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**DATE:** March 18, 2024

**TO:** Interstate Insurance Product Regulation Commission

**FROM:** Insurance Compact Finance Committee

**RE:** Report of Finance Committee Activities for Joint Meeting of the Management Committee and Commission

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The Insurance Compact Finance Committee will convene in early April to review its 2024 committee charter and receive a report on the Compact's 2023 financials including actual-to-budget.

The Finance Committee will continue to monitor the financials with the Compact Office.

Please contact the West Virginia Commissioner Allan McVey, Chair of the Insurance Compact Finance Committee, or Karen Schutter, Executive Director for questions or further information.



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**DATE:** March 18, 2024

**TO:** Interstate Insurance Product Regulation Commission

**FROM:** Insurance Compact Finance Committee

**RE:** Report of Finance Committee Activities for Joint Meeting of the Management Committee and Commission

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The Insurance Compact Rulemaking Committee convened a regulator-only meeting earlier this month.

The Committee reviewed feedback on its annual governance survey which was positive. The Committee approved its 2024 Committee Charter which has the following workplan goals:

1. Complete the next steps to recommend changes to improve the process and further minimize the need for Mix and Match.
2. Review Compact rules to recommend changes or new rules to provide more flexibility for state insurance departments to exercise regulatory stays and opt outs if they have concerns about conflicts between the Uniform Standards and state laws.
3. Review current five-year review process and activities to recommend changes, while ensuring continued transparency and wide opportunities for member and public input, to make it a more iterative, flexible and efficient review of the Uniform Standards focused on the robust, relevant and reasonable objectives.

The Rulemaking Committee will next work on revising its suggested ideas for improvements for mix and match that were published last year. It expects to have several calls over the coming months including public calls to receive input as it finalizes a recommendation on this important item.

Please contact the Utah Commissioner John Pike, Chair of the Insurance Compact Rulemaking Committee, or Karen Schutter, Executive Director for questions or further information.



**JOINT MEETING OF THE MANAGEMENT COMMITTEE AND THE  
INTERSTATE INSURANCE PRODUCT REGULATION COMMISSION**

**ANNUAL MEETING OF THE COMMISSION**

**Sunday, December 3, 2023  
3:30 pm ET / 2:30 pm CT / 1:30 pm MT / 12:30 pm PT  
Orlando, Florida**

**FINAL AGENDA**

1. **ROLL CALL**
2. **ANNUAL MEETING WITH THE LEGISLATIVE COMMITTEE**

**EXPLANATION:** Pursuant to Article VIII of the Bylaws, the Commission shall meet and confer with the Legislative Committee at the annual meeting of the Commission.

3. **MANAGEMENT COMMITTEE AND COMMISSION CONSIDERATION OF ADOPTION OF THE AMENDMENTS TO GROUP ANNUITY CONTRACT STANDARDS:** Consider for final action the proposed Amendments to Single Premium Group Fixed Annuity Contract Standards for Employer Groups.

**EXPLANATION:** The action item is to consider amendments to the Single Premium Group Fixed Annuity Contract Standards for Employer Groups. The amendments would broaden the Scope of the Uniform Standards to accept more types of group fixed annuity contracts. The amendments were published on June 29, 2023. A Public Hearing took place on August 15 during the Seattle in-person meeting.

4. **MANAGEMENT COMMITTEE AND COMMISSION CONSIDERATION OF THE GROUP WHOLE LIFE UNIFORM STANDARDS FOR EMPLOYER GROUPS:** Consider for final action the proposed suite of Group Whole Life Standards for Employer Groups.

**EXPLANATION:** The action item is to consider the full suite of Group Whole Life Uniform Standards for Employer Groups. The Uniform Standards were published on September 5, 2023. A Public Hearing took place on November 9, 2023. The Uniform Standards are:

- Group Whole Life Insurance Policy and Certificate Uniform Standards for Employer Groups
- Uniform Standards for Group Whole Life Insurance Enrollment Forms and Statement of Insurability Forms
- Uniform Standards for Group Whole Life Insurance Statement of Insurability Change Form
- Uniform Standards for Riders, Endorsements or Amendments Used to Effect Group Whole Life Insurance Certificate Changes

- Uniform Standards for Riders, Endorsements or Amendments Used to Effect Group Whole Life Insurance Policy Changes
- Group Whole Life Insurance Uniform Standards for Accelerated Death Benefits
- Group Whole Life Insurance Uniform Standards for Accidental Death Benefits
- Group Whole Life Insurance Uniform Standards for Accidental Death and Dismemberment Benefits
- Additional Standards for Graded Death Benefit for Whole Life Insurance Policies and Certificates for Employer Groups
- Additional Standards for Waiver of Premium Benefits for Total Disability and Other Qualifying Events for Whole Life Insurance Policies and Certificates for Employer Groups

5. **MANAGEMENT COMMITTEE AND COMMISSION CONSIDERATION OF ADOPTION OF THE AMENDMENTS TO THE RULEMAKING RULE:** Consider for final action the proposed amendments to the Rule for Adoption, Amendment and Repeal of Rules for the Interstate Insurance Product Regulation Commission.

