIL Transparency in Third Party Litigation Financing Model Act; the NCOIL Model Act in Support of Mental Health Wellness Exams; and the NCOIL Strengthen Homes Program Model Act***

At the 2024 National Council of Insurance Legislators (NCOIL) Annual National Meeting in San Antonio, the organization adopted five new NCOIL Model Laws. All five Models passed overwhelmingly via voice vote by their respective policy committees and the NCOIL Executive Committee.

The NCOIL Health Insurance & Long Term Care Issues Committee, Chaired by Rep. Jim Dunnigan (UT), NCOIL Secretary, adopted the NCOIL Value Based Purchasing Model Act, sponsored by Sen. Mary Felzkowski (WI). The NCOIL Financial Services & Multi-Lines Issues Committee, Chaired by Sen. Felzkowski, adopted the NCOIL Earned Wage Access Model Act, sponsored by Asw. Pamela Hunter (NY), NCOIL President, and the NCOIL Transparency in Third Party Litigation Financing Model Act, sponsored by Rep. Matt Lehman (IN), Past NCOIL President, and co-sponsored by Del. Steve Westfall (WV).

Additionally, the Joint State-Federal Relations & International Insurance Issues Committee, Chaired by Rep. Rachel Roberts (KY), adopted the NCOIL Model Act in Support of Mental Health Wellness Exams, sponsored by Rep. Roberts. And the Property & Casualty Insurance Committee, Chaired by Rep. Forrest Bennett (OK), adopted the NCOIL Strengthen Homes Program Model Act, sponsored by Rep. Dunnigan and co-sponsored by Rep. Matthew Gambill (GA).

"NCOIL had a great year as the organization worked to address some of the most pressing and frequently discussed issues impacting the insurance and financial services industries," said Asw. Hunter. "The long hours of deliberative discussions that take place leading up to and during our meetings resulted in the adoption of five well vetted and significant Model Laws. The sponsors and co-sponsors thoroughly engaged on their respective issues and collaborated with stakeholders to bring these Models to where they needed to be for NCOIL committee passage. As we look towards the new year, we will be watching with interest as these Model bills inspire new legislation in statehouses across the country."

The NCOIL Value Based Purchasing Model Act aims to create authority for states to enter into a value based purchasing agreement with a drug manufacturer. The Model does not require states to enter into these agreements. Rather, the Model creates the authority if the state wants to do so.

As medical treatments continue to advance, it has opened the door to a wide variety of medical solutions, especially when dealing with very rare diseases. However, the cost of these treatments are extremely high. A value-based purchasing agreement aims to ensure that the cost of the treatment is based on the value that it provides to the pa-



Rep. Jim Dunnigan, UT  
Secretary



Rep. Tom Oliverson M.D., TX  
Immediate Past President

## Future NCOIL Meetings:

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

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

Annual 2025  
November 12-15  
Atlanta, GA  
The Whitley Hotel

## NCOIL Adopts Five New Model Laws at Annual Meeting in San Antonio (Cont'd)

tient. This is done through an agreed upon metric between the state agency and the manufacturer stating what benchmarks need to be met to receive the full payment.

"I sponsored a law very similar to this Model in Wisconsin, and I was proud to see its swift adoption here at NCOIL as it is important that patients have access to the most cutting-edge treatments," said Sen. Felzkowski. "This is a very straightforward Model and I'm confident other states will follow NCOIL's lead and implement it."

No opposition to the Model was voiced throughout the drafting and deliberation process, and NCOIL legislators and staff heard from interested parties including the Campaign for Transformative Therapies (CTT) and Michael Heifetz, former Wisconsin Medicaid Director.

The NCOIL Earned Wage Access (EWA) Model Act provides states a licensing framework and sets forth several consumer protections related to the EWA industry. The Model outlines an application process in which EWA providers can obtain a license from an appropriate regulatory department and establishes several compliance requirements and reporting and enforcement provisions. The Model requires EWA providers to give the consumer notice before a consumer enters into an EWA transaction, of all fees associated with the transaction and the full potential cost of the transaction, including any expediting fees, any suggested tips, any other potential charges a provider might impose directly on a customer and the cost expressed as an annual percentage rate. If an EWA provider offers consumers the opportunity to pay an additional amount for an EWA transaction voluntarily, such as a tip or donation, the Model requires providers to offer \$0 among any amounts suggested to the consumer.

"Several states, including my home state of New York, have either introduced or passed earned wage access legislation and it's clear that the issue will be discussed in many more legislatures in the new year," said Asw. Hunter. "As the earned wage access market has rapidly expanded, so have concerns on how these products are utilized and what guardrails are necessary. I'm proud of the work we did at NCOIL to lead on this issue by providing important guidance to legislators on how to best protect consumers."

Throughout the Model drafting and deliberation process, the Committee heard from a wide range of interested parties including: the Center for Responsible Lending (CRL); the Connecticut Department of Banking; Consumer Reports; DailyPay; EarnIn; the Financial Technology Association (FTA); the Missouri Division of Finance; the National Consumer Law Center (NCLC); the New Economy Project; and Payactiv.

The NCOIL Transparency in Third Party Litigation Financing Model Act establishes that such transactions be subject to state regulation and sets requirements regarding disclosure, registration, funding company and attorney responsibilities and limitations, violations, and other items, such as setting forth a rate cap for consumer litigation funding transactions. The Model prohibits both consumer and commercial litigation financing transactions from being directly or indirectly financed by a foreign entity of concern, or a foreign country or person of concern.

The Model also requires that in a civil proceeding in which a plaintiff enters into a consumer litigation financing agreement, the plaintiff or the plaintiff's attorney shall provide to each of the other parties in a civil proceeding, and each insurer that has a duty to defend another party in the civil proceeding, written notice that the plaintiff has entered into a consumer litigation funding contract in which a plaintiff enters into a consumer litigation financing agreement. On the commercial side, the Model requires a party or his or her counsel to, without awaiting a discovery request, provide to the other parties, and each insurer that has a duty to defend another party in the civil proceeding, any agreement under which any commercial litigation financier, other than an attorney permitted to charge a contingent fee representing a party, has a right to receive compensation that is contingent in any respect on the outcome of the legal claim.

"This issue first came up at NCOIL over a decade ago and at that time, we reached a stalemate and weren't able to finalize anything," said Rep. Lehman. "Since then, we've seen real growth in this space on both the consumer and commercial sides so getting this Model to a place where it could be voted on is a big win for transparency and consumers. The adoption of the Model did not happen overnight, and it is a real testament to the Committee members who heard all perspectives and had robust discussions in order to get to an end result that provides a strong foundation for States to address this issue."

## NCOIL Adopts Five New Model Laws at Annual Meeting in San Antonio (Cont'd)

### 2024 Annual NCOIL Meeting in Pictures:



### NCOIL CEO Tom Considine introduces TX Insurance Commissioner Cassie Brown at the Annual Meeting Welcome Breakfast



During the drafting and deliberation process, NCOIL legislators and staff heard from a wide range of interested parties including: the Alliance for Responsible Consumer Legal Funding (ARC); the American Association for Justice (AAJ); the American Legal Finance Association (ALFA); the American Property & Casualty Insurance Association (APCIA); California Western School of Law; the Coalition Against Insurance Fraud; Dinsmore & Shohl LLP; the Independent Insurance Agents and Brokers of America (IIABA); the International Legal Finance Association (ILFA); the National Association of Mutual Insurance Companies (NAMIC); the National Insurance Crime Bureau (NICB); Parabellum Capital; Shook, Hardy & Bacon; State Farm; Uber; and Zurich.

