

## HEALTH INSURANCE RESERVES MODEL REGULATION

### TABLE OF CONTENTS

Section 1.	Introduction
Section 2.	Claim Reserves
Section 3.	Premium Reserves
Section 4.	Contract Reserves
Section 5.	Reinsurance
Section 6.	Effective Date
Appendix A.	Specific Standards for Morbidity, Interest and Mortality
Appendix B.	Glossary of Technical Terms Used
Appendix C.	Reserves for Waiver of Premium

### Section 1. Introduction

#### A. Purpose and Scope

The purpose of this regulation is to implement [cite section of law which sets forth the NAIC Standard Valuation Law].

These standards apply to all individual and group health [accident and sickness] insurance coverages including single premium credit disability insurance. All other credit insurance is not subject to this regulation.

When an insurer determines that adequacy of its health insurance reserves requires reserves in excess of the minimum standards specified herein, such increased reserves shall be held and shall be considered the minimum reserves for that insurer.

With respect to any block of contracts, or with respect to an insurer's health business as a whole, a prospective gross premium valuation is the ultimate test of reserve adequacy as of a given valuation date. Such a gross premium valuation will take into account, for contracts in force, in a claims status, or in a continuation of benefits status on the valuation date, the present value as of the valuation date of: all expected benefits unpaid, all expected expenses unpaid, and all unearned or expected premiums, adjusted for future premium increases reasonably expected to be put into effect.

Such a gross premium valuation is to be performed whenever a significant doubt exists as to reserve adequacy with respect to any major block of contracts, or with respect to the insurer's health business as a whole. In the event inadequacy is found to exist, immediate loss recognition shall be made and the reserves restored to adequacy. Adequate reserves (inclusive of claim, premium and contract reserves, if any) shall be held with respect to all contracts, regardless of whether contract reserves are required for such contracts under these standards.

Whenever minimum reserves, as defined in these standards, exceed reserve requirements as determined by a prospective gross premium valuation, such minimum reserves remain the minimum requirement under these standards.

B. Categories of Reserves

The following sections set forth minimum standards for three categories of health insurance reserves:

- Section 2. Claim Reserves
- Section 3. Premium Reserves
- Section 4. Contract Reserves

Adequacy of an insurer's health insurance reserves is to be determined on the basis of all three categories combined. However, these standards emphasize the importance of determining appropriate reserves for each of the three categories separately.

C. Appendices

These standards contain two appendices which are an integral part of the standards, and one additional "supplementary" appendix which is not part of the standards as such, but is included for explanatory and illustrative purposes only.

Appendix A. Specific minimum standards with respect to morbidity, mortality and interest, which apply to claim reserves according to year of incurral and to contract reserves according to year of issue.

Appendix B. Glossary of Technical Terms Used.

Appendix C. (Supplementary) Reserves for Waiver of Premium.

**Section 2. Claim Reserves**

A. General

- (1) Claim reserves are required for all incurred but unpaid claims on all health insurance policies. For contracts with an elimination period, the duration of disablement shall be measured as dating from the time that benefits would have begun to accrue had there been no elimination period.
- (2) Appropriate claim expense reserves are required with respect to the estimated expense of settlement of all incurred but unpaid claims.
- (3) All such reserves for prior valuation years are to be tested for adequacy and reasonableness along the lines of claim runoff schedules in accordance with the statutory financial statement including consideration of any residual unpaid liability.
- (4) For claim reserves on policies that require contract reserves, the claim incurral date is to be considered the "issue date" for determining the table and interest rate to be used for claim reserves.
- (5) The maximum interest rate for claim reserves is specified in Appendix A.

- (6) With respect to claim reserves for policies issued before the operative date of the Valuation Manual, the requirements for claim reserves on claims incurred after that date shall be as described in the Valuation Manual based on the incurred date of the claim.

**Drafting Note:** The historical application of new requirements for claim reserves has been the incurred date of the claim. The 2009 changes to the Standard Valuation Law apply new requirements provided through the Valuation Manual **only to policies** issued after the effective date of the changes and the Valuation Manual. This addition makes new requirements for claim reserves applicable based on the incurred date irrespective of the policy issue date – *i.e.* consistent with historical practice.

## B. Minimum Morbidity Standards for Individual Disability Income Claim Reserves

- (1) For claims incurred prior to [January 1, 2005], each insurer may elect which of the following to use as the minimum morbidity standard for claim reserves:
  - (a) The minimum morbidity standard in effect for claim reserves as of the date the claim was incurred, or
  - (b) The standards as defined in Section 2B(2) or (3) applied to all open claims. Once an insurer elects to calculate reserves for all open claims on the standard defined in either Section 2B(2) or (3), all future valuations must be on that basis.
- (2) For claims incurred on or after [January 1, 2005] and prior to the effective date for the company as determined in Section 2B(5), the minimum standards with respect to morbidity are those specified in Appendix A, except that, at the option of the insurer, assumptions regarding claim termination rates for the period less than two (2) years from the date of disablement may be based on the insurer's experience, if such experience is considered credible, or upon other assumptions designed to place a sound value on the liabilities.
- (3) For claims incurred on or after January 1, 2020, the minimum standards are those specified in Appendix A, including (as derived in accordance with Actuarial Guideline L):
  - (a) The use of the insurer's own experience;
  - (b) An adjustment to include an own experience measurement margin; and
  - (c) The application of a credibility factor.
- (4) In determining the minimum reserves in accordance with Section 2B(3), the provisions in Section 2B(3)(a), (b) and (c) are not required if:
  - (a) The insurer meets the Own Experience Measurement Exemption provided in Actuarial Guideline L; or
  - (b) For worksite disability policies with benefit periods of up to two years, at the option of the insurer, disabled life reserves may be based on the insurer's experience, if such experience is considered credible, or upon other assumptions and methods designed to place a sound value on the liabilities.

- (5) An insurer may begin to use the minimum reserve standards in Section 2B(3) above at a date earlier than January 1, 2020, but not prior to January 1, 2017.
- (6) An insurer may, within three years of January 1, 2020, (or such earlier date it elects under Section 2B(5)) to apply the new standards in Section 2B(3) to all open claims incurred prior to the effective date for Section 2B(3) for the insurer. Once an insurer elects to calculate reserves for all open claims based on Section 2B(3), all future valuations must be on that basis.

**Drafting Note:** The 2013 Table requires additional information that was not required to determine claim reserves under prior tables. The three-year period is a period after the date a company starts using the 2013 Table for new claims to allow the company to update its claims data to use the 2013 Table for claims incurred prior to that date. For example, if a company begins to use the 2013 Table on January 1, 2020, for claims incurred after that date, it does not need to immediately convert all existing claims. This provision allows for the run-off of existing claims until December 31, 2022. As of that date (or an earlier date), the company must either continue use of the existing tables applicable to these claims or may convert all still open claims to the 2013 Table (adding the necessary data only for the remaining open claims).

### C. Minimum Morbidity Standards for Group Disability Income Claim Reserves

- (1) For claims incurred prior to [January 1, 2005], each insurer may elect which of the following to use as the minimum morbidity standard for claim reserves:
  - (a) The minimum morbidity standard in effect for claim reserves as of the date the claim was incurred, or
  - (b) After the effective date selected by the company in Section 2C(2), the standards as defined in Section 2C(2), applied to all open group long term disability income claims, or
  - (c) The standards as defined in Section 2C, (3), applied to all open group disability income claims.