**EXPLANATION:** The action item is to consider amendments to the Rule for Adoption, Amendment and Repeal of Rules for the Interstate Insurance Product Regulation Commission. The amendments detail procedures for incorporation by reference of model laws, regulations, procedures and guidelines adopted by the NAIC or other organizations, as detailed in §120. The amendments were published on September 6, 2023. A Public Hearing took place during the November 9<sup>th</sup> Management Committee meeting. The Idaho Department of Insurance submitted written comments requesting additional changes which will be discussed ahead of taking action on this amendment.

6. **MANAGEMENT COMMITTEE AND COMMISSION CONSIDERATION OF ADOPTION OF THE PROPOSED 2024 ANNUAL BUDGET AND SCHEDULE OF FEES**

**EXPLANATION:** The action item is to consider for adoption the proposed 2024 Annual Budget and Schedule of Fees. The Finance Committee voted to expose these items in September and the Management Committee held a public hearing at the November 9<sup>th</sup> meeting. Additional staff is being requested and there is not a proposed increase to the product filing fees for 2024.

7. **MANAGEMENT COMMITTEE AND COMMISSION CONSIDERATION OF ADOPTION OF THE PROPOSED 2024 UNIFORM STANDARDS DEVELOPMENT PRIORITIZATION**

**EXPLANATION:** The action item is to consider for adoption the proposed 2024 Uniform Standards Development Prioritization. This process was initiated last year in response to the *Insurance Compact Compass: Strategic Plan* Priority 1, Action Item 6 to develop a member-driven system for identifying and prioritizing the development of new Uniform Standards. The Product Standards Committee recommended this item in November and the Management Committee held a public hearing at its November 9<sup>th</sup> meeting. There have been no comments submitted to the Management Committee on the proposed prioritization.

8. **REPORT OF THE AUDIT COMMITTEE AND CONSIDERATION BY THE COMMISSION TO ADOPT THE REPORT OF THE AUDIT COMMITTEE**

**EXPLANATION:** The Audit Committee will provide a report on its activities.

9. **MANAGEMENT COMMITTEE CONSIDERATION OF APPOINTMENTS TO THE INDUSTRY ADVISORY COMMITTEE**

**EXPLANATION:** The action item is to consider the recommendation of the Compact Officers for appointments to four expiring seats on the Industry Advisory Committee. A more detailed memo will be sent to Commission members in advance of the meeting.

10. **COMMISSION CONSIDERATION OF THE FORMATION OF INSURANCE COMPACT MANAGEMENT COMMITTEE AND OTHER COMMITTEE ASSIGNMENTS**

**EXPLANATION:** The action item is formation of the Management Committee based on Article III, Section 1 of the Commission Bylaws and the recommendation of the Compact Officers for appointments/assignments of Commission member committees. A more detailed memo will be sent to Commission members in advance of the meeting.

11. **ANNUAL ELECTION OF THE 2023/2024 OFFICERS**

**EXPLANATION:** The action item is for the Commission to elect Chair, Vice Chair, and Treasurer for the upcoming annual period.

12. **CONSENT AGENDA:** Joint Action Item by the Management Committee and Commission to Adopt Annual Treasurer's Report, and Minutes of the August 15<sup>th</sup> Joint Meeting of the Management Committee and the Commission and the November 9<sup>th</sup> Management Committee Meeting.

**EXPLANATION:** The action item is to consider adoption by consent the Annual Treasurer's Report and the Minutes of the last joint meeting and meeting of the Management Committee.

