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**From:** Wayne Mehlman <WayneMehlman@acli.com>

**Sent:** Tuesday, July 25, 2023 4:37 PM

**To:** Schutter, Karen <KSchutter@insurancecompact.org>; Ezalarab, Susan <sezalarab@insurancecompact.org>

**Subject:** RE: Insurance Compact Public Rulemaking Committee Call - 7/27

Karen:

I received the following questions from our members on the proposed Mix & Match Options which we'd like you and/or the Rulemaking Committee to address. Thanks.

Wayne

- *It appears both Option A and Option B may be solved using the same "Compact Letter" method. Will the Compact have a formal documented process, including defined timelines, as to the process of generating a "Compact Letter"?*
- *Would there be a transition period to move to these new Mix-and-Match rules (Option A and/or Option B)?*
- *Is the purpose of Option A and Option B to only permit new state filed forms if a Compact Standard does not exist or there is a prohibition on Mix-and-Match of an ICC form with a state filed form (e.g., an ICC index-linked life rider could not be filed for use with a state filed base policy)?*
- *In Option B, there is the statement, "The state will make the determination of how it wishes to proceed and is free to consult with the Compact Office on the reasons for its disapproval." In a situation where a state will make a determination on how it will proceed, what will be the process for states to publish their criteria? There is a concern that states may apply an arbitrary and inconsistent review process, and create an unlevel playing field.*
- *Option A states it will provide guidance and training to states on their options for handling a filing with a state form that will be used with a Compact form. Generally speaking, what are those options?*
- *It sounds as though all forms that make up an application should be filed wholly with the Compact or with the state. If a state requires a particular form to be filed such as the Notice of Adverse Underwriting, is this stating that members would have to file the state specific forms with the Compact instead?*
- *What would the process be for obtaining a "Compact Letter"? Would this be part of the submission requirements?*
- *Instead of a Compact letter, could Option A be simplified by requiring an explanation in the filing description as to why the company made a state filing rather than a Compact filing?*
- *Does the Compact contemplate having some type of expedited review for these "Mix and Match Determination" filings? Elongating the submission and approval process is not an appealing thought, especially if we could potentially wait 30-60 days for the "disapproval" letter before being able to regroup and submit to the individual states.*
- *Does this contemplate what would be a 'growing' list for South Carolina? It seems companies would need to update the SOI/Mix and Match as we move to SC-approved forms over time that would be used with the residual Compact-approved forms that still include SC.*