

2024  
**SUPPLEMENTAL  
HEALTH, DI & LTC  
CONFERENCE**

The Winning  
Trifecta

**Insuring the Winner's Circle:  
Strategies for Regulatory Success in  
Supplemental Health**





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# Regulatory Chaos



## Tri-Agency Sink Hole



# Tri-Agency Sink Hole

## Alabama

- *Bulletin No. 2024-02*
- *Refile Forms and Rates for all previously approved STLDI, Hospital Indemnity or Other Fixed Indemnity*

## Arizona

- *Objections to per-service benefits on HI*

## Misc

- *IL Bulletin 2024-15*
- *UT Bulletin 2024-8*

## Texas

- *Comm'r Bulletin B-0013-24*
- *Amend forms to add disclosure on first page and refile*
- *Page swap option, but will not allow standalone*

## Montana

- *Advisory Memorandum dated 8-2-24*
- *Requires addition of disclosure and refiling.*

## Virginia

- *Wellness position based on Tri-Agency Interpretation*
- *Accident – No go*
- *CI – if connected*
- *HI – only on individual*



# Regulatory Chaos



## Non-Employer Group Over Regulation Tornado

# Non-Employer Group – Tornado

Idaho – Push back on non-employer groups, especially associations

Nevada – Demanding financials to support non-employer group eligibility

Hawaii – 75% participation rate for non-employer group



# Regulatory Chaos



## New Mexico Icy Conditions



# New Mexico – Icy Conditions

Coverage Effective Date	NM Sitused Policies		Non-NM Sitused Policies	
	With Major Medical	Without Major Medical	With 100+ NM Employees (NM asserts ET jurisdiction)	With less than 100 NM Employees
<b>Before 1/1/2024 (Grandfathered Exemption)</b>	Existing coverage can continue if there is: <ul style="list-style-type: none"> <li>no lapse in coverage, and</li> <li>no material change</li> </ul>	Existing coverage can continue if there is: <ul style="list-style-type: none"> <li>no lapse in coverage, and</li> <li>no material change</li> </ul>	Existing coverage for NM residents can continue if there is: <ul style="list-style-type: none"> <li>no lapse in coverage, and</li> <li>no material change</li> </ul>	No ET. NM residents will be treated the same as any other employee in the situs.
<b>Between 1/1/2024 and 12/31/2024</b>	Supplemental health products can only be issued based on filed and approved products that satisfy the new regulations.	Supplemental health products can only be issued based on filed and approved products that satisfy the new regulations.	NM employees must receive coverage that is compliant with NM's new regulations	No ET. NM residents will be treated the same as any other employee in the situs.
<b>On or after 1/1/2025 (Effective date of partial Major Medical exemption)</b>	Supplemental health products can only be issued based on filed and approved products that comply with the new regs, EXCEPT for: <a href="#">13.10.34.10</a> , <a href="#">13.10.34.11</a> , <a href="#">13.10.34.12</a> , <a href="#">13.10.34.13</a> , <a href="#">13.10.34.14</a> , and <a href="#">13.10.34.18</a> .	Supplemental health products can only be issued based on filed and approved products that satisfy the new regulations.	With Major Medical – same result as the first column for NM residents  Without Major Medical – same result as the second column for NM residents	No ET. NM residents will be treated the same as any other employee in the situs.



# New Mexico – Icy Conditions

## Trade Secret Rate Filings

- *Prior Position*
  - *that ONLY Act Memo could be trade secret*
  - *Label the document “Actuarial Memorandum”*
  - *State determines trade secret prior to reviewing the information*
- *New Position*
  - *Will review the actuarial materials prior to making a determination of trade secret*
  - *Done via email*
  - *Additional actuarial materials*

## Variability Success

- *Variable Certificate*
- *Variable Rates (must satisfy the MLR for each combination)*
- *Variable Schedule*
- *Non-Variable Outlines of Coverage for each plan design*
- *File additional OOC for each new plan design.*



# Regulatory Chaos



Unexpectedly  
Difficult States  
Earthquakes



# Unexpected Difficult States — Earthquake

Arkansas – Excepted benefits issues based on CMS interpretations

Iowa – Expected benefits status

Idaho – Excepted benefits status. Applying Hospital Indemnity requirements to accident and specified disease products

Indiana – issues related to “unlimited pre-existing conditions”

Illinois – Type of Insurance (TOI) issues related to Hospital Indemnity and benefits needing to be categorized into a certain bucket

New Mexico/Florida – Value-Added Services (VAS) issues with NAIC Model Interpretation



# Regulatory Chaos



Politics  
Politics



# Politics – Its Own Unnatural Disaster

## Tennessee

56-8-114 May not “discriminate” based on:  
(1) The person's political opinions, speech, or affiliations;  
or  
(2) The person's religious beliefs, religious exercise, or religious affiliations.

