

DATE: December 14, 2009
TO: IIPRC Rulemaking Committee
FROM: Industry Advisory Committee
SUBJECT: Proposed Self-Certification Rule Dated (12/2//09)

Section 101: Drafting Note

We appreciate the addition of the last sentence to allow other standards to qualify for the self-certification process, but the first sentence appears to set the stage for what type of standards would qualify. Why not just simply state:

“The self-certification process is intended to be utilized in limited circumstances where the IIPRC determines that a specified standard is a good candidate for such filing process. The self-certification process is not intended to apply to Uniform Standards for Advertisement.”

Section 105

Item (b)

We suggest that reference to “the Compliance Certification” be changed to say “the officer Compliance certification and the Actuarial Compliance Certification, as applicable.”

Section 107

Items (a) and (c)

Item (a) states that suspension or imposing limitations or conditions can only occur after proper notice and opportunity to appeal.

Item (c) does not.

Presumably, a material non-compliance may harm interests of consumers or policyholders, so what distinctions are being made between (a) and (c)?

Exhibits A and B

Is there a way to better specify what “and other filing requirements of the Commission” (first paragraph) and “or other Commission filing requirements” (second paragraph) are referring to?

This reference is somewhat vague and we could not think of what this may encompass. The certification language should be as precise as possible in fairness to the persons who are executing it.

Exhibit A

We suggest that you make both Exhibits the same in the signature block, and that you add “Officer” in Exhibit A as you did for “Actuary” in Exhibit B.

Exhibit B

Was it your intent to not require disciplinary action against an actuary, as you did in Appendix A for an officer who certifies that the filing is in compliance?

Submitted by IIPRC Industry Advisory Committee:

Maureen Adolf, Prudential
Steve Buhr, AEGON
Tom English, New York Life
Michael Gerber, NAIFA
Mary Keim, State Farm Insurance Company
Michael Lovendusky, ACLI
Amanda Mathiessen, AHIP
Gary Sanders, AHIA