Once an insurer elects to calculate reserves for all open claims on a more recent standard, then all future valuations must be on that basis.

- (2) For group long-term disability income claims incurred on or after [January 1, 2005], but before the effective date selected by the company in Section 2C(3), and group disability income claims incurred on or after [January 1, 2005], that are not group long-term disability income, the minimum standards with respect to morbidity are those specified in Appendix A except that, at the option of the insurer:
  - (a) Assumptions regarding claim termination rates for the period less than two (2) years from the date of disablement may be based on the insurer's experience, if the experience is considered credible, or upon other assumptions designed to place a sound value on the liabilities.
  - (b) Assumptions regarding claim termination rates for the period two (2) or more years but less than five (5) years from the date of disablement may, with the approval of the commissioner, be based on the insurer's experience for which the insurer maintains underwriting and claim administration control. The request for such approval of a plan of modification to the reserve basis must include:

- (i) An analysis of the credibility of the experience;
  - (ii) A description of how all of the insurer's experience is proposed to be used in setting reserves;
  - (iii) A description and quantification of the margins to be included;
  - (iv) A summary of the financial impact that the proposed plan of modification would have had on the insurer's last filed annual statement;
  - (v) A copy of the approval of the proposed plan of modification by the commissioner of the state of domicile; and
  - (vi) Any other information deemed necessary by the commissioner.
- (c) Each insurer may elect which of the following to use as the minimum morbidity standard for group long-term disability income claim reserves:
- (i) The minimum morbidity standard in effect for claim reserves as of the date the claim was incurred, or
  - (ii) The standards as defined in Section 2C(3), applied to all open claims.

Once an insurer elects to calculate reserves for all open claims on a more recent standard, then all future valuations must be on that basis.

- (3) For group long-term disability income claims incurred on or after January 1, 2017, the minimum standards with respect to morbidity shall be based on the 2012 GLTD termination table or subsequent table with considerations of:
- (a) The insurer's own experience computed in accordance with Actuarial Guideline XLVII, as included in the most current version of the NAIC *Accounting Practices and Procedures Manual*, and
  - (b) An adjustment to include an own experience measurement margin derived in accordance with Actuarial Guideline XLVII, as included in the most current version of the NAIC *Accounting Practices and Procedures Manual*, and
  - (c) A credibility factor derived in accordance with Actuarial Guideline XLVII, as included in the most current version of the NAIC *Accounting Practices and Procedures Manual*.

- (4) An insurer may begin to use the minimum reserve standards in Section 2C(3) above at a date earlier than January 1, 2017, but not prior to October 1, 2014. An insurer may apply the standards in Section 2C (3) to all open claims incurred prior to the effective date for Section 2C(3) for the insurer. Once an insurer elects to calculate reserves for all open claims based on Section 2C(3), all future valuations must be on that basis.

**Drafting Note:** For experience to be considered credible for purposes of Paragraph (2), the company should be able to provide claim termination patterns over no more than six (6) years reflecting at least 5,000 claims terminations during the third through fifth claims durations on reasonably similar applicable policy forms.

For claim reserves to reflect “sound values” and reasonable margins, reserve tables based on credible experience should be adjusted regularly to maintain reasonable margins. Demonstrations may be required by the commissioner of the state of domicile based on published literature (e.g., Goldman, TSA XLII).

**Drafting Note:** The 2012 GLTD Valuation Table is based on experience for claims with maximum benefit periods in excess of two years. The 2012 Table (or any single morbidity table) may not be appropriate for claims with maximum benefit periods less than or equal to two years (i.e., STD or GSTD) for the following reasons: 1) benefit designs, definitions of disability and markets vary much more widely between companies for GSTD than for GLTD; 2) as a result, termination experience varies significantly and a single morbidity standard would not be achievable; 3) most companies’ book of GSTD business would be fully credible; 4) calculating tabular claim reserves for GSTD claims would not result in an appreciably more adequate claim reserving method (e.g., claim triangles) with margins; 5) it has been common industry practice to use aggregate methods as the basis for GSTD claim reserves.

D. Minimum Morbidity Standard for Other Health Insurance Claim Reserves

The reserve should be based on the insurer’s experience, if the experience is considered credible, or upon other assumptions designed to place a sound value on the liabilities.

E. Claim Reserve Methods Generally

A generally accepted actuarial reserving method or other reasonable method, if, after a public hearing, the method is approved by the commissioner prior to the statement date, or a combination of methods may be used to estimate all claim liabilities. The methods used for estimating liabilities generally may be aggregate methods, or various reserve items may be separately valued. Approximations based on groupings and averages may also be employed. Adequacy of the claim reserves, however, shall be determined in the aggregate.

**Section 3. Premium Reserves**

A. General

- (1) Except as noted in Paragraph (2), unearned premium reserves are required for all contracts with respect to the period of coverage for which premiums, other than premiums paid in advance, have been paid beyond the date of valuation.
- (2) Single premium credit disability insurance, both individual and group, is excluded from unearned premium reserve requirements of this Section 3.
- (3) If premiums due and unpaid are carried as an asset, the premiums must be treated as premiums in force, subject to unearned premium reserve determination. The value of unpaid commissions, premium taxes and the cost of collection associated with due and unpaid premiums shall be carried as an offsetting liability.

- (4) The gross premiums paid in advance for a period of coverage commencing after the next premium due date which follows the date of valuation may be appropriately discounted to the valuation date and shall be held either as a separate liability or as an addition to the unearned premium reserve which would otherwise be required as a minimum.

B. Minimum Standards for Unearned Premium Reserves

- (1) The minimum unearned premium reserve with respect to a contract is the pro rata unearned modal premium that applies to the premium period beyond the valuation date, with the premium determined on the basis of:
  - (a) The valuation net modal premium on the contract reserve basis applying to the contract; or
  - (b) The gross modal premium for the contract if no contract reserve applies.
- (2) However, in no event may the sum of the unearned premium and contract reserves for all contracts of the insurer subject to contract reserve requirements be less than the gross modal unearned premium reserve on all such contracts, as of the date of valuation. The reserve shall never be less than the expected claims for the period beyond the valuation date represented by the unearned premium reserve, to the extent not provided for elsewhere.

**Drafting Note:** States should be aware that while single premium credit disability insurance is excluded from unearned premium reserve requirements, there may be requirements elsewhere in statutory accounting to test reserves against the premium refund net liability.

C. Premium Reserve Methods Generally

The insurer may employ suitable approximations and estimates; including, but not limited to groupings, averages and aggregate estimation; in computing premium reserves. Approximations or estimates should be tested periodically to determine their continuing adequacy and reliability.

**Section 4. Contract Reserves**

A. General

- (1) Contract reserves are required, unless otherwise specified in Section 4A(2) for:
  - (a) All individual and group contracts with which level premiums are used; or
  - (b) All individual and group contracts with respect to which, due to the gross premium pricing structure at issue, the value of the future benefits at any time exceeds the value of any appropriate future valuation net premiums at that time. This evaluation may be applied on a rating block basis if the total premiums for the block were developed to support the total risk assumed and expected expenses for the block each year, and a qualified actuary certifies the premium

development. The actuary should state in the certification that premiums for the rating block were developed such that each year's premium was intended to cover that year's costs without any prefunding. If the premium is also intended to recover costs for any prior years, the actuary should also disclose the reasons for and magnitude of such recovery. The values specified in this subparagraph shall be determined on the basis specified in Subsection B of this section.