## Washington

Initiative 2124 – Make  
LTC Program Optional

## Texas

HB 3433, 87th Legislative Session, enacted a prohibition preventing issuers from discriminating against individuals based on political affiliation.



# Regulatory Chaos



## Data Security Breaches



# Data Security – Breaches

Oklahoma – 36 s 670 et seq. The act requires each licensee of the DOI to develop, implement, and maintain a comprehensive written information security program based on the risk assessment of the licensee

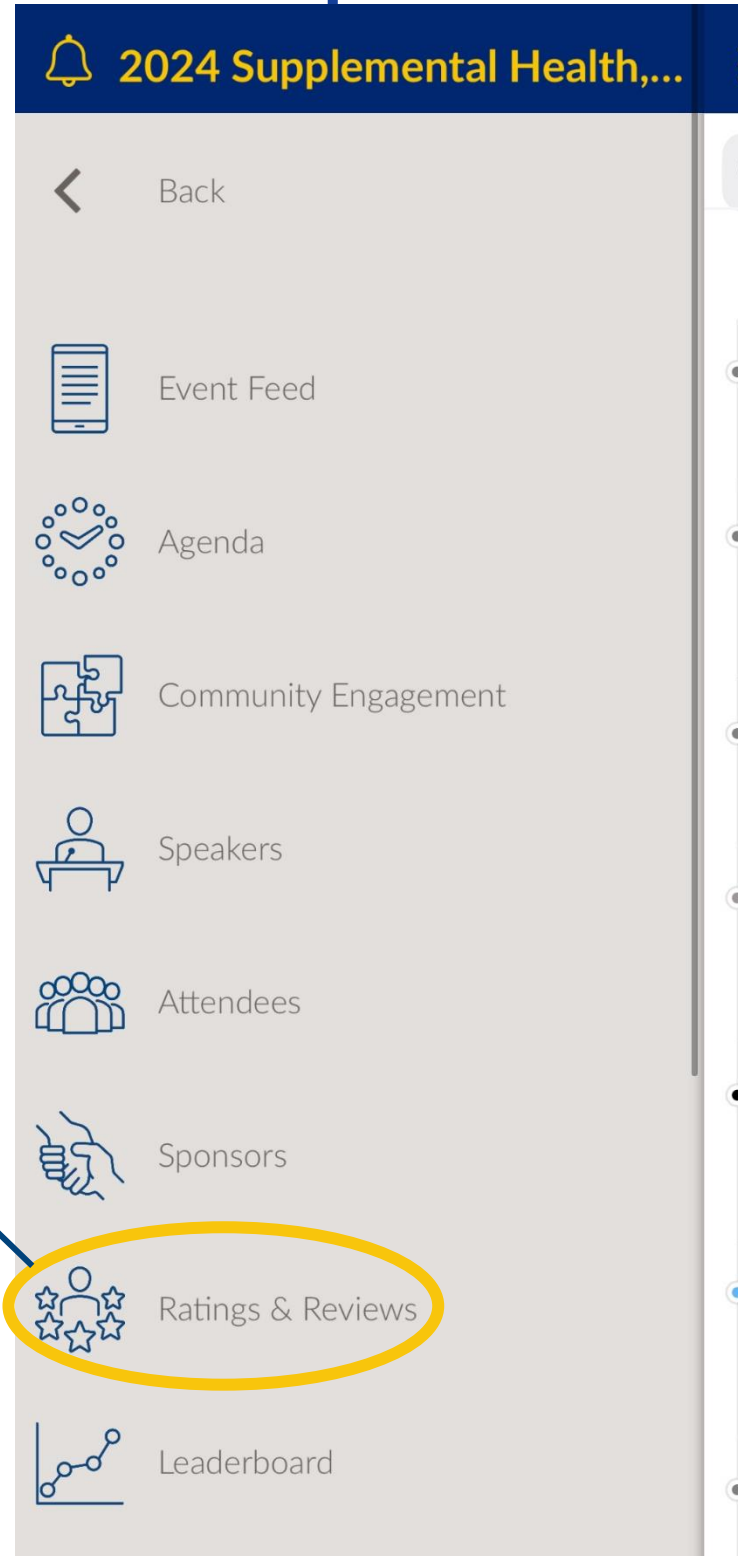
NAIC Data Security Model Law 668-1 – establishes a information security program requirement. Must be developed. Adoption continues

NAIC Adopts Model Bulletin on Insurer Use of AI – 11 states adopted bulletin. Additional activity in NY, CO, CA.