The NCOIL Model Act in Support of Mental Health Wellness Exams requires health plans to provide coverage for an annual standalone mental health wellness examination that is performed by a mental health professional. The Model states that such coverage shall be no less extensive than the coverage provided for preventive services or primary care benefits, comply with the federal Mental Health Parity and Addiction Equity Act, and not be subject to copayments, coinsurance, deductibles, or any other cost sharing requirements, provided, however, that cost-sharing shall be required if the applicable plan is governed by the Federal Internal Revenue Code and would lose its tax-exempt status as a result of the prohibition on cost-sharing for the service.

"It is essential that consumers are empowered to take care of their mental health just as much as their physical health," said Rep. Roberts. "However, far too often people just don't have access to the same level of coverage for mental healthcare as they do for physical care. I was proud to sponsor this Model to encourage more states around the country to ensure their citizens have access to all the care they need."

NCOIL legislators and staff heard from several interested parties during the drafting and deliberation process including: the American Medical Association (AMA); America's Health Insurance Plans (AHIP); the Blue Cross Blue Shield Association (BCBSA); the Association for Behavioral Health and Wellness (ABHW); the American Psychiatric Association; the Kennedy Forum; Elevance; the ERISA Industry Committee (ERIC); Inseparable; Teladoc; Mental Health America (MHA); and the National Governors Association (NGA).

The NCOIL Strengthen Homes Program Model Act provides guidance to states in the form of promoting the strengthening of homes in order to protect against severe weather. Specifically, the Model establishes a grant program, allowing the Commissioner of Insurance to make financial grants to consumers in order to retrofit roofs of insurable property to meet or exceed the "fortified roof" standard of the Insurance Institute for Business and Home Safety. The Model also requires insurers writing property insurance for any property that has been certified as complying with the "fortified roof" standard to provide a premium discount or rate reduction on the coverage if the discount or reduction is actuarially justified and there is sufficient and credible evidence of cost savings that can be attributed to the construction standards.

Rep. Dunnigan said, "This is a well thought out solution to a problem that unfortunately affects many of us across the country. Whether it be homeowners on the coastline in Florida impacted by hurricanes, Oklahomans in Tornado Alley or those impacted by wildfires like we've seen in Utah where I'm from, having your home strengthened to vetted standards is an important measure to be protected. It's a win-win for insurers and consumers and I look forward to seeing this get adopted in states around the country."

As the Model was being developed, NCOIL legislators and staff heard from several interested parties including: the American Property & Casualty Insurance Association (APCIA); the Independent Insurance Agents and Brokers of America (IIABA); the Insurance Institute for Business & Home Safety (IBHS); the Louisiana Department of Insurance; the National Association of Insurance Commissioners (NAIC)'s Center for Insurance Policy and Research; the National Association of Mutual Insurance Companies (NAMIC); the Oklahoma Department of Insurance; State Farm; and United Policyholders.

NCOIL CEO Commissioner Tom Considine said, "These five Model Laws deal with some of the most talked about insurance and financial services issues across the country and the ability of NCOIL to reach a consensus and take action on each of them is illustrative of how NCOIL has re-established its relevance and importance to public policy and the overall state-based system of insurance regulation. People know when they see an NCOIL Model Law come across their desk, all perspectives have been considered and it has been vetted in a truly bipartisan manner

## NCOIL Adopts Five New Model Laws at Annual Meeting in San Antonio (Cont'd)

which is what the organization really is all about.”

Full copies of the Models can be found in links the below:

[NCOIL Value Based Purchasing Model Act](#)

[NCOIL Earned Wage Access Model Act](#)

[NCOIL Transparency in Third Party Litigation Financing Model Act](#)

[NCOIL Model Act in Support of Mental Health Wellness Exams](#)

[NCOIL Strengthen Homes Program Model Act](#)

## NCOIL CEO Announces Retirement

NCOIL CEO Commissioner Tom Considine today announced his retirement effective December 31, 2024. The announcement came during the Welcome Breakfast of the organization's 2024 National Council of Insurance Legislators (NCOIL) Summer National Meeting in Costa Mesa, CA. Considine has served as NCOIL's first ever CEO since January 2016. The organization previously had an Executive Director Model.

"I think I can speak for everyone at NCOIL when I say Tom has made immeasurable contributions in terms of advancing the organization both substantively on the issues and expanding our legislative membership," said Rep. Tom Oliverson, M.D. (TX), NCOIL President. "The growth we have seen over the past decade has been tremendous and I know we are well positioned for that continue."

NCOIL has grown markedly under Considine from an average National Meeting attendance of 226 participants in 2015 prior to his arrival to over 350 attendees during the most recent year. Legislator participation also increased 42% in that time frame.

"Tom's strategic vision and engaging personality was just what NCOIL needed from a leader when he came on as the first ever CEO in 2016. The organization is now not just in a position of stability but truly a position of strength with a strong and growing membership. We all owe him a great debt of gratitude for his service," said Rep. Matt Lehman (IN), Past NCOIL President.

Considine's tenure ushered in fresh perspective and ideas to the now over 50-year-old organization that in 2015 was struggling financially with an uncertain future. NCOIL now has a fortress balance sheet, ensuring it can continue to serve as an educational forum for legislators on insurance public policy issues for many more years to come.

## 2024 Annual NCOIL Meeting in Pictures:



NCOIL CEO Tom Considine retired and was commended for his years of service. We thank him for his years of leadership!



## 2024 Annual NCOIL Meeting in Pictures:



Outgoing NCOIL President Tom Oliverson was honored for his dedication and sound leadership. We thank him for a successful term as NCOIL President



## NCOIL CEO Announces Retirement (Cont'd)

"Tom's exceptional leadership and extensive experience coupled with his outgoing personality has significantly contributed to NCOIL's success and growth over the past decade," said Rep. Deborah Ferguson, DDS, (AR) NCOIL Immediate Past President. "On a personal note, I am immensely grateful for his help in navigating my presidency from our first meeting in New Jersey to my last meeting as President in Ohio. His guidance and camaraderie have been invaluable, and I have truly enjoyed our friendship and the times we've shared."

Idaho Insurance Director and Past NAIC President Dean Cameron said, "Tom is a dynamic, energetic and experienced leader. His leadership restored NCOIL to its appropriate influential position. Tom's energy and passion tackled complicated and critical insurance challenges and drove towards responsible solutions. His experience recognized the critical role of state-based regulation and he advanced legislators and regulators collaborating to protect consumers. I am honored to have worked with Tom and I am grateful for his leadership and friendship."

During the Welcome Breakfast, Considine announced NCOIL General Counsel Will Melofchik as his successor. "When I came to NCOIL as CEO in 2016, my goals were to stabilize & secure NCOIL financially; to grow the organization in overall attendance and legislator participation through higher quality meetings; and to re-establish first the relevance then the importance of NCOIL in insurance public policy. I'm proud of the work we've done together with the great legislative leadership we've had here to meet and exceed all of these goals," stated Considine. "It's time for NCOIL to do another strategic assessment for the next 5-7 years, and so I decided it's time for me to pass the torch, to retire as NCOIL's CEO, fully confident in the organization's strength for the whatever lies ahead. I cannot thank everyone enough who has contributed to the organization's success over the years. I will be forever grateful to the Officers for the opportunity to meet the challenge NCOIL presented." he concluded.

Considine will continue to serve NCOIL in a part-time consulting capacity following his retirement as CEO.

## NCOIL Concludes Successful Annual Meeting in San Antonio

The National Council of Insurance Legislators (NCOIL) concluded a highly successful 2024 Annual National Meeting (Meeting) from November 21st – 24th in San Antonio, TX. In what was the final of the organization's three National Meetings in 2024, there were 381 participants consisting of 77 legislators from 32 states, 13 first-time attendee legislators from 10 states, 6 Insurance Commissioners (or equivalent), and 10 total insurance departments represented. The packed agenda was highlighted by the adoption of five new Model Laws. Additionally, NCOIL's policy Committees heard presentations and held discussions on a wide variety of emerging topics and important issues currently impacting the insurance and financial services marketplaces.