**Drafting Note:** Language permitting a rating block test was added because a concern arose that the existing minimum reserve standards could be interpreted as requiring contract reserves on a per contract basis for products that are community rated or that use other rating methodology based on cross-subsidies among contracts within the block. If rates are determined such that each year's premium is intended to cover that year's cost, the rating block approach results in no contract reserves unless required by Subsection D. If rates are designed to prefund future years' costs, contract reserves will be required.

- (2) Contracts not requiring a contract reserve are:
  - (a) Contracts that cannot be continued after one year from issue; or
  - (b) Contracts already in force on the effective date of these standards for which no contract reserve was required under the immediately preceding standards.
- (3) The contract reserve is in addition to claim reserves and premium reserves.
- (4) The methods and procedures for contract reserves shall be consistent with those for claim reserves for a contract, or else appropriate adjustment shall be made when necessary to assure provision for the aggregate liability. The definition of the date of incurral shall be the same in both determinations.
- (5) The total contract reserve established shall incorporate provisions for moderately adverse deviations.

B. Minimum Standards for Contract Reserves

- (1) Basis
  - (a) Morbidity or Other Contingency. Minimum standards with respect to morbidity are those set forth in Appendix A. Valuation net premiums used under each contract shall have a structure consistent with the gross premium structure at issue of the contract as this relates to the advancing age of insured, contract duration and period for which gross premiums have been calculated. Contracts for which tabular morbidity standards are not specified in Appendix A shall be valued using tables established for reserve purposes by a qualified actuary and acceptable to the commissioner. The morbidity tables shall contain a pattern of incurred claims cost that reflects the underlying morbidity and shall not be constructed for the primary purpose of minimizing reserves.

**Drafting Note:** Section 4B(1)(a) only applies to the premium structure applicable to each contract. The relationship among gross premiums for different contracts (e.g., variations by age) has no bearing on the net premium structure. If for a policy form there is no gross premium variation by age, the valuation net premiums will nonetheless vary based on age at issue for each contract since at issue the present value of valuation net premiums for a contract must equal the present value of tabular claim costs.



- (i) In determining the morbidity assumptions, the actuary shall use assumptions that represent the best estimate of anticipated future experience, but shall not incorporate any expectation of future morbidity improvement. Morbidity improvement is a change, in the combined effect of claim frequency and the present value of future expected claim payments given that a claim has occurred, from the current morbidity tables or experience that will result in a reduction to reserves. It is not the intent of this provision to restrict the ability of the actuary to reflect the morbidity impact for a specific known event that has occurred and that is able to be evaluated and quantified.

**Drafting Note:** The last sentence is intended to provide allowances for a known event, such as a new drug release, but at the time of this writing, there are no specific examples that could be pointed to in the recent past that would have met this standard. This is intended to be an extremely rare event.

- (ii) Business in force as of the effective date of Section 4B(1)(c)(iii) may be permitted to retain the original reserve basis which may not meet the provisions of Item (i) above, subject to the acceptability to the commissioner.

**Drafting Note:** The consistency between the gross premium structure and the valuation net premium is required only at issue, because the impact on such consistency after issue of regulatory restrictions on premium rate increases is still under study.

- (b) Interest. The maximum interest rate is specified in Appendix A.
- (c) Termination Rates. Termination rates used in the computation of reserves shall be on the basis of a mortality table as specified in Appendix A except as noted in the following items:
  - (i) Under contracts for which premium rates are not guaranteed, and where the effects of insurer underwriting are specifically used by policy duration in the valuation morbidity standard or for return of premium or other deferred cash benefits, total termination rates may be used at ages and durations where these exceed specified mortality table rates, but not in excess of the lesser of:
    - (I) Eighty percent of the total termination rate used in the calculation of the gross premiums, or
    - (II) Eight percent;
  - (ii) For long-term care individual policies or group certificates issued after January 1, [1997], the contract reserve may be established on a basis of separate:
    - (I) Mortality (as specified in Appendix A); and

- (II) Terminations other than mortality, where the terminations are not to exceed:
  - For policy years one (1) through four (4), the lesser of eighty percent (80%) of the voluntary lapse rate used in the calculation of gross premiums and eight percent (8%);
  - For policy years five (5) and later, the lesser of one hundred percent (100%) of the voluntary lapse rate used in the calculation of gross premiums and four percent (4%).
- (iii) For long-term care individual policies or group certificates issued on or after January 1, [2005], the contract reserve shall be established on the basis of:
  - (I) Mortality (as specified in Appendix A); and
  - (II) Terminations other than mortality, where the terminations are not to exceed:
    - For policy year one, the lesser of eighty percent (80%) of the voluntary lapse rate used in the calculation of gross premiums and six percent (6%);
    - For policy years two (2) through four (4), the lesser of eighty percent (80%) of the voluntary lapse rate used in the calculation of gross premiums and four percent (4%); and
    - For policy years five (5) and later, the lesser of one hundred percent (100%) of the voluntary lapse rate used in the calculation of gross premiums and two percent (2%), except for group insurance as defined in [insert reference to Section 4E(1) of the NAIC Long-Term Care Insurance Model Act, i.e., employer groups] where the 2% shall be three percent (3%).
- (iv) Where a morbidity standard specified in Appendix A is on an aggregate basis, the morbidity standard may be adjusted to reflect the effect of insurer underwriting by policy duration. The adjustments must be appropriate to the underwriting and be acceptable to the commissioner.

- (2) Reserve Method.
  - (a) For insurance except long-term care and return of premium or other deferred cash benefits, the minimum reserve is the reserve calculated on the two-year full preliminary term method; that is, under which the terminal reserve is zero at the first and also the second contract anniversary.
  - (b) For long-term care insurance, the minimum reserve is the reserve calculated as follows:
    - (i) For individual policies and group certificates issued on or before December 31, [1991], reserves calculated on the two-year full preliminary term method;
    - (ii) For individual policies and group certificates issued on or after January 1, [1992], reserves calculated on the one-year full preliminary term method.
  - (c)
    - (i) For return of premium or other deferred cash benefits, the minimum reserve is the reserve calculated as follows:
      - (I) On the one year preliminary term method if the benefits are provided at any time before the twentieth anniversary;
      - (II) On the two year preliminary term method if the benefits are only provided on or after the twentieth anniversary.
    - (ii) The preliminary term method may be applied only in relation to the date of issue of a contract. Reserve adjustments introduced later, as a result of rate increases, revisions in assumptions (e.g., projected inflation rates) or for other reasons, are to be applied immediately as of the effective date of adoption of the adjusted basis.
- (3) Negative Reserves. Negative reserves on any benefit may be offset against positive reserves for other benefits in the same contract, but the total contract reserve with respect to all benefits combined may not be less than zero.
- (4) Nonforfeiture Benefits for Long-Term Care Insurance. The contract reserve on a policy basis shall not be less than the net single premium for the nonforfeiture benefits at the appropriate policy duration, where the net single premium is computed according to the above specifications.

