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Capital

By Anne Kennedy– NCOIL General Counsel

Corner Greetings -

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 in Chicago.

Budget Reconciliation or Irreconcilable Differences?

Fireworks are anticipated on Capitol Hill this July 4th, coinciding with the deadline to pass the "One Big Beautiful Bill" budget reconciliation act. The bill passed the House in May and is currently under Senate review, with several Senate committees having released new draft provisions. While the situation remains fluid as the Senate continues its work, the House-passed version proposes significant alterations to Medicaid and Affordable Care Act (ACA) marketplace coverage. It does not extend pandemic-era premium tax credits, it shortens the open-enrollment period, and it limits the auto-enrollment process that Marketplaces currently have available. [Some critics of the bill](#) predict that insured individuals' out-of-pocket costs may increase, leading to difficulties in affording premiums, resulting in denial of coverage to those with unpaid premiums, while [some supporters state](#) that it contains necessary reforms.

Sensing the disruption that some of these changes could cause without more detail from Congress, NCOIL Officers released a statement calling for a "specific consumer education program and overall communication process regarding the proposed changes related to marketplace eligibility verification and re-enrollment processes, cost-sharing reduction payments, and the uncertainty surrounding the enhanced premium tax credits so as to prevent significant turmoil to our states." To read the entire statement, see page 5 of the newsletter.

Another major healthcare development on the federal level deals with the case of *Kennedy v.*

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Capital Corner (Cont'd)



Rep. Edmond Jordan, LA
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Rep. Tom Oliverson, MD, TX
Immediate Past President

Braidwood. The significant legal challenge contested the ACA's mandate that most private health insurance plans cover preventive services without cost-sharing, including cancer screenings and depression screenings. Braidwood Management, Inc., a small business that provides health insurance to its employees, contended that the U.S. Preventive Services Task Force is unconstitutional because its members were neither appointed by the President nor confirmed by the Senate, thus violating the Appointments Clause. The Court issued its opinion just a few days ago and [ruled that the structure of the Task Force and the manner of appointing its members was constitutional, thereby maintaining the ACA's no-cost preventive care requirements](#). While many celebrated the ruling due to the preservation of those requirements, [some are nonetheless concerned about the ruling's impact on the future of preventive health care in the U.S.](#)

At the upcoming NCOIL Summer Meeting in Chicago, the Joint State-Federal Relations and International Insurance Issues Committee will hear about these and other related items from:

- Catherine Finley of Modern Medicaid
- Neda Jasem of the National Association of Medicaid Directors (NAMD); and
- Sabrina Corlette of the Center on Health Insurance Reforms (CHIR) at Georgetown University's McCourt School of Public Policy

Summer Meeting Heats Up With Session on Wildfire Liability and Public Utility Risk

As wildfires intensify across the U.S., states are grappling with how to balance public utility liability and financial solvency, and homeowners are becoming more proactive about managing risks to their property. Western states have seen a trend in utilities advocating for [legal protections in exchange for compliance with safety protocols](#)—such as vegetation management and infrastructure upgrades. Some Western states have enacted legislation similar to [Wyoming's HB0192](#). Enacted earlier this year, that new law mandates that electric utilities submit wildfire mitigation plans and outlines liability limits for damages caused by utility equipment. Some critics argue [these protections for utilities](#) may leave wildfire victims undercompensated and increase homeowners' insurance rates, while some utilities warn of bankruptcy risks without reform.

During the upcoming Summer Meeting in Chicago, a general session will be held examining these issues. During that session, legislators will also hear about another way to manage wildfire risk from [FortressFire](#), a company that helps property owners assess and mitigate their personal wildfire risk exposure. Companies such as FortressFire offer on-site home inspections, creating wildfire disclosure reports that recommend specific actions to meet state requirements. They also continuously track wildfire risks and coordinate mitigation services, while working with insurance carriers to provide objective risk data, helping homeowners maintain coverage in a tightening insurance market.

Artificial Intelligence

You seemingly can't go one day without reading or hearing something about artificial intelligence, and our upcoming Summer Meeting in Chicago will continue that trend as the Financial Services and Multi-Lines Issues Committee will discuss the [NCOIL Model Act Regarding Insurers' Use of Artificial Intelligence](#), sponsored by Asm. Erik Dilan (NY) and Rep. Forrest Bennett (OK).