During the Meeting, the Nominating Committee met and voted to recommend a slate of new officers for next year. Rep. Jim Dunningan (UT) will serve as Secretary, the first step in the NCOIL Officer ranks. The Committee also continued the advancement of Asw. Pamela Hunter (NY) who will now serve as President, Sen. Paul Utke (MN) who will serve as Vice President, and Rep. Edmond Jordan (LA) who will serve as Treasurer. Outgoing President Rep. Tom Oliverson, M.D. (TX) remains in the leadership as Immediate Past President. The full slate was elected on Sunday at the closing session.

"It's a great honor to serve as NCOIL President and I look forward to collaborating with this dedicated Officer group to build on the momentum of the past several years," said Asw. Hunter.

"I was proud to host NCOIL in my home state for a highly successful Annual Meeting. We were able to continue the organization's trend of both strong attendance and adoption of timely and important Model Laws and Resolutions," said Rep. Oliverson. "Throughout this year we saw participation from 137 legislators from 41 states and each Meeting had over 300 attendees. Those numbers are a testament to the hard work we've put in this year and a very positive indicator of where the organization is heading in 2025 and beyond."

NCOIL CEO, Commissioner Tom Considine stated, "NCOIL is really rounding out the year in a terrific way and the attendance from legislators, regulators, and interested parties in San Antonio shows how enthusiasm for NCOIL continues to grow. As I near the end of my service as NCOIL CEO, I could not be more pleased of the progress the organization has made over the past several years and I am very confident in the future success of NCOIL."

## 2024 Annual NCOIL Meeting in Pictures:



John Ashford of the Hawthorne Group delivered a Keynote Address during the 2024 Annual Meeting in which he discussed the trends and outcomes of the 2024 US elections



## NCOIL Concludes Successful Annual Meeting in San Antonio (Cont'd)

Healthcare Innovations?" moderated by Asm. Jarret Gandolfo (NY). "NCOIL has had ongoing conversations around ERISA's impact on the health insurance market, highlighted by a proposed amendment to 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. U.S. Representative Pete Sessions (TX) has expressed interest in that amendment, so it's important that state legislators stay well informed on this topic."

A very productive NCOIL-NAIC Dialogue was then held which included a great lineup of NAIC representatives: Connecticut Commissioner and NAIC Past President Andrew Mais; Kansas Commissioner Vicki Schmidt; and Oklahoma Commissioner Glen Mulready.

Rep. Oliverson stated, "I continue to be pleased with the positive working relationship between NCOIL and the NAIC. Having an open dialogue between legislators and regulators is essential in preserving the state-based system of insurance regulation and promoting the best possible insurance market for our mutual constituencies."

At the Keynote Luncheon, John Ashford, Chairman and CEO of the Hawthorn Group, L.C. delivered a fascinating in-depth post-election presentation that touched on the outcome of the recent 2024 elections and their impact on the insurance industry.

A General Session was then held titled "Does SCOTUS' Chevron Repeal Mean a Rebirth for State Regulation?" moderated by Rep. Brenda Carter (MI). "The repeal of the Chevron Doctrine is a very significant ruling from the high court and it will certainly have implications for the state based system of insurance regulation. I was glad to facilitate this discussion to help give NCOIL legislators a deeper understanding of the issue," said Rep. Carter.

The Financial Services & Multi-Lines Issues Committee, chaired by Sen. Felzkowski then met and adopted the NCOIL Earned Wage Access Model Act, sponsored by Asw. Hunter, and the NCOIL Transparency in Third Party Litigation Financing Model Act, sponsored by Rep. Lehman and co-sponsored by Del. Steve Westfall (WV). The Committee also re-adopted the NCOIL Insurance Fraud Model Act and heard a presentation on inflation's impact on the insurance market.

"The Committee certainly had a busy year discussing two Model Laws on what are two of the most frequently discussed topics in state legislatures across the country," said Sen. Felzkowski. "Asw. Hunter and Rep. Lehman listened to all stakeholders that participated in the process, and each worked tirelessly to get their respective Models to places where they could be considered. Hearing from a wide array of interested parties and working to reach a consensus on an issue is really at the core of what NCOIL is all about."

Sunday began with a meeting of the Joint State-Federal Relations & International Insurance Issues Committee, chaired by Rep. Rachel Roberts (KY). The Committee adopted the NCOIL Model Act in Support of Mental Health Wellness Exams, sponsored by Rep. Roberts, as well as a Resolution in Support of Establishing Catastrophe Savings Accounts sponsored by Rep. Lehman, Sen. Michel, Rep. Ellyn Hefner (OK), and Rep. Anderson. The Committee also heard a presentation on patent practices in the prescription drug marketplace.

"I was glad the Committee was able to meet in San Antonio to advance a number of issues, and I was particularly pleased to see my Model in support of mental health wellness exams be adopted. I have been a strong proponent of expanding access to mental healthcare throughout my time in the Kentucky General Assembly and I hope that this Model can help legislators in states around the country provide important care for their constituents," said Rep. Roberts.

The Property & Casualty Insurance Committee, chaired by Rep. Bennett, then met and adopted the NCOIL Strengthen Homes Program Model Act, sponsored by Rep. Dunnigan and co-sponsored by Rep. Matthew Gambill (GA). The Committee also continued discussions on: the NCOIL Model Act Regarding Insurers' Use of Aerial Images, sponsored by Rep. David LeBoeuf (MA) and Rep. Brian Lampton (OH); the NCOIL Motor Vehicle Glass Model Act, sponsored by Rep. Michael Sarge Pollock (KY), Vice Chair of the Committee; and the NCOIL Online Marketplace Guarantees Model Act, sponsored by Rep. Lampton.

Rep. Bennett stated, "The adoption of the NCOIL Strengthen Homes Program Model Act is a big win for consumers

## NCOIL Concludes Successful Annual Meeting in San Antonio (Cont'd)

The Meeting kicked off with the 3rd NCOIL Open Insurance Legislators Foundation (ILF) Scholarship Golf Outing on Thursday afternoon. The event helped reinvigorate the ILF Scholarship Fund which helps legislators attend NCOIL National Meetings.

At the traditional Welcome Breakfast on Friday morning, attendees were greeted by Texas Insurance Commissioner Cassie Brown who spoke about her experience overseeing the regulation of the second largest insurance market in the nation and the seventh largest in the world. Also during the Breakfast, Rep. Oliverson honored Cmsr. Considine's service to NCOIL by presenting him with a pair of custom cowboy boots embroidered with the NCOIL Logo. Following the Breakfast, the policy committee meetings kicked off with the Health Insurance & Long Term Care Issues Committee, chaired by Rep. Dunnigan. The Committee adopted the NCOIL Value Based Purchasing Model Act, sponsored by Sen. Mary Felzkowski (WI), Chair of the NCOIL Financial Services & Multi-Lines Issues Committee. The Committee also introduced a hearing aide classification model law concept and held discussions on other issues including: the NCOIL Improving Affordability for Patients Model Act sponsored by Rep. Deborah Ferguson, DDS (AR), NCOIL Immediate Past President, and Rep. Oliverson; developments in vision care services legislation; and the prior authorization reform landscape. Sen. Walter Michel (MS), Chair of the NCOIL Articles of Organization & Bylaws Revision Committee, announced his intent to develop an NCOIL prior authorization reform Model Law next year using recently passed Mississippi legislation as a starting point.

"The Committee has made meaningful progress on a wide range of healthcare issues and I was proud to serve as its Chair," said Rep. Dunnigan. "I commend Sen. Felzkowski for the work she did in getting the Value Based Purchasing Model Act passed during our final Meeting of 2024 and I am looking forward to the continued discussions on the Improving Affordability for Patients Model Act and other emerging issues."