**Drafting Note:** While the above consideration for nonforfeiture benefits is specific to long-term care insurance, it should not be interpreted to mean that similar consideration may not be applicable for other lines of business.

### C. Alternative Valuation Methods and Assumptions Generally

Provided the contract reserve on all contracts to which an alternative method or basis is applied is not less in the aggregate than the amount determined according to the applicable standards specified above; an insurer may use any reasonable

assumptions as to interest rates, termination and mortality rates, and rates of morbidity or other contingency. Also, subject to the preceding condition, the insurer may employ methods other than the methods stated above in determining a sound value of its liabilities under such contracts, including, but not limited to the following: the net level premium method; the one-year full preliminary term method; prospective valuation on the basis of actual gross premiums with reasonable allowance for future expenses; the use of approximations such as those involving age groupings, groupings of several years of issue, average amounts of indemnity, grouping of similar contract forms; the computation of the reserve for one contract benefit as a percentage of, or by other relation to, the aggregate contract reserves exclusive of the benefit or benefits so valued; and the use of a composite annual claim cost for all or any combination of the benefits included in the contracts valued.

D. Tests for Adequacy and Reasonableness of Contract Reserves

Annually, an appropriate review shall be made of the insurer's prospective contract liabilities on contracts valued by tabular reserves to determine the continuing adequacy and reasonableness of the tabular reserves giving consideration to future gross premiums. The insurer shall make appropriate increments to such tabular reserves if such tests indicate that the basis of such reserves is no longer adequate; subject, however, to the minimum standards of Section 4B.

In the event a company has a contract or a group of related similar contracts, for which future gross premiums will be restricted by contract, insurance department regulations, or for other reasons, such that the future gross premiums reduced by expenses for administration, commissions, and taxes will be insufficient to cover future claims, the company shall establish contract reserves for such shortfall in the aggregate.

**Section 5. Reinsurance**

Increases to, or credits against reserves carried, arising because of reinsurance assumed or reinsurance ceded, must be determined in a manner consistent with these minimum reserve standards and with all applicable provisions of the reinsurance contracts which affect the insurer's liabilities.

**Section 6. Effective Date**

The regulation shall be effective on [insert date].

## APPENDIX A. SPECIFIC STANDARDS FOR MORBIDITY, INTEREST AND MORTALITY

### I. MORBIDITY

A. Minimum morbidity standards for valuation of specified individual contract health insurance benefits are as follows:

(1) Disability Income Benefits Due to Accident or Sickness.

(a) Contract Reserves:

Contracts issued on or after January 1, 1965, and prior to January 1, [YEAR 1]:

The 1964 Commissioners Disability Table (64 CDT).

Contracts issued on or after January 1, [YEAR 1] and before January 1, 2020:

The 1985 Commissioners Individual Disability Tables A (85CIDA); or

The 1985 Commissioners Individual Disability Tables B (85CIDB).

Contracts issued during [YEAR 1 or YEARS]:

Optional use of either the 1964 Table or the 1985 Tables.

Each insurer shall elect, with respect to all individual contracts issued in any one statement year, whether it will use Tables A or Tables B as the minimum standard. The insurer may, however, elect to use the other tables with respect to any subsequent statement year.

Contracts issued on or after January 1, 2020:

The 2013 IDI Valuation Table with modifiers as described in Actuarial Guideline L.

An insurer may begin to use the 2013 IDI Valuation Table with modifiers at a date earlier than January 1, 2020, but not prior to January 1, 2017.

Within three years of 2020, or the earlier date an insurer begins to use the 2013 IDI Valuation Table, the insurer may elect to apply that morbidity standard for all policies issued subject to other valuation tables. This may be done if the following conditions are met:

(i) The insurer must apply the morbidity standard to all inforce policies and incurred claims;

Health Insurance Reserves Model Regulation

- (ii) The insurer elects or has elected to apply the 2013 IDI Valuation Table to all claims incurred regardless of incurred date;
- (iii) The insurer maintains adequate policy records on policies issued prior to 2020, that allow the insurer to apply the 2013 IDI Valuation Table appropriately;
- (iv) Once an insurer elects to calculate reserves for all inforce policies based on the current morbidity standard, all future valuations must be on that basis.

**Drafting Note:** As an example of the [YEAR] values to be used by a state, the following would be the actual “year” values if a state were to have adopted these changes effective January 1, 2010 (with optional early use from January 1, 2007 through December 31, 2009):

Contract Reserves –

- Contracts issued on or after January 1, 1965 and prior to January 1, 2007: The 1964 Commissioners Disability Table (64 CDT).
- Contracts issued during 2007, 2008 or 2009: Optional use of either the 1964 Table or the 1985 Tables.
- Contracts issued on or after January 1, 2010 and before January 1, 2017:
  - The 1985 Commissioners Individual Disability Tables A (85CIDA); or
  - The 1985 Commissioners Individual Disability Tables B (85CIDB).
- Contracts issued during 2017, 2018 or 2019: Optional use of either the 1985 Tables (as previously used) or the 2013 IDI Table.
- Contracts issued on or after January 1, 2020: The 2013 IDI Table.

(b) Claim Reserves:

- (i) For claims incurred on or after [effective date of this amendment] and prior to 2020:

The 1985 Commissioners Individual Disability Table A (85CIDA) with claim termination rates multiplied by the following adjustment factors:

Duration	Adjustment Factor	Adjusted Termination Rates*
Week 1	0.366	0.04831
2	0.366	0.04172
3	0.366	0.04063
4	0.366	0.04355
5	0.365	0.04088
6	0.365	0.04271
7	0.365	0.04380
8	0.365	0.04344
9	0.370	0.04292
10	0.370	0.04107

<b>Duration</b>	<b>Adjustment Factor</b>	<b>Adjusted Termination Rates*</b>
11	0.370	0.03848
12	0.370	0.03478
13	0.370	0.03034
<b>Month 4</b>		
5	0.391	0.08758
6	0.371	0.07346
7	0.435	0.07531
8	0.500	0.07245
9	0.564	0.06655
10	0.613	0.05520
11	0.663	0.04705
12	0.712	0.04486
13	0.756	0.04309
14	0.800	0.04080
15	0.844	0.03882
16	0.888	0.03730
17	0.932	0.03448
18	0.976	0.03026
19	1.020	0.02856
20	1.049	0.02518
21	1.078	0.02264
22	1.107	0.02104
23	1.136	0.01932
24	1.165	0.01865
24	1.195	0.01792
<b>Year 3</b>		
4	1.369	0.16839
5	1.204	0.10114
5	1.199	0.07434
6 and later	1.000	**

\* The adjusted termination rates derived from the application of the adjustment factors to the DTS Valuation Table termination rates shown in exhibits 3a, 3b, 3c, 4, and 5 (*Transactions of the Society of Actuaries* (TSA) XXXVII, pp. 457-463) is displayed. The adjustment factors for age, elimination period, class, sex, and cause displayed in exhibits 3a, 3b, 3c, and 4 should be applied to the adjusted termination rates shown in this table.

\*\* Applicable DTS Valuation Table duration rate from exhibits 3c and 4 (TSA XXXVII, pp. 462-463).

The 85CIDA table so adjusted for the computation of claim reserves shall be known as 85CIDC (The 1985 Commissioners Individual Disability Table C).