The Model, based on legislation [introduced in Florida](#), is narrowly tailored in that it deals with the use of AI in the claims process and states that:

- "An 'algorithm,' an 'artificial intelligence system,' or a 'machine learning system' may not serve as the sole basis for determining whether to adjust or deny a claim"; and
- "An insurer's decision to deny a claim or any portion of a claim must be made by a 'qualified human professional'" which is defined as "an individual who, under the [State] Insurance Code, has the authority to adjust or deny a claim or a portion of a claim and may exercise such authority over a particular claim."

Future NCOIL Meetings:

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

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

Spring 2026
April 16-19
Louisville, KY
The Hyatt Regency
Louisville

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

Capital Corner (Cont'd)

Discussion of the new model will serve as a jumping-off point to explore the if this approach is workable across all, or any, lines of insurance, and is very timely considering the NAIC is also [considering the development of an AI Model Law](#).

Charity Care and Medical Debt: A Growing Policy Flashpoint

The Health Insurance and Long Term Care Issues Committee will hear a presentation on a new topic in Chicago: Hospital Charity Care and Medical Debt. [Charity care](#) refers to free or discounted medical services provided by hospitals to patients who meet certain income or hardship criteria. It's legally required for nonprofit hospitals to maintain their tax-exempt status, but eligibility rules and awareness vary widely.

Despite its availability, [charity care is underutilized because many patients don't know it exists or assume they are ineligible, possibly due to hospitals failing to inform patients or the application process may be outdated](#). Some consequences of this could be that patients who might qualify for charity care could end up in collections. In 2025, Texas considered [HB 3708](#), sponsored by NCOIL Immediate Past President Rep. Tom Oliverson, M.D., which would have clarified requirements for charity care policies, patient screening, and debt collection practices.

[The charity care conversation is part of a larger conversation surrounding issues with medical debt in the U.S.](#) In Oklahoma, NCOIL Property and Casualty Insurance Committee Chair Rep. Forrest Bennett introduced [HB 1709](#), which would have prevented medical debt from negatively affecting credit scores. A clear understanding of policy efforts on charity care and medical debt reforms—like those seen in Texas and Oklahoma—can help ensure that financial hardship doesn't stand in the way of essential medical treatment or push vulnerable patients deeper into debt.

The discussion in Chicago could be the basis for NCOIL model legislation dealing with charity care and related medical debt issues.

Please submit any thoughts or comments on these issues to akennedy@ncoil.org.

- Anne

NCOIL Poised to Lead on Cancer Care From the CIP*

By Dr. Ronald Drenkler, Medical Oncologist, START Center for Cancer Care
Submitted by Natera, Inc.

In the last several years, NCOIL legislators and other state lawmakers have greatly improved cancer care by spearheading and helping pass laws that require commercial insurers and Medicaid to cover biomarker tests. As an oncologist, I'm incredibly grateful. I'm also concerned that certain health plans may be choosing to ignore these laws, and your support is essential to protecting patients' access to critical care.

Recent advancements in oncology care have significantly expanded the role of precision medicine, enabling individualized treatment strategies tailored to the specific genetic and molecular characteristics of a patient's tumor. Nothing better epitomizes this than biomarker tests – lab tests that, for example, look for genetic information that can identify more effective therapies and identify cancer recurrence earlier than traditional methods, giving crucial information to doctors and patients so they can make better treatment decisions, and ultimately, improve outcomes. In addition to helping save lives, these tests offer the potential to reduce healthcare costs, including by identifying patients who are unlikely to need additional treatment and thereby avoiding the high costs of chemotherapy and other forms of treatment. Biomarker testing laws represent a unique milestone in healthcare policy – a genuine win-win scenario delivering substantial benefits to both patients and insurers alike.

*This column is a submission of CIP Member Natera and reflects Natera's perspective on the issue(s) discussed. The views, thoughts, and opinions expressed in the column do not necessarily reflect those of NCOIL.