Sen. Justin Boyd (AR) then moderated Part Two of the NCOIL Special Series on Preventive Medicine titled "Food as Medicine and Advancing a Healthy America." Sen. Boyd said, "I was glad to facilitate Part Two of the important dialogue on preventive medicine that we started at our Summer Meeting in July. This is a topic that impacts everyone so keeping legislators informed is extremely important for sound public policymaking."

The Workers' Compensation Insurance Committee then met, chaired by Sen. Lana Theis (MI). The Committee heard perspectives on structured settlements from two presiding judges, as well as presentations on the state of work comp coverage for mental injuries and the uniqueness of the Texas workers' compensation insurance system. "It was great for the Committee to conclude our work for the year with discussions on some of the most important issues in the Workers' Compensation marketplace right now," said Sen. Theis. "I was glad we were able to provide valuable information for legislators to take back to their respective states."

Rep. Carl Anderson (SC) then chaired the Life Insurance & Financial Planning Committee which adopted amendments to the NCOIL Life Settlements Model Act, sponsored by Rep. Forrest Bennett (OK). The Committee also heard presentations on wellness program innovations in the long term care marketplace, and on LexisNexis Risk Solutions' 2024 Life Insurance Mortality Risk Management Study. Updates were also provided on a draft Resolution in Favor of Encouraging a Redesign and the Use of Lifetime Income Investment Solutions in Defined Contribution Plans, and on the activities of the Interstate Insurance Product Regulation Commission (IIPRC).

"I was very pleased to see a consensus reached on the amendments to the Life Settlements Model Act," said Rep. Anderson. "I look forward to the Committee continuing its work in my home state during our Spring Meeting in April." Friday concluded with a reception honoring NCOIL CEO Cmsr. Tom Considine, who will be retiring from NCOIL at the end of the year. During the reception, NCOIL Past Presidents Rep. Matt Lehman (IN) and Rep. Ferguson presented Cmsr. Considine with awards for his outstanding service to the organization.

"Serving as NCOIL CEO these past nine years has really been a labor of love. NCOIL was in real trouble a decade ago; I can't thank enough the officers who committed to making the changes necessary to turn things around, then 'walked the talk' in making it happen, as well as everyone who has participated in NCOIL and the CIP over these past 9 years. We have grown the organization together and re-established its relevance and importance to insurance public policy and the overall state based system of insurance regulation," said Cmsr. Considine.

Saturday began with a General Session titled "ERISA at 50: An Important Standard Setter or Roadblock to State

## 2024 Annual NCOIL Meeting in Pictures:

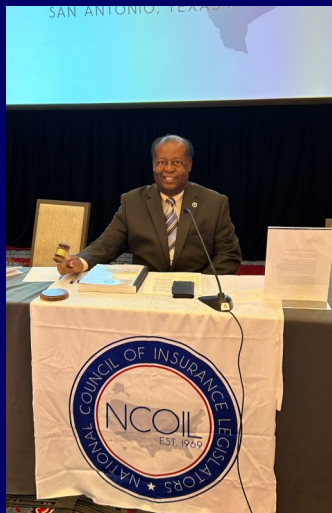


The NCOIL-NAIC Dialogue provided an opportunity for legislators to hear about NAIC priorities and engage with regulators on issues of mutual interest





## 2024 Annual NCOIL Meeting in Pictures:



## NCOIL Concludes Successful Annual Meeting in San Antonio (Cont'd)

and I'm proud that the Model is very similar to a recently passed law in my home state of Oklahoma. The Committee has a diverse set of Models still on its agenda and I look forward to continuing the discussions and development of those Models next year."

The Annual Meeting concluded on Sunday afternoon with a meeting of the Executive Committee in which Asw. Hunter was officially sworn in as President. Resolutions were also adopted in honor of NCOIL legislators departing their respective legislatures including: NCOIL Past Presidents Sen. Neil Breslin (NY) and Rep. Ferguson, as well as Rep. Roberts, Sen. Bob Hackett (OH), and Del. Westfall.

"Representative Oliverson did a wonderful job this past year as President and I thank him for hosting us in his home state for a very productive NCOIL National Meeting and for setting the organization up for a successful 2025," said Asw. Hunter. "I am looking forward to meeting in Charleston in April where we will have another agenda filled with important and timely insurance and financial services issues."

## NCOIL Health Committee Adopts Medical Loss Ratios for DLR Health Care Services Plans Model Act

The National Council of Insurance Legislators (NCOIL) Health Insurance & Long Term Care Issues Committee met Friday and adopted the NCOIL Medical Loss Ratios for Dental (DLR) Health Care Services Plans Model Act (Model). The Model is sponsored by West Virginia Delegate Steve Westfall and co-sponsored by Illinois Representative Rita Mayfield.

Del. Westfall said, "I am proud to sponsor this Model as it will ultimately help ensure that dental insurance is affordable and available to consumers. While it took over a year for NCOIL to reach a consensus, I am thrilled that we landed on a version of the Model that the Committee and representatives from both sides could support. I thank the Committee for its patience in listening to and incorporating input from a wide variety of perspectives and I look forward to passing a bill based on this Model in West Virginia and seeing other states do the same."

Discussions around the Model began last January and it originally required carriers that issue, sell, renew, or offer a specialized dental health care service plan contract to file an MLR annual report with that states' insurance commissioner, and then provide annual rebates to enrollees if the ratio of the amount of premium revenue expended by the carrier on the costs for reimbursement for services provided to enrollees under that coverage and for activities that improve dental care quality to the total amount of premium revenue, excluding federal and state taxes and licensing or regulatory fees, and after accounting for payments or receipts for risk adjustment, risk corridors, and reinsurance is less than 85%.

However, after several rounds of discussions, the Committee agreed upon a Model that requires dental plans to report DLR information to the insurance commissioner which the commissioner then aggregates for each market segment. The commissioner then calculates an average DLR for each market segment and identifies as "outliers" any dental plans that fall outside a certain scope of that average DLR. The commissioner is then authorized to take enforcement actions against those "outliers," including ordering them to issue rebates. If a carrier remains an "outlier" for two consecutive years, that carrier is then subject to a minimum DLR percentage as determined by the commissioner via rule.

The American Dental Association (ADA) and the National Association of Dental Plans (NADP) issued a joint statement supporting the Model.

"The Committee has worked diligently for over a year to develop a Model that is well thought out and incorporates a wide range of policy perspectives," said Utah Representative Jim Dunnigan, Chair of the Committee. "While there was a lot of debate on this issue, thanks to Del. Westfall's leadership we were able to reach a consensus and produce a Model that will be very useful to legislators across the country."

"The passage of this Model by the Health Committee is an example of NCOIL at its finest and I was so glad to see it get across the finish line," said Arkansas Representative Deborah Ferguson, DDS, NCOIL Immediate Past President. "While I certainly hoped to see it pass when I was President last year, it was really important for us to take

## 2024 Summer NCOIL Meeting in Pictures:



## President Tom Oliverson introduces CA Insurance Com- missioner Ricardo Lara at the NCOIL Summer Meeting Welcome Breakfast



## NCOIL Health Committee Adopts Medical Loss Ratios for DLR Health Care Services Plans Model Act (Cont'd)

some more time to hear from more stakeholders and to work to find a solution that has widespread support.”

During the drafting and deliberation process, NCOIL legislators and staff heard from a wide array of interested parties including: the ADA, the American Council of Life Insurers (ACLI), the American Association of Oral and Maxillofacial Surgeons (AAOMS), the California Dental Association (CDA), Delta Dental of California, the Health Benefits Institute (HBI), the NADP, and the Organized Dentistry Coalition (ODC).

“Passing this Model is a great indication that NCOIL is off to a productive 2024. The Committee has worked tirelessly to get the Model to a place where it could be voted on without objection and I’ll be watching with great interest as it gets introduced in legislatures across the country,” said Texas Representative Tom Oliverson, M.D., NCOIL President.