13. **EXECUTIVE DIRECTOR'S OPERATIONAL REPORT**

**EXPLANATION:** The Executive Director will provide an update on the operational activities of the organization.

14. **ANY OTHER MATTERS**

15. **ADJOURN**

**Members of the Commission and Department Staff in Attendance:**

Commissioner Kathleen Birrane, Chair, Maryland  
Director Eric Dunning, Vice Chair, Nebraska  
Commissioner Allan McVey, Treasurer, West Virginia  
Superintendent Elizabeth Kelleher Dwyer, Past President, Rhode Island  
Matthew Gendron, Rhode Island  
Commissioner Mark Fowler, Alabama  
Director Lori Wing-Heier, Alaska  
CEO Barbara Richardson, Arizona  
Jimmy Harris as a designated representative for Commissioner Alan McClain, Arkansas  
Jason Lapham as a designated representative for Commissioner Michael Conway, Colorado  
Paul Lombardo as a designated representative for Commissioner Andrew Mais, Connecticut  
Susan Jeanette as a designated representative for Commissioner Trinidad Navarro, Delaware  
Howard Liebers as a designated representative for Commissioner Karima Woods, District of Columbia  
Jeremy Butts as a designated representative for Commissioner John King, Georgia  
Weston Trexler as a designated representative for Director Dean Cameron, Idaho  
Jeff Varga as a designated representative for Director Dana Popish Severinghaus, Illinois  
Commissioner Amy Beard, Indiana  
Andria Seip as a designated representative for Commissioner Doug Ommen, Iowa  
Julie Holmes as a designated representative for Commissioner Vicki Schmidt, Kansas  
Commissioner Sharon Clark, Kentucky  
Commissioner James Donelon, Louisiana  
Acting Superintendent Tim Schott, Maine  
Sheri Cullen as a designated representative for Commissioner Gary Anderson, Massachusetts  
Sarah Wohlford as a designated representative for Director Anita G. Fox, Michigan  
Bob Williams as a designated representative for Commissioner Mike Causey, Mississippi  
Tammy Lohmann as a designated representative for Commissioner Grace Arnold, Minnesota  
Jo LeDuc as a designated representative for Director Chlora Lindley-Myers, Missouri  
Commissioner Scott Kipper, Nevada  
Ted Hamby as a designated representative for Commissioner Mike Causey, North Carolina  
Chrystal Bartuska as designated representative for Commissioner Jon Godfread, North Dakota  
Director Judith French, Ohio  
Peter Weber, Ohio  
Commissioner Glen Mulready, Oklahoma  
Director Andrew Stolfi, Oregon  
Shannen Logue as a designated representative for Commissioner Michael Humphreys, Pennsylvania  
Stephanie Cope as a designated representative for Commissioner Carter Lawrence, Tennessee  
Commissioner Cassie Brown, Texas  
Commissioner Jonathan Pike, Utah  
Commissioner Kevin Gaffney, Vermont  
Mary Block, Vermont  
Van Tompkins as a designated representative for Commissioner Scott A. White, Virginia  
Ned Gaines as designated representative for Commissioner Mike Kreidler, Washington  
Commissioner Nathan Houdek, Wisconsin  
Rebecca Rebholz, Wisconsin  
Commissioner Jeff Rude, Wyoming

**Legislative Committee:**

Representative Jim Dunnigan, Utah  
Representative Forrest Bennett, Oklahoma  
Representative Brian Patrick Kennedy, Rhode Island  
Senator Laura Fine, Illinois  
Representative Matt Lehman, Indiana  
Representative Rachel Roberts, Kentucky

**Consumer Advisory Committee:**

Brendan Bridgeland  
Jane Cline  
Deborah Darcy  
Anna Howard  
Fred Nepple  
Bruce Ramage  
Dick Weber

**Industry Advisory Committee:**

Wayne Mehlman, ACLI  
Eric Weinstein, Massachusetts Mutual Life Insurance Company  
Sarah Wood, IRI  
Joseph Muratore, New York Life Insurance Company  
Amanda Herrington, AHIP  
Roger Moore, NAIFA  
Angela Schaaf, Northwestern Mutual  
Mike Drislane, Brighthouse Financial

**Insurance Compact Staff in Attendance:**

Karen Schutter, Executive Director  
Becky McElduff, Director of Product Operations & Chief Counsel  
Sara Dubsky, Assistant Director of Administrative Operations  
Sarah Neil, Communications and Outreach Coordinator

Commissioner Birrane called to order the meeting of the Joint Management Committee and Commission. Ms. Schutter took the roll call of the Management Committee, the members of the Commission, Legislative Committee, and Industry and Consumer Advisory Committees.

Commissioner Birrane moved to the annual meeting with the Legislative Committee. Commissioner Birrane welcomed the members of the Legislative Committee, and all the legislators and acknowledged their roles in the Compact. Commissioner Birrane welcomed Kentucky Representative Roberts who serves as the House Minority Whip, and a member of the Standing Committee on Banking and Insurance; and Oklahoma Representative Bennett, who serves as the Assistant Minority Leader and sits on the Insurance Committee and stated that the new members would be replacing Arkansas Representative Ferguson and Texas Representative Oliverson. Commissioner Birrane thanked the outgoing members for their service on the Legislative Committee. Commissioner Birrane asked the Commission to take a moment to remember Alaska Representative Kurt Olson who passed away in early December. Representative Olson was a member of the Legislative Committee from

2011 to 2016. He served as the Committee Vice Chair for several years, and his service and participation on the Committee was invaluable during the startup years of the Commission.