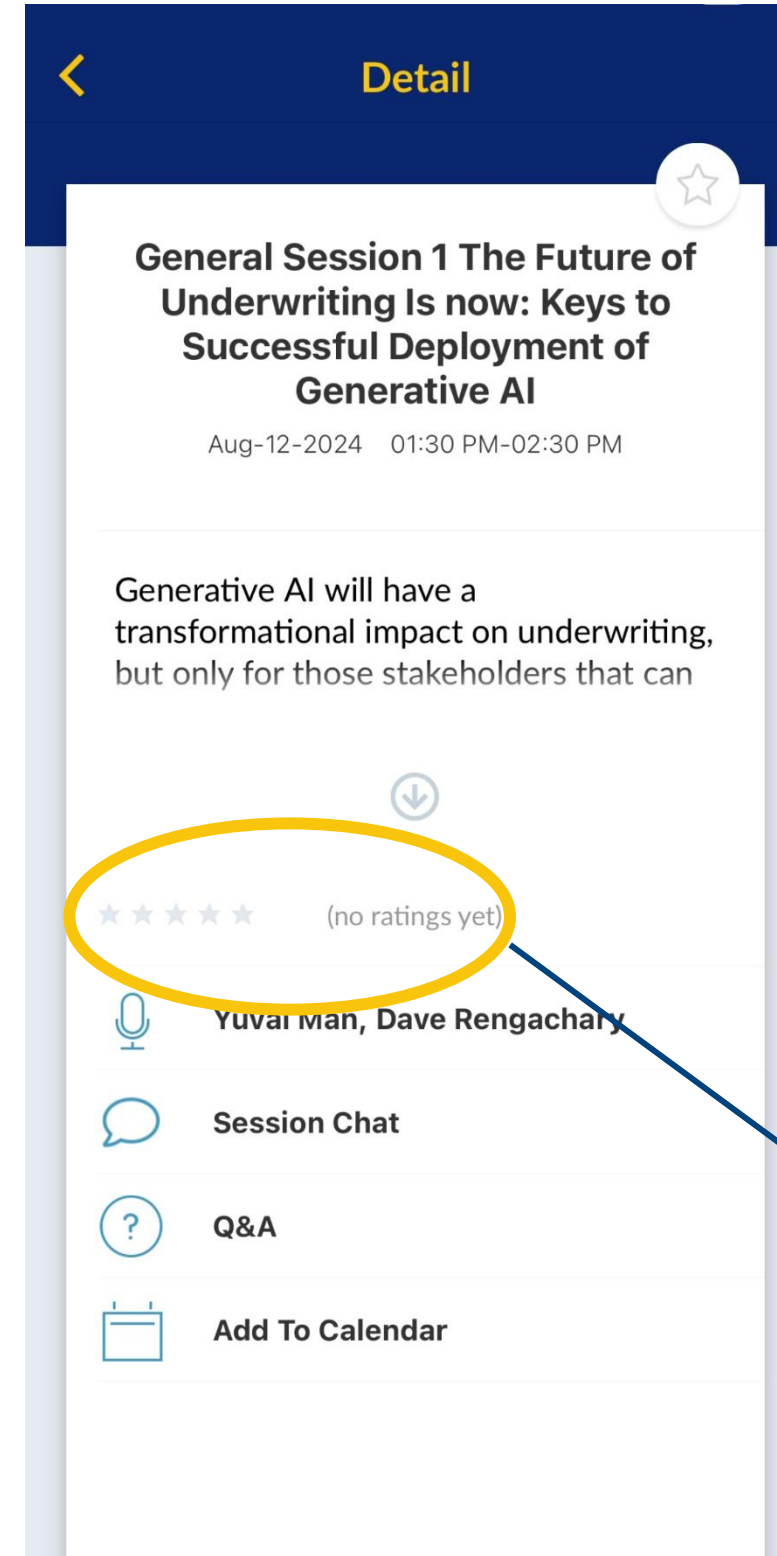


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## Module Option



## Agenda Option





# Thank You