NCOIL CEO Commissioner Tom Considine said, “Kudos to Chair Dunnigan, Delegate Westfall, and everyone involved in passage of this important Model. The Committee put in a significant amount of time and effort to arrive at a solution that would be universally supported and it is clear that it was well worth it. This is yet another example of how NCOIL continues to be a national model of bipartisan cooperation.”

## NCOIL Concludes Successful Summer Meeting in Costa Mesa

The National Council of Insurance Legislators (NCOIL) concluded a highly successful 2024 Summer National Meeting (Meeting) from July 17th – 20th in Costa Mesa, CA. In what was the second of the organization’s three National Meetings in 2024, there were 344 participants consisting of 66 legislators from 30 states, 22 first-time legislators from 10 states, 9 Insurance Commissioners (or equivalent), and 13 total insurance departments represented.

“This Meeting went a long way towards further strengthening NCOIL’s reputation as a highly respected, national, bipartisan organization. The strong attendance from legislators, regulators, and interested parties shows a lot of enthusiasm about the work NCOIL is doing and we could not be more pleased,” said Rep. Tom Oliverson, M.D. (TX), NCOIL President. “I was particularly happy with the strong turnout of first-time legislators as bringing fresh faces into the organization really is important in its continued growth.”

The packed agenda featured discussions on topics such as: how insurers’ use of aerial images is impacting coverage; regulation of the third party litigation financing industry; the importance of preventive medicine; regulation of earned wage access providers; value-based purchasing agreements between States and drug manufacturers; site-neutral payment reforms; methods to incentivize homeowners to protect their homes from natural disasters; and more.

NCOIL CEO, Commissioner Tom Considine stated, “NCOIL’s growth over the past several years has led to high-quality discussions meeting after meeting and Costa Mesa was no exception. As a national organization, it is essential to have a wide range of viewpoints participating at our meetings, and this is now the second Meeting in a row where we have seen legislator participation from 30 states which is a great indication of the organization’s reach and influence.”

At the traditional Welcome Breakfast on Thursday morning, attendees were greeted by California Insurance Commissioner Ricardo Lara who spoke about his experience leading one of the country’s largest state consumer protection agencies as well as his service in the California State Legislature.

Also during the Breakfast, Commissioner Considine announced his retirement effective December 31st, 2024. Considine, who has served since 2016 as NCOIL’s first ever CEO, oversaw a period of growth and financial stability for the over 50-year-old organization which in 2015 was struggling with an uncertain future. He announced NCOIL General Counsel, Will Melofchik as his successor. (See separate Press Release here).

Following the Breakfast, the policy committee meetings then kicked off with the Joint State- Federal Relations and International Insurance Issues Committee, chaired by Rep. Rachel Roberts (KY). The Committee heard an update on the NCOIL Mental Health Parity Model Act, sponsored by Rep. Roberts, and discussed a Resolution in Support of Establishing Catastrophe Savings Accounts, sponsored by Rep. Matt Lehman (IN), Past NCOIL President, Sen. Walter Michel (MS), Chair of the NCOIL Articles of Organization & Bylaws Revision Committee, Rep. Elyn Hefner (OK), and Rep. Carl Anderson (SC), Chair of the NCOIL Life Insurance & Financial Planning Committee. The Committee

## 2024 Summer NCOIL Meeting in Pictures:



Keynote speaker  
Nicholas Whyte  
(APCO Worldwide)  
delivered a captivat-  
ing presentation on  
the EU, UK, and  
French elections



## NCOIL Concludes Successful Summer Meeting in Costa Mesa (Cont.)

also engaged in discussions on recent federal rules encroaching on the state-based system of insurance regulation.

"Federal encroachment onto the state-based system of insurance regulation is reaching arguably unprecedented heights so this was a perfect time to bring the Committee together to discuss those developments and consider what we as state insurance legislators can do in response," said Rep. Roberts. "It was also great to continue work on the NCOIL Mental Health Parity Model Act that I'm sponsoring, as well as begin discussions on the Resolution in Support of Establishing Catastrophe Savings Accounts."

Rep. Lehman then moderated a General Session titled, "Eye in the Sky: How Insurers' Use of Aerial Images is Impacting Coverage." Rep. Lehman stated, "This is a topic that has recently garnered significant, national media coverage and it is a growing concern for consumers. As new technologies continue to have a larger and larger impact on insurance rates and coverages it is imperative that we find the balance between technology and consumer protections. I'm glad we were able to dedicate a session to understanding the issue and discussing potential solutions. I am looking forward to developing a Model Law on this issue so that NCOIL can offer guidance to states that are grappling with this."

The Health Insurance and Long Term Care Issues Committee, chaired by Rep. Jim Dunnigan (UT), then met to continue discussions on site-neutral payment reforms, and the NCOIL Value Based Purchasing Model Act sponsored by Sen. Mary Felzkowski (WI), Chair of the NCOIL Financial Services & Multi-Lines Issues Committee. The Committee also heard presentations on policies to support maternal health, and billing practices in the ground ambulance service industry.

"It was great for the Committee to meet in Costa Mesa to continue its important work on an interesting range of issues. The health insurance marketplace is undoubtedly one of the most complex markets out there so gathering experts with different perspectives in an effort to keep legislators informed on issues is critically important in protecting consumers," said Rep. Dunnigan.

Sen. Felzkowski then presided over the meeting of the Financial Services & Multi-Lines Issues Committee. The agenda included continued discussion on the NCOIL Transparency in Third Party Litigation Financing Model Act sponsored by Rep. Lehman and co-sponsored by Del. Steve Westfall (WV), as well as the NCOIL Earned Wage Access Model Act, sponsored by Asw. Pam Hunter (NY), NCOIL Vice President. The Committee also heard a presentation on regulation of the bail bonds industry.

"The Committee really is extremely busy this year and I was glad to see us continue to make advances on the earned wage access and third party litigation financing Model Laws. Those are two important and emerging issues and I look forward to us getting these Models over the finish line so we can provide effective frameworks for the States," said Sen. Felzkowski.

Friday kicked off with a meeting of the Workers' Compensation Insurance Committee, chaired by Sen. Lana Theis (MI). The Committee: heard a "State of the Line" presentation focused on the on the status of and trends in the overall workers' compensation insurance marketplace; heard presentations on workers' compensation premium fraud in the construction industry; and discussed developments in the California workers' compensation insurance marketplace. The Committee also re-adopted the NCOIL Workers' Compensation Drug Formulary Model Law.

"I was glad to see the re-adoption of the drug formulary model, and it was encouraging that we were able to provide legislators with timely information on workers' compensation legislative and regulatory trends that they can take back to their states. I look forward to the Committee continuing its work in November," said Sen. Theis.

A very productive NCOIL-NAIC Dialogue was then held which included a strong lineup of NAIC representatives: Colorado Commissioner Michael Conway; Georgia Commissioner John King; Idaho Director and NAIC Past President Dean Cameron; Indiana Commissioner Amy Beard; Kansas Commissioner Vicki Schmidt; Oklahoma Commissioner Glen Mulready; and Pennsylvania Commissioner Mike Humphreys.

Rep. Oliverson stated, "It's important that legislators and regulators continue to have an open dialogue on issues of mutual interest so we can make the best decisions to protect consumers and promote solvency in the market. I was very pleased with the substantive discussions we held as well as with the strong turnout of Commissioners and Directors which really underscores the continued positive working relationship between NCOIL and the NAIC. It's vital that we continue that relationship to protect consumers and preserve the state-based system of insurance regulation."

## 2024 Summer NCOIL Meeting in Pictures:



## NCOIL Concludes Successful Summer Meeting in Costa Mesa (Cont.)

During the Keynote Luncheon, Nicholas Whyte, Senior Director of Global Solutions for APCO Worldwide, delivered a fascinating presentation discussing the developments in recent European elections.