Commissioner Birrane asked for comments from the members of the Legislative Committee. Representative Kennedy spoke about how long he has been involved with the Compact. He noted there was a point in time that you could not travel from East Coast to West Coast moving through Compact states only because there were many states not yet a member of the Compact. Now you can and it shows the growth of the Compact. Representative Kennedy also stated that names are being taken to fill NCSL's Midwest seat. Beginning in January 2024, there will be a new Insurance, Banking and Financial Services Committee at NCSL.

Before moving to the other items on the agenda, Commissioner Birrane suggested the Commission take a combined vote on some of the action items in order to be more efficient. She further explained a single motion with a single vote for the adoption of the Uniform Standards in the third and fourth agenda items. Then a single motion and vote for the sixth and seventh agenda items. There were no objections.

Commissioner Birrane moved to the third and fourth items on the agenda, Management Committee and Commission consideration of adoption of the amendments to Group Annuity Contract Standards and Group Whole Life Uniform Standards for Employer Groups. Commissioner Birrane began with agenda item number three and stated that there was a request to amend the Single Premium Group Fixed Annuity standard for the purpose of expanding it beyond fixed annuity contracts for pension risk transfers. A public call was held in June before the amendments were recommended to the Management Committee. A 60-day comment period was held with a public hearing held during the national meeting in Seattle. ACLI submitted and withdrew a comment during the November 9, 2023, Management Committee call. Commissioner Birrane stated that the amendments for agenda item three were ready for consideration by the Management Committee and Commission and asked if there were any questions about, or remaining comments on those recommended amendments to the Group Fixed Annuity Contract Standard. Seeing no questions or comments, Commissioner Birrane moved to the next agenda item before calling for a vote. Commissioner Birrane moved to the agenda item to consider the adoption of 10 uniform standards for Group Whole Life for Employer Groups. Commissioner Birrane stated that in October of 2022, a subgroup of the Product Standards Committee began work on the standards and presented them to the Committee in March of 2023. Several public calls of the Product Standards Committee were held to receive input. The Uniform Standards were published for a 60-day notice and comment period. During the public hearing during the November 9, 2023 Management Committee call, no comments were submitted. Commissioner Birrane asked if there were any questions or comments on the Group Whole Life for Employer Groups Uniform Standards. Hearing none, a motion was granted followed by a voice vote on both of the agenda items. The motion was made by Commissioner Rude and seconded by CEO Richardson. The motion was adopted by roll call vote.

Commissioner Birrane moved to the fifth item on the agenda, Management Committee and Commission consideration of Adoption of the Amendments to the Rulemaking Rule. Commissioner Birrane explained the Rulemaking Committee was asked to review the Rulemaking Rule and propose amendments to develop a process for the commission to pause the effect of a change to material incorporated by reference by opening the affected Uniform Standards for comment and consideration of the changed incorporated material. The amendment is based on Section 314 of the Model State Administrative Procedures Act. The Rulemaking Committee recommended this amendment at the National Meeting in Seattle, and it was exposed for written comment and a public hearing was held by the Management Committee on November 9, 2023. The Committee did receive a letter from the Idaho Department of Insurance regarding the specific amendment to the Rulemaking Rule. Commissioner Birrane explained she spoke with Director Cameron about the suggested change to Section (a) and (b) and his changes to Section (d). Commissioner Birrane noted that the proposed changes for Sections (a) and (b) are not necessary if

the proposed amendments for Section (d) are adopted. It was further noted by removing the language in Section (d), any change to any material incorporated by reference, no matter as to how it is incorporated, would automatically trigger the rulemaking process. Commissioner Birrane then asked if there were any comments. Commissioner Beard stated Indiana serves on the Rulemaking Committee and is supportive of this change. She noted that she appreciated the discussion and the opportunity to amend the Rulemaking Rule. Hearing no other comments, Commissioner Birrane asked for a motion to adopt the amendments to the Rulemaking Rule with Idaho's suggested amendment to Section (d) to remove the following language "in a manner that would require Compacting States to take regulatory or legislative action to adopt". The motion was made by Commissioner McVey and seconded by Commissioner Brown. The motion was adopted by voice vote.

