

**From:** Michael Lovendusky [mailto:MichaelLovendusky@acli.com]  
**Sent:** Tuesday, September 12, 2017 2:11 PM  
**To:** Wallace, Petra  
**Cc:** Michael Lovendusky; Lisa Tate  
**Subject:** Re NAIC Market Conduct Exam Standards: Revision Chapter 19 AG 49

Ms. Wallace, per my comments just now to the working group during the public call, please see attached exhibit referring to the “Supplemental Checklist for Marketing and Sales Standard # 4” suggesting the grammatical improvements to three Requirements. Let me know if you have any questions and thanks for your consideration.

---

**Michael Lovendusky**

**American Council of Life Insurers** | Financial Security...for Life.

Vice President & Associate General Counsel

(202) 624-2390 t (866) 953-4083 f

[michaellovendusky@acli.com](mailto:michaellovendusky@acli.com)

[www.acli.com](http://www.acli.com)

101 Constitution Ave., NW, Suite 700

Washington, DC 20001-2133

Follow us on [Twitter](#), like us on [Facebook](#)!

---

Regarding the 3 boxes with “Requirements” which grammatically begin with an “If...”

1. The boxes, at least, should include a “Not Applicable” category along with “Yes” and “No” or
2. The three Requirements which begin with “If” should be re-worded, as follow:

~~“If the Insurer offers a Benchmark Index Account with the illustrated policy, the~~ The illustration actuary uses the current annual cap for the Benchmark Index Account offered with the illustrated policy...(AG49, Section 4.A.i.)”

~~“If the insurer does not offer a Benchmark Index Account with the illustrated policy, the~~ The illustration actuary uses a hypothetical, supportable current annual cap for a hypothetical supportable Index Account that meets the definition of a Benchmark Index Account etc...”

~~“If the illustration includes a loan, the~~ The illustrated rate credited to the loan balance shall not exceed ~~the~~ an illustrated loan charge by more than 100 basis points in circumstances etc.”