For claims incurred on or after 2020, the 2013 IDI Valuation Table with modifiers and adjustments for company experience as prescribed in the Actuarial Guideline L, except for worksite disability policies with benefit periods of 24 months or less.

- (ii) For worksite disability policies, claim reserves may be calculated using claim run-out analysis or claim triangles, or other methods that place a sound value on the reserves that are appropriate for the business and risks involved.
- (iii) For claims incurred prior to [effective date of this amendment]:

Each insurer may elect which of the following to use as the minimum standard for claims incurred prior to [effective date of this amendment]:

- (I) The minimum morbidity standard in effect for contract reserves on currently issued contracts, as of the date the claim is incurred, or
  - (II) The standard as defined in Appendix A, Section I.A(1)(b)(i) or (ii), applied to all open non-worksite claims, provided the insurer maintains adequate claim records to allow the insurer to apply the standard defined in Appendix A, Section I.A(1)(b)(i) or (ii) appropriately. Once an insurer elects to calculate reserves for all open claims on the standard defined in Appendix A, Section I.A(1)(b)(i) or (ii), all future valuations must be on that basis. This option, with respect to Appendix A, Section I.A(1)(b)(ii), may be selected only if the insurer maintains adequate claim records for all claims incurred to use the 2013 IDI Valuation Table appropriately.
- (2) Hospital Benefits, Surgical Benefits and Maternity Benefits (Scheduled benefits or fixed time period benefits only).

(a) Contract Reserves:

Contracts issued on or after January 1, 1955, and before January 1, 1982:

The 1956 Intercompany Hospital-Surgical Tables.

Contracts issued on or after January 1, 1982:

The 1974 Medical Expense Tables, Table A, *Transactions of the Society of Actuaries*, Volume XXX, pg. 63. Refer to the paper (in the same volume, pg. 9) to which this table is appended, including its discussions, for methods of adjustment for benefits not directly valued in Table A: "Development of the 1974 Medical Expense Benefits," Houghton and Wolf.



- (b) Claim Reserves:
  - No specific standard. See (6).
- (3) Cancer Expense Benefits.
  - (a) Contract Reserves:
    - (i) Contracts issued on or after January 1, 1986 and before January 1, 2019:
      - The 1985 NAIC Cancer Claim Cost Tables (1985 CCCT).
    - (ii) Contracts issued on or after January 1, 2019:
      - (I) For first occurrence and hospitalization benefits:
        - The 2016 Cancer Claim Cost Valuation Tables (2016 CCCVT); [http://www.naic.org/documents/01\\_naic\\_2017\\_cancer\\_claim\\_cost\\_valuation\\_table.xlsx](http://www.naic.org/documents/01_naic_2017_cancer_claim_cost_valuation_table.xlsx)
      - (II) For all other benefits:
        - Assumptions based on company experience, relevant industry experience, and actuarial judgement. Such assumptions should be appropriate for valuation which considers margin for adverse experience.
    - (iii) For contracts issued on or after January 1, 2018, and before January 1, 2019, a company may elect to use morbidity basis described in Item (ii) above. Once a company begins use of the 2016 CCCVT for new issues, it may not revert to the 1985 CCCT.
  - (b) Claim Reserves:
    - No specific standard. See (6).
- (4) Accidental Death Benefits.
  - (a) Contract Reserves:
    - Contracts issued on or after January 1, 1965:
      - The 1959 Accidental Death Benefits Table.
  - (b) Claim Reserves:
    - Actual amount incurred.
- (5) Single Premium Credit Disability.
  - (a) Contract Reserves:
    - (i) For contracts issued on or after [effective date of this amendment]:
      - (I) For plans having less than a thirty-day elimination period, the 1985 Commissioners Individual Disability Table A (85CIDA) with claim incidence rates

increased by twelve percent (12%).

- (II) For plans having a thirty-day and greater elimination period, the 85CIDA for a fourteen-day elimination period with the adjustment in Subitem (I).
- (ii) For contracts issued prior to [effective date of this amendment], each insurer may elect either Subitem (I) or (II) to use as the minimum standard. Once an insurer elects to calculate reserves for all contracts on the standard defined in Item (i), all future valuations must be on that basis.
  - (I) The minimum morbidity standard in effect for contract reserves on currently issued contracts, as of the date the contract was issued, or

**Drafting Note:** If the state does not have a minimum morbidity standard in effect for contract reserves on currently issued contracts, the state shall accept the methodology approved by the commissioner in the state of domicile.

- (II) The standard as defined in Item (i), applied to all contracts.
- (b) Claim Reserves:
  - Claim reserves are to be determined as provided in Section 2E.
- (6) Other Individual Contract Benefits.
  - (a) Contract Reserves:
    - For all other individual contract benefits, morbidity assumptions are to be determined as provided in the reserve standards.
  - (b) Claim Reserves:
    - For all benefits other than disability, claim reserves are to be determined as provided in the standards.

B. Minimum morbidity standards for valuation of specified group contract health insurance benefits are as follows:

- (1) Disability Income Benefits Due to Accident or Sickness, where the Model references this Appendix; otherwise Actuarial Guideline XLVII, as included in the most current version of the NAIC *Accounting Practices and Procedures Manual*.
  - (a) Contract Reserves:
    - Contracts issued prior to January 1, [YEAR]:
      - The same basis, if any, as that employed by the insurer as of January 1, [SAME YEAR];
    - Contracts issued on or after January 1, [YEAR]:
      - The 1987 Commissioners Group Disability Income Table (87CGDT).

- (b) Claim Reserves:
  - For claims incurred on or after January 1, [YEAR]:  
The 1987 Commissioners Group Disability Income Table (87CGDT);
  - For claims incurred prior to January 1, [YEAR]:  
Use of the 87CGDT is optional.

(2) Single Premium Credit Disability

- (a) Contract Reserves:
  - (i) For contracts issued on or after [effective date of this amendment]:
    - (I) For plans having less than a thirty-day elimination period, the 1985 Commissioners Individual Disability Table A (85CIDA) with claim incidence rates increased by twelve percent (12%).
    - (II) For plans having a thirty-day and greater elimination period, the 85CIDA for a fourteen-day elimination period with the adjustment in item (I).
  - (ii) For contracts issued prior to [effective date of this amendment], each insurer may elect either Item (I) or (II) to use as the minimum standard. Once an insurer elects to calculate reserves for all contracts on the standard defined in Item (i), all future valuations must be on that basis.
    - (I) The minimum morbidity standard in effect for contract reserves on currently issued contracts, as of the date the contract was issued, or
    - (II) The standard as defined in Item (i), applied to all contracts.
- (b) Claim Reserves:

Claim reserves are to be determined as provided in Section 2C.

(3) Other Group Contract Benefits.

- (a) Contract Reserves:

For all other group contract benefits, morbidity assumptions are to be determined as provided in the reserve standards.
- (b) Claim Reserves:

For all benefits other than disability, claim reserves are to be determined as provided in the standards.

II. INTEREST

- A. For contract reserves the maximum interest rate is the maximum rate permitted by law in the valuation of whole life insurance issued on the same date as the health insurance contract.
- B. For claim reserves on policies that require contract reserves, the maximum interest rate is the maximum rate permitted by law in the valuation of whole life insurance issued on the same date as the claim incurral date.
- C. For claim reserves on policies not requiring contract reserves, the maximum interest rate is the maximum rate permitted by law in the valuation of single premium immediate annuities issued on the same date as the claim incurral date, reduced by one hundred basis points.