Commissioner Birrane moved to the sixth item on the agenda, Management Committee and Commission consideration of adoption of the proposed 2024 Budget and Schedule of Fees. Commissioner Birrane explained the budget package included a request to hire two full time employees slated to occur in the late Spring of 2024. A public hearing regarding this request took place during the November 9, 2023 Management Committee. No oral or written comments have been received regarding the budget. Commissioner Birrane stated it was important to have the right people in the right places to do the work as the Compact advances, the goal is to make the Compact even more efficient and better with more staffing and it was important that the new positions be approved. Commissioner Birrane asked for a motion to adopt the budget. Commissioner Kipper made the motion and Commissioner McVey seconded the motion. The motion was adopted by voice vote.

Commissioner Birrane moved to the seventh agenda item, Management Committee and Commission consideration of adoption of the proposed 2024 Uniform Standards Development Prioritization. Commissioner Birrane explained the process to identify and prioritize uniform standard development to move things forward efficiently and effectively. The Product Standards Committee takes all requests for Uniform Standards, considers them, and develops a list for prioritization. Commissioner Birrane stated that the list was published for notice and comment and a hearing was held at the November 9, 2023 Management Committee call. At this time no comments on the item have been received and they are now ready for consideration. Commissioner Birrane asked if there were any questions and further stated that these are the standards that the Product Standards Committee will focus on in 2024 and is not a decision to adopt any nor take action on particular standards. Commissioner Stolfi made comments regarding uniform standards for value added services. He further explained that standalone individual accident, death, benefit, standard and individual, accidental death and disability term benefits are considered to be health products in Oregon. He emphasized the importance of making sure there is a clear process and clear guidelines in states where it is not applicable. Commissioner Birrane thanked Commissioner Stolfi for the comments and further stated that there would be solid processes in place to protect those states that consider it to be a health line. Commissioner Birrane then asked for a motion adopt the 2024 Uniform Standards Development Prioritization List. Commissioner Brown made the motion and Ms. Logue seconded the motion. The motion was adopted by voice vote.

Commissioner Birrane moved to the eighth agenda item, report of the Audit Committee and consideration by the Commission to adopt the report of the Audit Committee. Commissioner Birrane asked Commissioner Clark to provide the Audit Committee report. Commissioner Clark reported that a discussion of the Compact's current financials occurred during the Audit Committee's November meeting. Commissioner Clark went on to report that through the end of September, the Compact's revenue was approximately six percent under budget which is attributed to filings that require an actuarial review being less than anticipated. Some of this is due to the Uniform Standards not yet being available for filing use. The Product Standards Committee is diligently working to get the registered index-linked annuities and group whole life for employer groups uniform standards in place. Although the revenue budget was underbudget, the registration revenue is overbudget by three percent. This is due to an uptick with companies updating their life portfolios to address amendments made to the suicide

provisions in December 2022. Expenses are under budget by 12.5%. This can be attributed to the timing of outside legal work, travel, website development efforts, and in-person meetings. The final Audit report will be presented during the Spring National Meeting. Commissioner Clark turned the floor back to Commissioner Birrane who then asked for a motion to adopt the report of the Audit Committee. The motion was made by Commissioner Clark and seconded by Commissioner Mulready. The motion was adopted by voice vote.

Commissioner Birrane moved to the ninth agenda item, Management Committee consideration of appointments to the Industry Advisory Committee. Commissioner Birrane stated that there was an open seat on the Consumer Advisory Committee with no submissions having been received so no further action was needed in respect to that. Commissioner Birrane welcomed Mr. Weber who is an NAIC Consumer Representative and is co-founder of the Life Insurance Consumer Advocacy Center (LICAC). Mr. Weber was appointed to the Consumer Advisory Committee during the November 9, 2023 Management Committee call. Commissioner Birrane went on to state that there would be new appointments to the Industry Advisory Committee which has eight seats with staggering terms, four seats are open with one seat reserved for a company representative and three seats for industry trade representative. A notice was sent in October for applications for the open seats and the recommendations were given to the Commission members in advance of the meeting. Commissioner Birrane thanked Ms. Schaaf of Northwestern Mutual who will not be serving on the committee next year. The Officers are recommending the reappointment of Wayne Mehlman with ACLI, Amanda Herrington with AHIP, and Roger Moore with NAIFA, and Andrea Davey of Protective Life Insurance Company for the open company seat. Commissioner Birrane asked for a motion on the reappointment of Wayne Mehlman, Amanda Herrington, Roger Moore and appointment of Andrea Davey. CEO Richardson made the motion and Acting Commissioner Zimmerman seconded the motion. The motion was carried by voice vote.