Sen. Justin Boyd (AR) then moderated Part 1 of the NCOIL Special Series on Preventive Medicine titled “Early Expenses Prevent Significant Later Costs.” Sen. Boyd said “I was proud to facilitate this dialogue as it really is important for everyone to take action and invest in their health now. As the saying goes, “prevention is the first rule of good health.” I look forward to seeing this conversation develop during Part 2 of the series in November which will focus on the role of proper nutrition in disease prevention and how food really is medicine.”

The Life Insurance & Financial Planning Committee then met with Sen. Jerry Klein (ND), NCOIL Chairman-at-Large, presiding. The Committee heard presentations on a Retirement Security Bill of Rights, Transamerica’s Center for Retirement Studies Annual Retirement Survey, and received an update on litigation surrounding the U.S. Department of Labor’s Fiduciary Rule. Discussions also continued on proposed amendments to the NCOIL Life Settlements Model Act, sponsored by Rep. Forrest Bennett (OK), Chair of the NCOIL Property & Casualty Insurance Committee.

“The Committee certainly had robust conversations on a range of issues, and I look forward to the Committee continuing to discuss the amendments to the Life Settlements Model Act. It’s likely we’ll have an interim meeting on that issue in an effort to try and have the amendments finalized by November,” said Sen. Klein.

Saturday began with Rep. Elyn Hefner (OK) moderating a General Session titled “Financial Literacy: Providing Students With More Life Skills But At What Cost?” “It’s important that we as legislators are doing all we can to provide students with access to financial literacy education and to ensure that it is provided in the most effective manner possible. I’m glad we were able to dedicate time to this issue and have a constructive dialogue,” said Rep. Hefner.

The Property & Casualty Insurance Committee, chaired by Rep. Forrest Bennett (OK) then met and continued discussion on the NCOIL Strengthen Homes Program Model Act, sponsored by Rep. Dunnigan, and the NCOIL Online Marketplace Guarantees Model Act, sponsored by Rep. Brian Lampton (OH). Rep. Michael “Sarge” Pollock, Vice Chair of the Committee, also introduced the NCOIL Motor Vehicle Glass Model Act, and the Committee heard updates on the NAIC’s Property & Casualty Market Intelligence Data Call and Federal initiatives impacting the title insurance marketplace. Lastly, the Committee re-adopted three existing model laws: Model Act Regarding Use of Claims History Information; Model Act Concerning State Interpretation of State Insurance Laws; and State Flood Disaster Mitigation and Relief Model Act.

“This summer’s meeting was another productive one for the Property & Casualty Insurance Committee. I was glad to see us build on the work done earlier this year, especially during a time when consumers are increasingly worried about the affordability and availability of coverage,” said Rep. Bennett. “The Model Laws we are advancing, and the issues we continue to discuss, will hopefully lead to some meaningful solutions to those concerns in our respective states. At the end of the day, consumer protection remains the central focus of all we do.”

The Summer Meeting concluded on Saturday afternoon with a meeting of the Executive Committee. Several new members were elected to the Executive Committee. They are: Sen. Larry Walker (GA), Rep. Gabe Firment (LA), Sen. Kirk Talbot (LA), Rep. Bob Titus (MO), Rep. Hefner, and Rep. Mark Tedford (OK).

“From developing new Model Laws on a wide range of issues to growing our membership nationwide, we have made great strides in recent years to advance NCOIL and that is the result of a lot of hard work and collaboration. The work we have done so far this year has set the stage for our Annual Meeting to truly be a can’t-miss event given the number of Models and Resolutions scheduled to be considered. I look forward to working with everyone to make that Meeting a success,” concluded Oliverson.

ANNUAL MEETING  
2024  
SAN ANTONIO, TEXAS ★

**ANNUAL MEETING MINUTES**  
**CLICK HERE FOR MORE INFO**

## NCOIL Holds 9th Consecutive DC Fly-In

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.

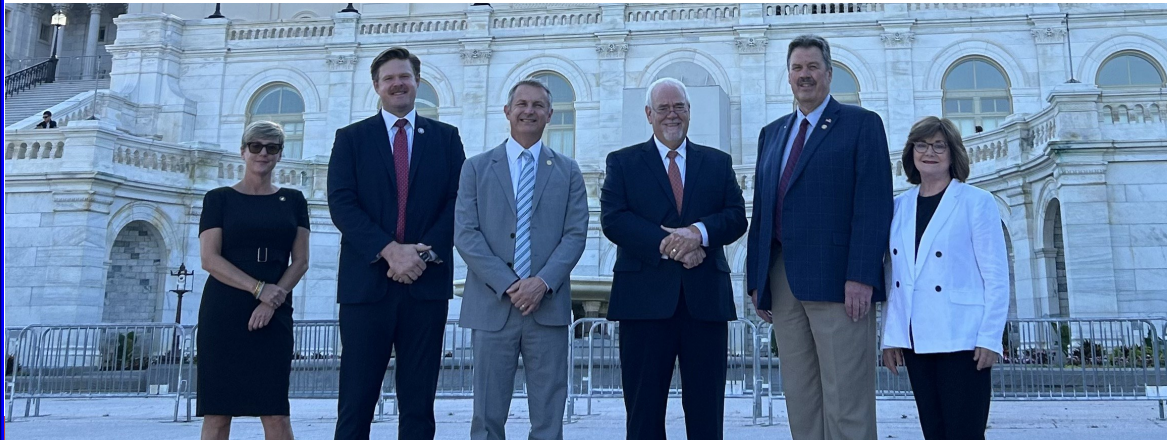
“Preserving the state-based system of insurance regulation is vital in ensuring that states are able to act as ‘laboratories of democracy’ and create solutions that are well-tailored and benefit the consumer and industry alike,” said Rep. Oliverson. “As federal encroachment into the state-based system 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.”

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.”



### Future NCOIL Meetings:

Spring 2026  
Louisville, KY  
The Hyatt Regency

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

Annual 2026  
November 19-21  
Sanibel, FL  
Marriott Sanibel  
Harbour Resort & Spa

As future Meeting locations are booked, they will be updated here as well as on the [NCOIL Website](#)

## NCOIL Concludes Successful Spring Meeting in Nashville

The National Council of Insurance Legislators (NCOIL) concluded its 2024 Spring National Meeting (Meeting) from April 11th – 14th in Nashville, breaking all previous attendance records for a Spring Meeting. In what was the first of the organization's three National Meetings in 2024, there were 367 participants consisting of 73 legislators from 31 states, 17 first-time legislators, 8 Insurance Commissioners, and 16 total insurance departments represented.

The packed agenda featured topics such as: affordability and availability problems in the auto and homeowners' insurance marketplace; efforts to achieve mental and behavioral health parity, and the countervailing costs; insurance issues related to catalytic converter theft; liability related issues within the sharing economy; third party litigation financing; the continued development of treatment and coverage for obesity; and more.

"During our first Meeting of 2024, I could not be more pleased with the attendance and the substantive advances we made on a wide range of important policy priorities. From the Model Laws we introduced and continued development on, to the discussion items that generated healthy debate, the Spring Meeting has certainly set NCOIL up for a productive 2024," said Rep. Tom Oliverson, M.D. (TX), NCOIL President. "The organization is at its strongest when there is robust participation from legislators all across the country participating in our discussions and that was certainly clear in Nashville."

NCOIL CEO Commissioner Tom Considine said, "The attendance in Nashville really underscores why now is a better time than ever to be involved in NCOIL. We had the highest turnout for a Spring Meeting in NCOIL History both in terms of legislator and overall participation. We were particularly pleased with the number of states represented at the Meeting. Just a few years ago, NCOIL would have been satisfied with seeing 25 states represented at our meetings throughout the year, so having over 30 represented at one meeting is an indicator of NCOIL's growing national reach."