III. MORTALITY

- A. Unless Subsection B or C applies, the mortality basis used for all policies except long-term care individual policies and group certificates and for long-term care individual policies or group certificates issued before [January 1, 1997, or the effective date set in state regulations, whichever is later] shall be according to a table (but without use of selection factors) permitted by law for the valuation of whole life insurance issued on the same date as the health insurance contract. For long-term care insurance individual policies or group certificates issued on or after [January 1, 1997, or the effective date set in state regulations, whichever is later], the mortality basis used shall be the 1983 Group Annuity Mortality Table without projection. For long-term care insurance individual policies or group certificates issued on or after the effective date of Section 4B(1)(c)(iii), the mortality basis used shall be the 1994 Group Annuity Mortality Static Table.
- B. Other mortality tables adopted by the NAIC and promulgated by the commissioner may be used in the calculation of the minimum reserves if appropriate for the type of benefits and if approved by the commissioner. The request for approval shall include the proposed mortality table and the reason that the standard specified in Subsection A is inappropriate.
- C. For single premium credit insurance using the 85CIDA table, no separate mortality shall be assumed.

## APPENDIX B. GLOSSARY OF TECHNICAL TERMS USED

As used in this valuation standard, the following terms have the following meaning:

**ANNUAL-CLAIM COST.** The net annual cost per unit of benefit before the addition of expenses, including claim settlement expenses, and a margin for profit or contingencies. For example, the annual claim cost for a \$100 monthly disability benefit, for a maximum disability benefit period of one year, with an elimination period of one week, with respect to a male at age 35, in a certain occupation might be \$12, while the gross premium for this benefit might be \$18. The additional \$6 would cover expenses and profit or contingencies.

**CLAIMS ACCRUED.** That portion of claims incurred on or prior to the valuation date which result in liability of the insurer for the payment of benefits for medical services which have been rendered on or prior to the valuation date, and for the payment of benefits for days of hospitalization and days of disability which have occurred on or prior to the valuation date, which the insurer has not paid as of the valuation date, but for which it is liable, and will have to pay after the valuation date. This liability is sometimes referred to as a liability for “accrued” benefits. A claim reserve, which represents an estimate of this accrued claim liability, must be established.

**CLAIMS REPORTED.** When an insurer has been informed that a claim has been incurred, if the date reported is on or prior to the valuation date, the claim is considered as a reported claim for annual statement purposes.

**CLAIMS UNACCRUED.** That portion of claims incurred on or prior to the valuation date which result in liability of the insurer for the payment of benefits for medical services expected to be rendered after the valuation date, and for benefits expected to be payable for days of hospitalization and days of disability occurring after the valuation date. This liability is sometimes referred to as a liability for unaccrued benefits. A claim reserve, which represents an estimate of the unaccrued claim payments expected to be made (which may or may not be discounted with interest), must be established.

**CLAIMS UNREPORTED.** When an insurer has not been informed, on or before the valuation date, concerning a claim that has been incurred on or prior to the valuation date, the claim is considered as an unreported claim for annual statement purposes.

**DATE OF DISABLEMENT.** The earliest date the insured is considered as being disabled under the definition of disability in the contract, based on a doctor’s evaluation or other evidence. Normally this date will coincide with the start of any elimination period.

**ELIMINATION PERIOD.** A specified number of days, weeks, or months starting at the beginning of each period of loss, during which no benefits are payable.

**GROSS PREMIUM.** The amount of premium charged by the insurer. It includes the net premium (based on claim-cost) for the risk, together with any loading for expenses, profit or contingencies.

**GROUP INSURANCE.** The term group insurance includes blanket insurance and franchise insurance and any other forms of group insurance.

**GROUP LONG-TERM DISABILITY INCOME.** The term “group long-term disability income” includes group contracts providing group disability income coverage with a maximum benefit duration longer than two years. Group long-term disability income contracts are based on a group pricing structure. The term “group long-term disability” does not include group short-term disability (coverage with benefit periods of two years or less in maximum duration). It also does not include

voluntary group disability income coverage that is priced on an individual risk structure and generally sold in the workplace.

*LEVEL PREMIUM.* A premium calculated to remain unchanged throughout either the lifetime of the policy, or for some shorter projected period of years. The premium need not be guaranteed; in which case, although it is calculated to remain level, it may be changed if any of the assumptions on which it was based are revised at a later time.

Generally, the annual claim costs are expected to increase each year and the insurer, instead of charging premiums that correspondingly increase each year, charges a premium calculated to remain level for a period of years or for the lifetime of the contract. In this case the benefit portion of the premium is more than needed to provide for the cost of benefits during the earlier years of the policy and less than the actual cost in the later years. The building of a prospective contract reserve is a natural result of level premiums.

*LONG-TERM CARE INSURANCE.* Any insurance policy or rider advertised, marketed, offered or designed to provide coverage for not less than twelve (12) consecutive months for each covered person on an expense incurred, indemnity, prepaid or other basis; for one or more necessary or medically necessary diagnostic, preventive, therapeutic, rehabilitative, maintenance or personal care services, provided in a setting other than an acute care unit of a hospital. Such term also includes a policy or rider which provides for payment of benefits based upon cognitive impairment or the loss of functional capacity. Long-term care insurance may be issued by insurers; fraternal benefit societies; nonprofit health, hospital, and medical service corporations; prepaid health plans; health maintenance organizations or any similar organization to the extent they are otherwise authorized to issue life or health insurance. Long-term care insurance shall not include any insurance policy which is offered primarily to provide basic Medicare supplement coverage, basic hospital expense coverage, basic medical-surgical expense coverage, hospital confinement indemnity coverage, major medical expense coverage, disability income or related asset-protection coverage, accident only coverage, specified disease or specified accident coverage, or limited benefit health coverage.

*MODAL PREMIUM.* This refers to the premium paid on a contract based on a premium term which could be annual, semi-annual, quarterly, monthly, or weekly. Thus if the annual premium is \$100 and if, instead, monthly premiums of \$9 are paid then the modal premium is \$9.

*NEGATIVE RESERVE.* Normally the terminal reserve is a positive value. However, if the values of the benefits are decreasing with advancing age or duration it could be a negative value, called a negative reserve.

*PRELIMINARY TERM RESERVE METHOD.* Under this method of valuation the valuation net premium for each year falling within the preliminary term period is exactly sufficient to cover the expected incurred claims of that year, so that the terminal reserves will be zero at the end of the year. As of the end of the preliminary term period, a new constant valuation net premium (or stream of changing valuation premiums) becomes applicable such that the present value of all such premiums is equal to the present value of all claims expected to be incurred following the end of the preliminary term period.

*PRESENT VALUE OF AMOUNTS NOT YET DUE ON CLAIMS.* The reserve for “claims unaccrued” (see definition), which may be discounted at interest.

*RATING BLOCK.* “Rating block” means a grouping of contracts determined by the valuation actuary based on common characteristics filed with the commissioner, such as a policy form or forms having similar benefit designs.

*RESERVE.* The term “reserve” is used to include all items of benefit liability, whether in the nature of incurred claim liability or in the nature of contract liability relating to future periods of coverage, and whether the liability is accrued or unaccrued.