Future NCOIL Meetings:

Annual 2026
November 19-21
Sanibel, Florida
Marriott Sanibel
Harbour

Spring 2027
April 15-18
Newport Beach, CA
VEA Newport Beach

Summer 2027
July 21-24
Asheville, NC
Renaissance Asheville

Annual 2027
November 17-20
New Orleans, LA
Westin New Orleans

Spring 2028
TBD

Summer 2028
TBD

Annual 2028
November 15-18
Harbor Beach, FL
Marriott Harbor Beach

NCOIL Poised to Lead on Cancer Care (Cont'd) From the CIP

NCOIL legislators have recognized this, working with the American Cancer Society and other not-for-profits, to help pass these laws in certain states. But, more work should be done.

First, NCOIL legislators can use their oversight powers and help hold accountable those insurers who are not in compliance with existing biomarker laws. My patients, colleagues, and lab industry manufacturers tell me, far too often, that many commercial and state-funded insurers are not providing the necessary coverage for these lifesaving tests. Twenty-one states have passed these laws, but they won't help cancer patients unless there's compliance, oversight, and enforcement.

Second, continue passing these laws in states that don't have them. NCOIL has made passing biomarker legislation easier by adopting model language that promotes uniformity and clarity in insurance coverage guidelines, which should help facilitate quicker biomarker test coverage uptake. Yet, cancer patients in 29 states remain unprotected by these essential laws, leaving them vulnerable. All 50 states should have them.

NCOIL and patient advocacy organizations are leading the way on biomarker laws because you are united in your recognition that it's possible to save more lives and save costs all at the same time. Let's all keep doing the work to get these done.

ICYMI: NCOIL Property & Casualty Interim Meeting

Oklahoma Rep. Forrest Bennett called an interim Zoom meeting of the NCOIL Property & Casualty Insurance Committee on Monday, June 9th. The purpose of the meeting was for the Committee to:

- Continue discussion on the NCOIL Model Act Regarding Insurers' Use of Aerial Images, sponsored by Rep. David LeBoeuf (MA) and Rep. Brian Lampton (OH); and
- Provide an opportunity to comment on and discuss the Model Laws that are scheduled for re-adoption by the Committee at the upcoming NCOIL Summer Meeting in July.

To view a recording of the interim meeting [click here](#)

To view the minutes of the interim meeting [click here](#)



SPRING MEETING MINUTES

[CLICK HERE FOR MORE INFO](#)

Things to See in Chicago:

[The Art Institute of Chicago](#)

[Millennium Park](#)

[The Magnificent Mile](#)

[Museum of Science and Industry](#)

[Wrigley Field](#)

[Cloud Gate “The Bean”](#)

Statement from NCOIL Officers on the House-Passed Reconciliation Bill

June 16, 2025—The Officers of the National Council of Insurance Legislators (NCOIL) released the following statement regarding certain provisions included in the House-passed reconciliation bill:

“As state insurance legislators with a deep interest in protecting and promoting the health of our constituents, we have concerns regarding some of the proposed changes included in the House-passed reconciliation legislation which, if enacted in current form, would disrupt the overall markets that we oversee. First, the legislation needs to include or enable a specific consumer education program and overall communication process regarding the proposed changes related to marketplace eligibility verification and re-enrollment processes, cost-sharing reduction payments, and the uncertainty surrounding the enhanced premium tax credits so as to prevent significant turmoil to our states.

Second, the proposed 10-year moratorium on state legislative and regulatory authority over artificial intelligence (AI) systems would wrongly curtail our ability as state legislators to develop policy that protects our constituents. Those constituents have been steadfast in asking for protections against the current unknowns surrounding AI, and they cannot wait 10 years for a state-based policy response. Indeed, these next years provide an excellent opportunity for the States to serve as the laboratories of democracy that have proven so effective in the past.”

Women’s Caucus Reception Expanded



As a reminder, please note that the Women’s Caucus will be held on Friday, July 18th and is open to all Women Attendees! The reception will take place in the Lyric/Adler room.

Please reach out to Pat Gilbert at pgilbert@ncoil.org with any questions

The 30 Day Materials for the NCOIL Summer Meeting in Chicago are now available!



[Click Here](#) to view the materials!

