The Market Regulation and Consumer Affairs (D) Committee met via conference call Dec. 19, 2014. The following Committee members participated: Stephen W. Robertson, Chair (IN); Therese M. Goldsmith, Vice Chair (MD); Chester A. McPherson represented by Lee Backus (DC); Bruce R. Ramge (NE); Laura N. Cali (OR); Susan L. Donegan (VT); and Michael D. Riley (WV). Also participating was: Chuck Vanasdalan (NH).

1. **Adopted its Nov. 18 Minutes**

   Commissioner Goldsmith made a motion, seconded by Commissioner Donegan, to adopt the Committee’s Nov. 18 minutes (See NAIC Proceedings – Fall 2014, Market Regulation and Consumer Affairs (D) Committee Nov. 18, minutes). The motion passed unanimously.

2. **Adopted the Health Reform Data Call and Definitions**

   Commissioner Robertson said the Committee adopted the data call framework subject to an interim meeting in mid-December to finalize the data elements and definitions, as well to discuss a potential pilot project.

   Mr. Vanasdalan said the Market Analysis Procedures (D) Working Group held three, two-hour conference calls after the Fall National Meeting. The participants in the calls included more than 25 members of the Working Group, funded consumer representatives and industry participants. Mr. Vanasdalan said this was a collaborative effort, which culminated in completing the work with some minor changers being made to the data elements. Mr. Vanasdalan said the Working Group focused on using definitions from the federal Affordable Care Act (ACA) or NAIC model laws and modified the definition of “health insurance coverage” to make it clear that closed blocks of business are not to be included in the data call.

   Mr. Vanasdalan said the Working Group also discussed a potential pilot project for the data call, and two states have volunteered to carry out a pilot project. Mr. Vanasdalan said the Working Group and pilot states would like to work with industry to identify the correct insurance companies to provide a cross section of the industry. The pilot project would not begin before Feb. 15, 2015, when open enrollment ends.

   David Link (Kaiser Permanente) said the data call is focused on claims. He said that this information may not be as helpful going forward under pay-for-service frameworks and that certain information on the data call may not be available. In response to Commissioner Robertson’s question about jurisdictions that should be aware of this issue, Mr. Link reported his company operates in the following jurisdictions: California; Colorado; Washington, DC; Georgia; Hawaii; Maryland; Oregon; Virginia; and Washington.

   Director Ramge made a motion, seconded by Commissioner Goldsmith, to adopt the Health Reform Data Call and Definitions (Attachment ??). There was no additional discussion, and the motion passed unanimously.

3. **Received an Update on the 2014 Market Regulation Summit Action Items**

   Tim Mullen (NAIC) said the final document (Attachment ??) is an update on the progress toward completing the recommended items from the 2014 Market Regulation Summit. Mr. Mullen said the document reflects the actions items from the 2014 Market Regulation Summit, which the Committee adopted during the NAIC Summer National Meeting. Mr. Mullen said the action items related to the draft responses to the Federal Insurance Office (FIO) recommendations have been summarized in a regulator-only draft memo from the Committee to the Government Relations Leadership Council since all formal communications to the FIO are to be coordinated through the Government Relations (EX) Leadership Council. Mr. Mullen said the draft memo would be circulated to Committee members for feedback after this call. Mr. Mullen said the memo was not previously circulated in order to ensure it includes all of the activities completed in 2014 by the respective working groups of the Committee.

Having no further business, the Market Regulation and Consumer Affairs (D) Committee adjourned.

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