An insurer under its contracts promises benefits which result in:

- (a) Claims which have been incurred, that is, for which the insurer has become obligated to make payment, on or prior to the valuation date. On these claims, payments expected to be made after the valuation date for accrued and unaccrued benefits are liabilities of the insurer which should be provided for by establishing claim reserves; or
- (b) Claims which are expected to be incurred after the valuation date. Any present liability of the insurer for these future claims should be provided for by the establishment of contract reserves and unearned premium reserves.

*TERMINAL RESERVE.* This is the reserve at the end of a contract year, and is defined as the present value of benefits expected to be incurred after that contract year minus the present value of future valuation net premiums.

*UNEARNED PREMIUM RESERVE.* This reserve values that portion of the premium paid or due to the insurer which is applicable to the period of coverage extending beyond the valuation date. Thus if an annual premium of \$120 was paid on November 1, \$20 would be earned as of December 31 and the remaining \$100 would be unearned. The unearned premium reserve could be on a gross basis as in this example, or on a valuation net premium basis.

*VALUATION NET MODAL PREMIUM.* This is the modal fraction of the valuation net annual premium that corresponds to the gross modal premium in effect on any contract to which contract reserves apply. Thus if the mode of payment in effect is quarterly, the valuation net modal premium is the quarterly equivalent of the valuation net annual premium.

*WORKSITE DISABILITY POLICIES.* The term worksite disability policy refers to individual short-term disability policies that are sold at the worksite through employer-sponsored enrollment, cover normal pregnancy, and that have benefit periods up to 24 months. Worksite disability policies do not include personal disability policies sold to an individual and not associated with employer-sponsored enrollment. They also do not include business overhead expense, disability buyout, or key person policies, in whatever manner those policies are sold.

**APPENDIX C. RESERVES FOR WAIVER OF PREMIUM  
(Supplementary explanatory material)**

Waiver of premium reserves involve several special considerations. First, the disability valuation tables promulgated by the NAIC are based on exposures that include contracts on premium waiver as in-force contracts. Hence, contract reserves based on these tables are NOT reserves on “active lives” but rather reserves on contracts “in force.” This is true for the 1964 CDT and for both the 1985 CIDA and CIDB tables.

Accordingly, tabular reserves using any of these tables should value reserves on the following basis:

Claim reserves should include reserves for premiums expected to be waived, valuing as a minimum the valuation net premium being waived.

Premium reserves should include contracts on premium waiver as in-force contracts, valuing as a minimum the unearned modal valuation net premium being waived.

Contract reserves should include recognition of the waiver of premium benefit in addition to other contract benefits provided for, valuing as a minimum the valuation net premium to be waived.

If an insurer is, instead, valuing reserves on what is truly an active life table, or if a specific valuation table is not being used but the insurer’s gross premiums are calculated on a basis that includes in the projected exposure only those contracts for which premiums are being paid, then it may not be necessary to provide specifically for waiver of premium reserves. Any insurer using such a true “active life” basis should carefully consider, however, whether or not additional liability should be recognized on account of premiums waived during periods of disability or during claim continuation.

---

*Chronological Summary of Action (all references are to the Proceedings of the NAIC).*

1989 Proc. I 9, 23-25, 651-658, 705 (adopted new model).  
1989 Proc. II 13, 23-24, 467, 875 (adopted technical amendment).  
1991 Proc. II 25, 58, 719, 1257-1264 (amended and reprinted).  
1993 Proc. I 8, 136, 820, 1460-1462 (amended).  
1993 Proc. 1<sup>st</sup> Quarter 3, 34, 266, 438-446 (amended and reprinted).  
1996 Proc. 2<sup>nd</sup> Quarter 10, 30, 732, 960, 961-964 (amended).  
1997 Proc. 4<sup>th</sup> Quarter 1175-1188 (model adopted later is printed here).  
1998 Proc. 1<sup>st</sup> Quarter 15, 17, 770, 1000, 1056-1057 (amended).  
2000 Proc. 2<sup>nd</sup> Quarter 21, 22, 163-164, 166-168, 1098, 1112 (amended).  
2001 Proc. 2<sup>nd</sup> Quarter 12, 14, 112-113, 991, 1130, 1132-1137 (amended).  
2003 Proc. 3<sup>rd</sup> Quarter 217, 1006, 1013, (amended, adopted by parent committee).  
2003 Proc. 4<sup>th</sup> Quarter 16 (Adopted by Plenary).  
2003 Proc. 4<sup>th</sup> Quarter 390, 2059, 2065, 2116-2121 (amended, further amendments adopted by parent committee).  
2004 Proc. 1<sup>st</sup> Quarter Vol. I 53 (adopted by Plenary).  
2014 Proc. 1<sup>st</sup> Quarter, Vol. I 120-121, 133-136, 196-221, 280, 859, 914, 1019, 1036 (amended).  
2016 Proc. 2<sup>nd</sup> Quarter, Vol. I 113, 137-141, 295-321, 501, 517 (amended).  
2017 Spring National Meeting (amended).



*Chronological Summary of Action (all references are to the Proceedings of the NAIC) (cont.)*

*The following has been superseded by the model above:*

*Reserve Standards for Individual Health Insurance Policies*

*1941 Proc. 160-162 (adopted).*

*1957 Proc. I 75, 77, 78-85, 107 (amended).*

*1959 Proc. I 90 (reaffirmed).*

*1965 Proc. I 71, 73-86, 88 (adopted 1964 Commissioners Disability Table).*

*1981 Proc. II 27, 35, 558, 561, 778, 781, 823-826 (amended).*

*1985 Proc. II 11, 23, 564, 567-569, 609-612 (cancer tables added).*

*1986 Proc. I 601-605 (Contains amendments adopted in June 1985 but omitted from that Proceedings).*

*1986 Proc. I 9, 23, 547, 557-558, 666 (Appendix A amended).*

This page is intentionally left blank

## HEALTH INSURANCE RESERVES MODEL REGULATION

**This chart is intended to provide readers with additional information to more easily access state statutes, regulations, bulletins or administrative rulings related to the NAIC model. Such guidance provides readers with a starting point from which they may review how each state has addressed the model and the topic being covered. The NAIC Legal Division has reviewed each state's activity in this area and has determined whether the citation most appropriately fits in the Model Adoption column or Related State Activity column based on the definitions listed below. The NAIC's interpretation may or may not be shared by the individual states or by interested readers.**

**This chart does not constitute a formal legal opinion by the NAIC staff on the provisions of state law and should not be relied upon as such. Nor does this state page reflect a determination as to whether a state meets any applicable accreditation standards. Every effort has been made to provide correct and accurate summaries to assist readers in locating useful information. Readers should consult state law for further details and for the most current information.**

**HEALTH INSURANCE RESERVES MODEL REGULATION**

This page is intentionally left blank

**HEALTH INSURANCE RESERVES MODEL REGULATION**

**KEY:**

**MODEL ADOPTION:** States that have citations identified in this column adopted the most recent version of the NAIC model in a **substantially similar manner**. This requires states to adopt the model in its entirety but does allow for variations in style and format. States that have adopted portions of the current NAIC model will be included in this column with an explanatory note.

**RELATED STATE ACTIVITY:** Examples of Related State Activity include but are not limited to: older versions of the NAIC model, statutes or regulations addressing the same subject matter, or other administrative guidance such as bulletins and notices. States that have citations identified in this column **only** (and nothing listed in the Model Adoption column) have **not** adopted the most recent version of the NAIC model in a **substantially similar manner**.