The policy committee meetings kicked off Friday morning with the Workers' Compensation Insurance Committee, chaired by Sen. Lana Theis (MI). The Committee heard presentations and held discussions on topics including workers' compensation alternatives for independent contractors; structured settlements; and the role of experience ratings in the subrogation process.

"It was great to be in Nashville to Chair my first NCOIL Policy Committee Meeting. I'm glad the Committee was able to gather valuable information that legislators can take back to their states, and that we were able to come together to discuss a wide range of issues currently impacting workers' compensation insurance," said Sen. Theis.

After the traditional Welcome Breakfast, the Joint State-Federal Relations and International Insurance Issues Committee then met with Sen. Jerry Klein (ND), NCOIL Chair-at-Large, presiding. The Committee adopted a Resolution Reaffirming Support for the U.S. State-Based System of Insurance Regulation in Response to Growing Federal Encroachment sponsored by Rep. Oliverson and Asw. Pam Hunter (NY), NCOIL Vice President.

The Committee also continued discussion on the NCOIL Mental Health Parity Model Act sponsored by Rep. Rachel Roberts (KY) and heard presentations on the Basel III Endgame proposal and new prior authorization rules from the Centers for Medicare & Medicaid Services (CMS).

"As Federal encroachment into the state-based system of insurance regulation has heightened recently, it is extremely important that state legislators are doing all we can to push back and remind our Federal counterparts that the state-based system has created the strongest and safest insurance market in the world. The passage of the Resolution and this Committee's continued work is evidence that we are doing just that," said Sen. Klein.

A very productive NCOIL-NAIC Dialogue was then held which included an impressive lineup of NAIC representatives: Indiana Commissioner Amy Beard; Kansas Commissioner Vicki Schmidt; Louisiana Commissioner Tim Temple; Oklahoma Commissioner Glen Mulready; Pennsylvania Commissioner Mike Humphreys; Tennessee Commissioner Carter Lawrence; Utah Commissioner Jon Pike; and Wisconsin Commissioner Nathan Houdek.

"It's important that legislators and regulators have an open dialogue on issues of mutual interest in an effort to best serve consumers and promote a fair and robust insurance market," said Rep. Oliverson. "It is great to see that we are continuing to have a positive working relationship with the NAIC and another really strong turnout of Commissioners allowed us to make progress in a wide array of issues."

Following the Dialogue was a general session titled, "The Latest on Weight Loss Drugs: A Discussion on Access, Cost,

## 2024 Spring NCOIL Meeting in Pictures:



President Tom Oliverson & CEO Tom Considine welcome attendees to the highest attended Spring Meeting in NCOIL history



## 2024 Spring NCOIL Meeting in Pictures:



## TN Sen. Majority Leader Jack Johnson and Prof. Benjamin Barton address at- tendees at the NCOIL Spring Meeting Luncheon



## NCOIL Concludes Successful Spring Meeting in Nashville (Cont.)

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## NCOIL Concludes Successful Spring Meeting in Nashville (Cont'd)

Following the Dialogue was a general session titled, "The Latest on Weight Loss Drugs: A Discussion on Access, Cost, and Coverage," moderated by Rep. Jim Dunnigan (UT). "This is undoubtedly one of the most talked about issues in the healthcare marketplace right now. We had a session on this in the summer of 2021 and that was when the FDA had just approved Wegovy for certain treatments. Given the flurry of activity that has transpired since then, now was a great time to discuss the developments surrounding access, costs, and coverage of these weight loss drugs, and consider what we as policymakers and our constituents need to know," said Rep. Dunnigan.

Friday wrapped up with a meeting of the Life Insurance and Financial Planning Committee chaired by Rep. Carl Anderson (SC). The agenda featured presentations on life insurer's use of wellness programs, and efforts to promote lifetime income. The Committee also re-adopted the NCOIL Model Unclaimed Life Insurance Benefits Act for a full five year term, and the NCOIL Life Settlements Model Act until the NCOIL Summer Meeting in July while potential amendments to the Model are developed.

Rep. Anderson said, "During Financial Literacy Month, it was great to have the Committee meet to discuss trends emerging in the life insurance marketplace. Life insurance is an important component of a well-rounded financial plan and it's important that we are doing all we can as legislators to ensure that our constituents have access to a wide variety of tools to achieve long term financial security."

Saturday began with a meeting of the Property & Casualty Insurance Committee chaired by Rep. Forrest Bennett (OK). The Committee discussed the NCOIL Strengthen Homes Program Model Act sponsored by Rep. Dunnigan and co-sponsored by Rep. Matthew Gambill (GA), and the NCOIL Catalytic Converter Theft Prevention Model Act sponsored by Rep. Oliverson. The Committee also heard a presentation on liability related issues within the sharing economy.

"The P&C committee continued building on the good work we've done in recent months, both through productive conversations and engaging panelists," said Rep. Bennett. "After a great discussion around a potential Catalytic Converter Model Law during our interim meeting, we reached consensus while in Nashville to move forward in developing that language. I look forward to working toward that goal, as well as more discussions on finding solutions for consumers around the skyrocketing costs of P&C insurance, and other important insurance issues, in future meetings.

Asm. Tim Grayson (CA) then moderated a general session titled "Affordability and Availability Crises in the Auto & Home Insurance Markets: How Did We Get Here and How Do We Fix It?"

"This topic has populated national headlines in recent months as coverage feels increasingly out of reach for many consumers. And being from California, I can confirm that the term "crises" is not an exaggeration. This session sparked a constructive dialogue among our members and I look forward to continuing that discussion throughout the year," said Asm. Grayson.

At the Keynote Luncheon, Professor Benjamin Barton of the University of Tennessee College of Law gave a tremendous speech about his extensive research of the U.S. Supreme Court and the growing homogeneous nature of the background of its Justices. Prof. Barton pointed out the irony that while we have the most diverse Court in history in terms of demographics, it is the least diverse Court in terms of education and experience.

The day concluded with the Financial Services and Multi-Lines Issues Committee chaired by Sen. Mary Felzkowski (WI). The Committee discussed the first draft of the NCOIL Transparency in Third Party Litigation Financing Model Act sponsored by Rep. Matt Lehman (IN), former NCOIL President, and discussed the development of an NCOIL Earned Wage Access Model Act, sponsored by Asw. Hunter. A discussion was also held on the NAIC's "Framework for Regulation of Insurer Investments", including a proposal relating to the Security Valuation Office (SVO)'s ratings discretion process.

Sen. Felzkowski said, "The Committee had an extremely productive meeting and we had really great conversations on issues which we will continue to work on throughout the year. Litigation financing and earned wage access are two emerging issues that states are dealing with and I look forward to completing those Models so that NCOIL can provide guidance in an efficient and timely manner."

## 2024 Spring NCOIL Meeting in Pictures:



NCOIL held a constructive meeting with representatives from the National Association of Insurance Commissioners during the NCOIL-NAIC Dialogue





## NCOIL Concludes Successful Spring Meeting in Nashville (Cont'd)

The Health Insurance and Long Term Care Issues Committee, chaired by Rep. Dunnigan, met on Sunday morning. The Committee re-adopted the NCOIL Healthcare Cost Transparency Model Act and had a brief introductory discussion on the NCOIL Value Based Purchasing Model Act, sponsored by Sen. Felzkowski. Presentations were also heard on site-neutral payment reforms and evaluating how States have done with Medicaid redeterminations since the end of the COVID-19 Public Health Emergency.

The Spring Meeting concluded on Sunday morning with a meeting of the Executive Committee during which the Committee adopted a Resolution in honor of Former NCOIL Executive Committee Member and Georgia Representative Richard Smith who passed away earlier this year.