Commissioner Birrane moved to the tenth agenda item, Commission Consideration of Formation of Insurance Compact Management Committee and other committee assignments. Commissioner Birrane stated that the Compacting states on the Management Committee for the next annual period would include: Arizona, Georgia, Illinois, Maryland, Minnesota, Nebraska, New Jersey, North Carolina, Ohio, Pennsylvania, Texas, Virginia, West Virginia, and Wyoming. Commissioner Birrane also stated that Virginia was a new addition to the Committee this year with Michigan leaving the Committee. Commissioner Birrane went on to thank and recognize Jason Lapham of Colorado who is stepping down as the Chair of the Product Standards Committee, a position he has held for the past five years. Commissioner Birrane thanked Compacting States Connecticut, Iowa, Maine, Nevada, and Vermont for coming into leadership roles and all other states that have volunteered to chair and vice chair the various Compact Committees to assist with vital work of the Commission. Director Wing-Heier made the motion and Commissioner Gaffney seconded the motion. The motion was carried by voice vote.

Commissioner Birrane moved to the annual election of the 2023/2024 Officers. Commissioner Birrane gave the floor to Superintendent Dwyer of Rhode Island, past chair, to conduct the election of the Officers. Superintendent Dwyer opened the floor for nominations for chair of the Commission. Commissioner Kevin Gaffney of Vermont stated that he would like to nominate a slate for chair, vice chair, and treasurer. Director Wing-Heier seconded the nomination by slate. Commissioner Gaffney nominated Commissioner Birrane for chair, Director Dunning for vice chair, and Commissioner McVey for treasurer. Commissioner Gaffney motioned for the slate to be closed. Commissioner Clark seconded the motion. The nomination was approved with a full voice vote with Director Richardson of Arizona abstaining from vote due to concerns with a slate nomination process.

Commissioner Birrane moved to the twelfth agenda item to adopt the Consent Agenda which includes the Annual Treasurer's Report, and Minutes of the August 15th Joint Meeting of the Management Committee and the Commission and the November 9th Management Committee Meeting. Commissioner Birrane stated this is a joint action item. Commissioner Birrane asked was there a motion and second by a member of the Management

Committee to adopt the Consent Agenda items. Director Dunning made the motion and Commissioner Rude seconded the motion. The motion was carried by voice vote.

Commissioner Birrane moved to the Executive Director's Operational Report. Ms. Schutter reported that the Compact Office is releasing its 4<sup>th</sup> annual Long-Term Care Report that covers scheduled certifications on Compact approved in individual long-term care insurance products. The Compact Office reviewed and approved certifications for a total of 95 approved rate schedules – 31 of them were triennial certifications that included an actuarial memorandum. A rate schedule is not only for the traditional long-term care products but also for the extension of benefit long-term care riders used with a life or annuity chassis. Ms. Schutter reported the public report is available on the Compact website and will be distributed by e-mail. It provides an overview of how many rate schedules are still being marketed and how many rate schedules were certified adequate and how many were not. It also points out common compliance issues. The public report would be followed by a confidential state specific report to each member participating in long-term care listing the individual long-term care insurance products approved on the Compacting State's behalf by the Compact Office and detailed information about the associated rate schedule certifications. The Compact made enhancements to the Compact website specifically on the Docket and the Record. On each of these pages is a fuller explanation of what is the purpose and content of these important pages. The search and presentation of results has been improved. The Fall Webinar series concluded with a total attendance of nearly 500 covering 12 presentations on various Compact topics. Earlier this year, the Commission had granted Wyoming a stay for the two new individual disability income Uniform Standards. Wyoming completed its regulatory opt-out in September and the stay is no longer needed. The Compact Office has been working with the South Dakota Division of Insurance on a comprehensive comparison of the Uniform Standards and state laws with the goal of supporting the introduction of the Compact legislation this upcoming session.

Ms. Schutter reminded the Commission of a public call of the Product Standards Committee on Tuesday, December 12th. The agenda and materials can be found on the Events page of the Compact website. The purpose of this call is to receive comments on the third draft of the Index-Linked Variable Annuity Uniform Standard. Ms. Schutter also made recollection to the Committee that at the Seattle meeting Pete Weber of Ohio provided a briefing on this Standard to the Commission and key public policy issues that will likely come before this body when the Uniform Standard is recommended by the PSC. The main issue is whether to incorporate the entire scope of Actuarial Guideline 54 (AG 54), which was adopted by the NAIC earlier this year and becomes effective on July 1, 2024, or to only allow products that meet what is called the "hypothetical portfolio approach" for the interim value methodology. Both states and companies are hoping to get this Uniform Standard in place by or shortly after the July 1 effective date of AG 54 which means there is a goal to get this Uniform Standard recommended to the Management Committee before the end of January. The December 12th public call will be an important call to hopefully vet the items that the PSC can finalize before recommending to the Management Committee for rulemaking. At the conclusion of her report, Ms. Schutter asked if there were any questions.