REGISTRATION FOR NCOIL SUMMER MEETING IS OPEN

Registration for the 2025 NCOIL Summer Meeting at the Renaissance Chicago Downtown Hotel in Chicago, IL 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](#)

DON'T FORGET TO BOOK YOUR HOTEL!!!
THE HOTEL BLOCK HAS SOLD OUT

There are Alternate Hotels in the area:

- TheWit ([Click here](#))
- Hilton Garden Inn ([Click here](#))
- citizenM Chicago Downtown Hotel ([Click here](#))
- Hotel Chicago Downtown ([Click 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 with any questions

LEGISLATOR STIPENDS NOW AVAILABLE FOR CONTRIBUTING STATES

CLICK HERE FOR MORE INFORMATION

Things to See in Chicago:

Chicago Riverwalk

Lincoln Park Zoo

Field Museum

Skydeck Chicago—Willis Tower

Chicago Architecture Center

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

At the upcoming 2025 NCOIL Summer Meeting, per NCOIL Bylaws, the following Models are up for consideration for re-adoption:

- [NCOIL Storm Chaser Consumer Protection Act](#) (To be considered for re-adoption by the Property-Casualty Insurance Committee)
- [Model Act Regarding Medicaid Interception of Insurance Payments](#) (To be considered for re-adoption by the Property-Casualty Insurance Committee)
- [Model Act to Regulate Insurance Requirements for Transportation Network Companies and Transportation Network Drivers](#) (To be considered for re-adoption by the Property-Casualty Insurance Committee)
- [Model Act Regarding Use of Credit Information in Personal Insurance](#) (To be considered for re-adoption by the Property-Casualty Insurance Committee)
- [Transparency in Dental Benefits Contracting Model Act](#) (To be considered for re-adoption by the Health Insurance & Long Term Care Issues Committee)

Please submit any comments regarding the re-adoption of these Models to NCOIL General Counsel, Anne Kennedy at akennedy@ncoil.org

NCOIL One on One

NCOIL One on One Interview with West Virginia Delegate Walter Hall 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 Vedaa
- 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
- CA Asm. Tim Grayson
- Kevin McKechnie, ABA
- MA Rep. David LeBoeuf
- Wes Bissett, Big I
- NY Asm. Jarett Gandolfo
- NY Asm. Erik Dilan
- Patrick Gillespie, Elevance

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!

NCOIL Honors Juneteenth:

This Juneteenth, NCOIL honors our nation's history, celebrates progress, and reaffirms our commitment to a future rooted in freedom and justice for all. This day serves as an important commemoration of the enduring contributions of Black Americans to our society.

2025 NCOIL Summer Meeting Schedule

WEDNESDAY, JULY 16

Budget Committee	3:30 PM	-	4:00 PM
Audit Committee (Members Only)	4:00 PM	-	4:45 PM
Welcome Reception <i>99th Floor—Willis Tower (1 mile from Hotel)</i>	5:30 PM	-	7:30 PM

THURSDAY, JULY 17

Welcome Breakfast	8:15 AM	-	9:45 AM
First time Attendee Legislators & Staff Meeting	9:45 AM	-	10:00 PM
First time Attendee Interested Party Meeting	9:45 AM	-	10:00 AM
Networking Break	9:45 AM	-	10:00 AM
Life Insurance & Financial Planning Committee	10:00 AM	-	11:30 AM
Joint State-Federal Relations & International Insurance Issues Committee	11:30 AM	-	1:00 PM
Luncheon with Keynote Address	1:00 PM	-	2:30 PM
General Session	2:30 PM	-	4:00 PM
Networking Break	4:00 PM	-	4:15 PM
Financial Services & Multi-Lines Issues Committee	4:15 PM	-	5:45 PM
CIP Member & Sponsor Reception	6:15 PM	-	7:15 PM

FRIDAY, JULY 18

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
The Institutes Griffith Foundation Legislator Luncheon	12:00 PM	-	1:00 PM
General Session	1:00 PM	-	2:30 PM
Health Insurance & Long Term Care Issues Committee	2:30 PM	-	4:15 PM
Articles of Organization & Bylaws Revision Committee	4:15 PM	-	4:45 PM
Women's Caucus Reception	5:00 PM	-	6:00 PM

SATURDAY, JULY 19

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

Welcome Reception
will be held on
Wednesday 7/16 on
the 99th Floor of
the Willis Tower:



The Willis Tower is
approx. 1 mile
from the hotel