"Rep. Smith was a truly dedicated public servant and a great friend to everyone he worked with here at NCOIL and in Georgia. He was a genuine leader and his family and colleagues remain in our thoughts," stated Rep. Oliverson.

"The success of the Spring Meeting highlights the continued positive trend of NCOIL's advancement over the past several years. NCOIL really has become THE place to be in insurance. I look forward to meeting again in Costa Mesa in just a few short months to build on this momentum," concluded Oliverson.

## NCOIL Property & Casualty Insurance Committee Adopts Public Adjuster Professional Standards Reform Model Act

The National Council of Insurance Legislators (NCOIL) Property & Casualty Insurance Committee met Friday and adopted the NCOIL Public Adjuster Professional Standards Reform Model Act (Model). The Model is sponsored by Rep. Michael Meredith (KY) and co-sponsored by Rep. Matt Lehman (IN) and Del. Steve Westfall (WV). The Committee also continued discussion on the draft NCOIL Catalytic Converter Theft Prevention Model Act sponsored by Rep. Tom Oliverson, M.D., (TX), NCOIL President, and Rep. Edmond Jordan (LA), NCOIL Secretary.

"The Committee came out of the gate hot in 2024 and I was glad to see us both get a Model across the finish line and have a productive discussion on an important issue before we meet again in Nashville," said Rep. Forrest Bennett (OK), Chair of the Committee.

The NCOIL Public Adjuster Professional Standards Reform Model Act gives states a framework to amend its statutory code regarding licensing and other professional standards for public adjusters. The Model: prohibits public adjusters from providing services to an insured until a written contract with the insured has been executed on a form that has been pre-filed with and approved by the Commissioner; requires public adjusters to provide an insured written notice of the insured's rights; sets forth rigorous conflict of interest provisions; and prohibits public adjusters from filing a complaint with the Commissioner on behalf of an insured alleging an unfair claim settlement practice unless the insured has given written consent for the public adjuster to file the complaint on the insured's behalf.

The Model also requires that all funds received by a public adjuster on behalf of an insured toward the settlement of a claim are handled in a fiduciary capacity and sets limits on the fees public adjusters may charge. Public adjusters may charge a reasonable fee that does not exceed, inclusive of all compensation the public adjuster is paid on a claim, 15% of the total insurance recovery for non-catastrophic claims, and 10% for catastrophic claims.

"I was proud to bring to NCOIL what we learned working on these issues in Kentucky. This Model goes a long way in providing consumers protection, and I really encourage legislators to be proactive in implementing these standards in their states," said Rep. Meredith.

During the drafting and deliberation process, NCOIL legislators and staff heard from a wide array of interested parties including: the American Association of Public Insurance Adjusters (AAPIA), the Kentucky Farm Bureau, the National Association of Mutual Insurance Companies (NAMIC), the National Association of Public Insurance Adjusters (NAPIA), and the National Insurance Crime Bureau (NICB).

The Model will now be placed on the NCOIL Executive Committee's consent agenda for final ratification during the NCOIL Spring Meeting in Nashville, TN from April 11-14.

Following the adoption of the Model, the Committee's focus then shifted to a discussion surrounding the draft NCOIL Catalytic Converter Theft Prevention Model Act. The Model sets forth criminal penalties for those engaged in the theft



Rep. Rachel Roberts (KY) represents NCOIL at thincValue's "Advancing Behavioral Health & Summit" in Washington D.C.



## Resolutions Recognizing NCOIL Legislators as Honorary Members and in Recognition of Service to NCOIL:

### Resolution Recognizing Past President Senator Neil Breslin (NY) as an Honorary Member of NCOIL

### Resolution Recognizing Past President Representative Deborah Ferguson, DDS (AR) as an Honorary Member of NCOIL

### Resolution Recognizing Senator Bob Hackett (OH) as an Honorary Member of NCOIL

### Resolution Recognizing the Outstanding Service of Representative Rachel Roberts

### Resolution Recognizing Delegate Steve Westfall (WV) as an Honorary Member of NCOIL

## NCOIL Property & Casualty Insurance Committee Adopts Public Adjuster Professional Standards Reform Model Act (Cont.)

of catalytic converters. The Model also imposes recordkeeping and registration requirements on buyers and sellers of catalytic converters and establishes a grant program for eligible entities to carry out covered activities related to catalytic converter theft prevention, including a Vehicle Identification Number (VIN) Stamping Grant Program Fund.

Development of the Model began over a year ago, but recently there were concerns raised by some that the Model is outside the scope of NCOIL as it deals with criminal penalties and it would not be considered by a State's Insurance Committee, but rather a Judiciary or similar Committee. Accordingly, instead of developing a Model Law, some have called for a Resolution to be developed that would support States taking action to strengthen their catalytic converter laws.

"Acting on this issue is really important as it is becoming of increasing concern for both consumers and insurers. Based on the Committee's discussions during the meeting, it's clear that we need more time to determine our next steps, so I am glad we were able to meet and have a productive dialogue well in advance of our next meeting in April," continued Rep. Bennett.

Rep. Oliverson said, "We have seen a sharp rise in catalytic converter theft in my home state of Texas and it is clear that it is a serious problem all across the country. This is happening at the same time that auto insurance rates have reportedly risen 26% nationwide since just last year."

"Based on the statistics and testimony presented to NCOIL, it's fair to say that current state laws are not proving to be effective so it is important that we as legislators are doing all we can to best protect consumers. I look forward to continuing to engage on this issue in April," Oliverson concluded.

"It will be interesting to see whether the Committee decides to continue developing the Model, or instead develop a Resolution," said Rep. Jordan. "I'm in favor of a Resolution but regardless of what happens, discussing this issue over the past year has proven to be worthwhile as it has given legislators an awareness of just how prevalent catalytic converter theft has become. This is not a victimless crime and it is really important that states are taking a close look at the issue," said Rep. Jordan.

NCOIL CEO, Commissioner Tom Considine stated, "This is shaping up to be a very busy year for NCOIL and I applaud the Committee for its work on two issues that are really important in meeting the overall goal of protecting consumers. The organization's interim meetings are another example of how NCOIL continues to deliberate and act on an ongoing basis throughout the year."

## Third Annual NCOIL Open Golf Outing a Success

The National Council of Insurance Legislators (NCOIL) recently held the Third Annual NCOIL Open Golf Outing to Benefit the Insurance Legislators Foundation (ILF) Scholarship Fund. Held at TPC San Antonio in San Antonio, TX. The event helped reinvigorate the Scholarship Fund which helps legislators attend NCOIL National meetings



## NCOIL One on One

Haven't had a chance to watch the interviews with all our NCOIL One on One participants?

Visit the link [here](#) to see past NCOIL One on One Interviews. Thanks to everyone who has participated so far:

- IN Rep. Matt Lehman
- NY Asw. Pam Hunter
- OH Sen. Bob Hackett
- AR Rep. Deborah Ferguson DDS
- ND Sen. Jerry Klein
- LA Rep. Edmond Jordan
- CA Asm. Ken Cooley
- TX Rep. Tom Oliverson MD
- 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
- 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 Vedaa
- RI Sen. Roger Picard
- WI Sen. Mary Felzkowski
- NY Sen. Neil Breslin
- LA Ins. Cmsr. Jim Donelon
- KY Rep. Sarge Pollock
- OK Rep. Elynn Hefner
- Charise Richard, PhRMA
- MI Sen. Lana Theis
- OH Rep. Briam Lampton
- CA Asm. Tim Grayson
- Kevin McKechnie, ABA
- MA Rep. David LeBoeuf
- Wes Bissett, Big I

**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**

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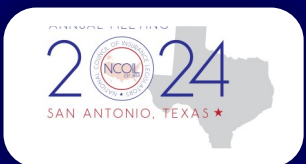
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