

MEMORANDUM

TO: Joe Bieniek, NAIC

FROM: Lee Barclay, Washington

DATE: April 30, 2008

SUBJECT: Comments on *Product Filing Examiners Handbook*, Chapters One and Two

1. As I mentioned during an earlier conference call of the working group, staff that review rate and form filings are commonly called *reviewers*, even though they may have other job titles. SERFF uses the term *reviewer* also. I suggest that we change the title of this handbook to *Product Filing Reviewers Handbook* or *Product Filing Review Handbook*. And the text should use the word *reviewer* everywhere it now has *examiner*.
2. Is the fourth paragraph of Chapter One needed? It seems to repeat the ideas of the second paragraph.
3. The first paragraph under “Using the Handbook” should be deleted. The handbook and its appendix have already been described under “Overview.”
4. “A Brief History of Rate and Form Filings” should be a separate chapter. This section is really not about “The Filing Process,” which is the title of Chapter Two.
5. Do we really need such an extensive description of *Paul v. Virginia*? The details are somewhat interesting but are of little value to a filing reviewer.
6. After the discussion of McCarran-Ferguson, we say: “Since its passage, states have shown more interest in enacting legislation that follows more closely with NAIC adopted models and regulations.” But then we have no examples of this show of interest until 1990, which is 45 years after McCarran-Ferguson. And our financial accreditation and Gramm-Leach-Bliley examples are not related to rate and form filings. Following the discussion of McCarran-Ferguson, it might be better to mention the All-Industry Bills, which became law in many states in the late 1940s. The enactment of these laws all across the country was really the primary contributor to the degree of uniformity (similarity?) found in states’ systems for regulating rates and forms in the last 60 years.
7. SERFF is another example of state cooperation through the NAIC. The history should mention it.
8. For NAIC staff’s consideration, I have suggested a multitude of edits, mostly non-substantive, in a separate, marked-up Word document.