Commissioner Birrane proceeded to the last item on the agenda, any other matters. Commissioner Birrane recognized Commissioner Jim Donelon, Louisiana upon his retirement. Commissioner Birrane went on to state that Commissioner Donelon, who in 2008 spearheaded the legislation for Louisiana to join the Compact. Commissioner Birrane thanked Commissioner Donelon for his many years of service and contributions to the Compact.

Hearing no other matters to be brought forward, Commissioner Birrane asked if there was a motion to adjourn. Director Dunning made the motion and Commissioner Birrane asked for a voice vote. Commissioner Birrane adjourned the meeting.



**MEETING OF THE MANAGEMENT COMMITTEE OF THE  
INTERSTATE INSURANCE PRODUCT REGULATION COMMISSION**

**Wednesday, February 28, 2024**

**1:30 pm ET / 12:30 pm CT / 11:30 am MT / 10:30 am PT**

**WebEx**

**AGENDA**

1. **Welcome and Roll Call**
2. **Management Committee Charter:** Presentation, Discussion and Consideration of Adoption of Management Committee Charter

**EXPLANATION:** The independent Governance Review recommended each committee, including the Management Committee, adopt a written charter describing its purposes, composition, responsibilities, authority, governance requirements, and workplan goals. The updated Management Committee Charter was prepared by the Insurance Compact Office and reviewed by the Officers. The goal is to present, discuss and if ready, consider it for adoption at this meeting.

3. **Uniform Standards in Rulemaking Process:** Consideration of the Report of the Chair on Publication of the Product Standards Committee Recommendation for Notice and Comment

**EXPLANATION:** On January 31<sup>st</sup>, at the direction of Commissioner Birrane as Chair of the Insurance Commission pursuant to Article IV, Section 2(a) of the Bylaws, the Product Standards Committee recommendation for certain Uniform Standards was issued for publication and comment. The specific Uniform Standards are the Standards for Individual Deferred Index Linked Variable Annuity Contracts (Commonly Marketed as Registered Index Linked Annuities) and amendments to the Additional Standards for Market Value Adjustment Feature Provided Through a Separate Account. The Management Committee will consider a motion to ratify this action.

4. **Management Committee Consideration of Appointment to the Consumer Advisory Committee**

**EXPLANATION:** The action item is to consider an application to serve on the Consumer Advisory Committee and the recommendation of the Compact Officers for appointment to an open seat on this Committee. Further information will be sent to the members of the Management Committee in advance of the meeting.

5. **Executive Director Operational Report**

**6. Any Other Matters**

**7. Adjourn**

**Members of the Management Committee in Attendance:**

Commissioner Kathleen Birrane, Chair, Maryland  
Director Eric Dunning, Vice Chair, Nebraska  
Allan McVey, Treasurer, West Virginia  
CEO Barbara Richardson, Arizona  
Jeff Varga as a designated representative for Director Dana Popish Severinghaus, Illinois  
Tammy Lohmann as a designated representative for Commissioner Grace Arnold, Minnesota  
Acting Commissioner Justin Zimmerman, New Jersey  
Ted Hamby as a designated representative for Commissioner Mike Causey, North Carolina  
Daniel Bradford as a designated representative for Director Judith French, Ohio  
Shannen Logue as a designated representative for Commissioner Michael Humphreys,  
Pennsylvania  
Debra Diaz-Lara as a designated representative for Commissioner Cassie Brown, Texas  
Commissioner Jeff Rude, Wyoming

**Members of the Commission and Department Staff in Attendance:**

Yada Horace, Alabama  
Sydney Sloan, Colorado  
Jessica Luff, Delaware  
Jason Asaeda, Hawaii  
Shannon Hohl, Idaho  
Victoria Hastings, Indiana  
Julie Holmes, Kansas  
Frank Opelka, Louisiana  
Sherri Cullen, Massachusetts  
Tina Nacy, Michigan  
Jo LeDuc, Missouri  
Adam Clayton, Nebraska  
Jack Childress, Nevada  
Chrystal Bartuska, North Dakota  
Kurt Cagle, Oklahoma  
Director Elizabeth Kelleher Dwyer, Rhode Island, Past Chair  
Matt Gendron, Rhode Island  
Commissioner Jonathan Pike, Utah  
Mary Block, Vermont  
Ned Gaines, Washington  
Commissioner Nathan Houdek, Wisconsin

