

From: Hooker, Mark
To: Leonard, Craig
Cc: Mullen, Timothy B.; Pauley, Andrew; Goe, Christina
Sent: Mon Jul 07 11:39:23 2008
Subject: W. Va. Accreditation Proposal Comments

Craig,

Overall West Virginia is supportive of the market regulation accreditation proposal. That said we do have a few areas of concern.

First and foremost we believe that a “look back” period needs to be defined for initial accreditation reviews. Our suggestion is that States only be held accountable for transactions after a specified future date—certainly no earlier than 1/1/2009 but even that maybe too soon. The proposal correctly states that 49 out of 51 jurisdictions self certified on compliance with general compliance with core competencies. There are at least two core competencies in the accreditation proposal that were not among those that were adopted by the time of the 2006 survey. We recommend that departments have sufficient time to comply with new requirements and analyze staffing needs.

Specifically, we are concerned with entering all investigations into MITS within 30 days of an on set of investigation and conducting complaint reconciliations. No state has self certified they are in compliance with that standard. We are skeptical as to whether any state is currently entering all investigations into MITS or whether it is even appropriate. Entering all investigations may clutter the system with meaningless information as not every investigation results in a continuum action. To that end we would like to see the term ‘investigation’ refined in context MITS entries.

We would like to echo Nebraska’s comments with respect to reconciliation of complaints on a quarterly basis with the regulated entities. If there is not an established format for reconciliation, we believe that we should design one. Regulated entities will not want to receive 50 different formats for reconciliation reports. Also, we believe reconciliation reports should be limited to insurers – not producers, especially initially. It would be more costly and difficult to administer reconciliation reports with producers.

Lastly, we believe that entering data on RIRS within 30 days of the action is too soon. Generally, a regulated entity has 30 days to appeal on order entered by our office. We believe that entries should be made after the time allotted for appeal has been exhausted if the action is not appealed---or after the appeal is resolved if the action is appealed.