**Consumer Advisory Committee:**

Fred Nepple, Retired Insurance Regulator

**Industry Advisory Committee:**

Wayne Mehlman, ACLI  
Sarah Wood, IRI

**Insurance Compact Staff in Attendance:**

Karen Schutter, Executive Director  
Becky McElduff, Director of Product Operations & Chief Counsel  
Sara Dubsky, Assistant Director of Administrative Operations  
Karen Givens, Assistant Director of Product Review Operations  
Susan Ezalarab, Regulatory Coordinator Consultant  
Naomi Kloepersmith, Actuary  
Sarah Neil, Communications and Outreach Coordinator

Commissioner Birrane called to order the meeting of the Management Committee. Ms. Schutter took the roll call of the Management Committee, the members of the Commission, Legislative Committee, and Industry and Consumer Advisory Committees.

Commissioner Birrane moved to the first item on the agenda, presentation, discussion, and consideration of adoption of the Management Committee Charter. Commissioner Birrane stated that annually the Management Committee and other committees are asked to review and adopt their charters. The charter lays out committee composition, responsibilities, purpose, work plan goals, and authority. The rulemaking process for new and amended Uniform Standards and Operating Procedures, and updating the strategic plan for another three-year period will be overseen by the Management Committee in 2024. Commissioner Rude made the motion to approve the Management Committee Charter; Acting Director Zimmerman seconded the motion. Hearing no comments or questions, the motion was passed via voice vote.

Commissioner Birrane proceeded to the second agenda item, consideration of the report of the Chair on publication of the Product Standards Committee recommendation for notice and comment. Commissioner Birrane stated that the Compact Bylaws permit the Compact Chair to take certain actions normally performed by the Management Committee between meetings. Commissioner Birrane stated she approved the receipt of the recommendation from the Product Standards Committee and permitted the Compact Office to publish for notice and comment two Uniform Standards recommended by the Product Standards Committee for formal rulemaking. On January 31<sup>st</sup>, the Compact issued *Standards for Individual Deferred Index Linked Variable Annuity Contracts* and *Additional Standards for Market Value Adjustment Feature Provided Through a Separate Account* for a 60-day comment period. Written comments are due on April 2<sup>nd</sup>. A public hearing on these standards will take place on March 18<sup>th</sup> during the in-person joint meeting in Phoenix. Commissioner Birrane asked for a motion to ratify the action taken. The motion was made by Commissioner Rude and seconded by Ms. Logue. Hearing no comments or questions, a voice vote was taken. The motion was carried to receive the report and to ratify the interim action to commence the rulemaking process on the two uniform standards.

Commissioner Birrane moved to the third item on the agenda, Management Committee consideration of appointment to the Consumer Advisory Committee. Commissioner Birrane stated the action item is to appoint retired Superintendent Eric Cioppa to one of the two open seats on the Consumer Advisory Committee. Commissioner Birrane stated that there was one open seat but retired Nebraska Director Range stepped down as member of the Consumer Advisory Committee which lead to an additional seat being open. Commissioner Birrane thanked Bruce Range for his two years on the committee and his contributions. Commissioner Birrane provided the Committee with a brief overview of Mr. Cioppa's background. The motion was made by Mr. Bradford and

seconded by Commissioner Rude. Hearing no comments or questions, a voice vote was conducted, and the motion was carried to confirm Eric Cioppa's appointment to the Consumer Advisory Committee.

Commissioner Birrane proceeded to the fourth item on the agenda, the Executive Director's operational report. Commissioner Birrane asked Ms. Schutter to provide the report. Ms. Schutter stated that South Dakota is the newest state to enact the Compact and the legislation was signed by Governor Noem. South Dakota becomes a member of the Compact effective on July 1<sup>st</sup> and companies will be able to make filings for South Dakota on July 16<sup>th</sup>. South Dakota opted out of long-term care and disability income product lines. Ms. Schutter reported with the addition of South Dakota, the number of Compacting States is now 48, 46 states plus the District of Columbia and Puerto Rico. Ms. Schutter announced the next Compact Roundtable will take place in DC on May 15<sup>th</sup> and the next joint meeting would be on March 18<sup>th</sup> in Phoenix. Ms. Schutter reiterated the Compact is accepting written comments on the ILVA standards. There were no questions for Ms. Schutter.

Commissioner Birrane proceeded to the last item on the agenda, any other matters. Hearing no other matters, Commissioner Birrane asked if there was a motion to adjourn. Commissioner Rude made a motion to adjourn, which was seconded by Director Dunning.