**NO CURRENT ACTIVITY:** No state activity on the topic as of the date of the most recent update. This includes states that have repealed legislation as well as states that have never adopted legislation.

NAIC MEMBER	MODEL ADOPTION	RELATED STATE ACTIVITY
Alabama		ALA. ADMIN. CODE. r. 482-1-134.01 to 482-1-134.06 (2005) (previous version of model); ALA. CODE §§ 27-36-1 to 27-36-5 (1971).
Alaska		ALASKA STAT. §§ 21.18.082 to 21.18.084 (1997) (portions of previous version of model).
American Samoa	NO CURRENT ACTIVITY	
Arizona	NO CURRENT ACTIVITY	
Arkansas		22 ARK. CODE R. §§ 1 to 8 (1976/1999) (previous version of model).
California		CAL. CODE REGS. tit.10, §§ 2310 to 2315 (1994) (previous version of model); CAL. INS. CODE § 997 (1959/1984).
Colorado		3 COLO. CODE REGS. § 702-3:3-1-9 (1993/2013) (previous version of model).
Connecticut		CONN. GEN. STAT. §§ 38a-78-11 to 78-16 (1993/1998) (previous version of model).

**HEALTH INSURANCE RESERVES MODEL REGULATION**

<b>NAIC MEMBER</b>	<b>MODEL ADOPTION</b>	<b>RELATED STATE ACTIVITY</b>
Delaware		DEL. CODE ANN. tit. 18, § 1108 (1953).
District of Columbia	NO CURRENT ACTIVITY	
Florida		FLA. ADMIN. CODE ANN. r. 690-154.201 to 690-154.210 (1999/2016) (previous version of model).
Georgia		GA. CODE ANN. § 33-10-8 (1960/1985).
Guam	NO CURRENT ACTIVITY	
Hawaii		HAWAII REV. STAT. § 431:5-303 (1955/1987).
Idaho		IDAHO ADMIN. CODE r. 18.01.68 (1993/2006) (previous version of model).
Illinois		ILL. ADMIN. CODE tit. 50, §§ 2004.20 to 2004.30 (1965/2002) (previous version of model).
Indiana		760 IND. ADMIN. CODE. 1-9-1 to 1-9-4 (1964/2013) (adopts some of NAIC explanations from 1957 model by reference).
Iowa	NO CURRENT ACTIVITY	
Kansas		KAN. ADMIN. REGS. § 40-4-21 (1968/1986) (previous version of model adopted by reference).
Kentucky		KY. REV. STAT. ANN. § 304.6-070 (1970).
Louisiana		LA. REV. STAT. ANN. § 22:761; § 22:764 (1968/1975).
Maine		02-031 ME. CODE R. § 130 (1991) (previous version of model).

**HEALTH INSURANCE RESERVES MODEL REGULATION**

<b>NAIC MEMBER</b>	<b>MODEL ADOPTION</b>	<b>RELATED STATE ACTIVITY</b>
Maryland		MD. CODE ANN. INS. § 5-203 (1963/1997).
Massachusetts	NO CURRENT ACTIVITY	
Michigan		MICH. COMP. LAWS §§ 500.701 to 500.737 (1994) (previous version of model).
Minnesota		MINN. STAT. §§ 60A.70 to 60A.78 (2004) (previous version of model).
Mississippi		MISS. CODE ANN. § 83-9-106 (1992) (authority to adopt regulation).
Missouri		MO. CODE REGS. ANN. tit. 20, § 200-1.140 (1969/2001).
Montana		MONT. CODE ANN. § 33-2-514 (1959/1995).
Nebraska		NEB. REV. STAT. § 44-409 (1913/1985).
Nevada		NEV. REV. STAT. § 681B.080 (1971).
New Hampshire	NO CURRENT ACTIVITY	
New Jersey		N.J. ADMIN. CODE §§ 11:4-6.1 to 11:4-6.8 (1965/2003) (previous version of model).
New Mexico		N.M. CODE R. §§ 13.10.14.1 to 13.10.14.26 (1997/2003) (previous version of model).
New York		N.Y. COMP. CODES R. & REGS. tit. 11, §§ 94.1 to 94.12 (1971/2016) (Regulation 56) (previous version of model).
North Carolina		11 N.C. ADMIN. CODE 11F §§ 0201 to 0208 (1994/2004) (previous version of model).

**HEALTH INSURANCE RESERVES MODEL REGULATION**

<b>NAIC MEMBER</b>	<b>MODEL ADOPTION</b>	<b>RELATED STATE ACTIVITY</b>
North Dakota	NO CURRENT ACTIVITY	
Northern Marianas	NO CURRENT ACTIVITY	
Ohio		OHIO ADMIN. CODE § 3901-3-13 (1996/2003) (previous version of model).
Oklahoma		OKLA. STAT. tit. 36, § 1508 (1957).
Oregon		OR. ADMIN. R. 836-031-0200 to 836-031-0300 (1995) (previous version of model); OR. REV. STAT. § 733.080 (1967/1971).
Pennsylvania		31 PA. CODE §§ 84a.1 to 84a.8 (1993/2007) (previous version of model); BULLETIN 7-15-2006 (2006).
Puerto Rico		P.R. LAWS ANN. tit. 26, § 507 (1966).
Rhode Island		27-86 R.I. CODE. R §§ 1 to 7 (1996) (previous version of model).
South Carolina		S.C. CODE ANN. REGS. 69-7 (1991/1997) (previous version of model).
South Dakota		S.D. CODIFIED LAWS § 58-26-30 (1966).
Tennessee		TENN. COMP. R. & REGS. 0780-1-69 (1998) (previous version of model).
Texas		28 TEX. ADMIN. CODE §§ 3.7001 to 3.7010 (1992/2010) (previous version of model).
Utah	NO CURRENT ACTIVITY	
Vermont	NO CURRENT ACTIVITY	
Virgin Islands	NO CURRENT ACTIVITY	



**HEALTH INSURANCE RESERVES MODEL REGULATION**

<b>NAIC MEMBER</b>	<b>MODEL ADOPTION</b>	<b>RELATED STATE ACTIVITY</b>
Virginia		14 VA. ADMIN. CODE §§ 5-320-10 to 5-320-70 (1979/1994) (previous version of model).
Washington		WASH. ADMIN. CODE §§ 284-16-400 to 284-16-540 (1992) (previous version of model).
West Virginia		W. VA. CODE R. §§ 114-44-1 to 114-44-10 (1996) (previous version of model); W. VA. CODE ANN. § 33-7-7 (1957/1969).
Wisconsin		WIS. ADMIN. CODE 3.17 (1989/1992) (previous version of model).
Wyoming		WYO. STAT. § 26-6-107 (1967/1993).

**HEALTH INSURANCE RESERVES MODEL REGULATION**

This page is intentionally left blank

## HEALTH INSURANCE RESERVES MODEL REGULATION

### Proceedings Citations

Cited to the Proceedings of the NAIC

The joint Executive Committee/Plenary adopted amendments to this model. **2004 Proc. 1<sup>st</sup> Quarter, 53.**

The joint Executive Committee/Plenary adopted amendments related to disability income insurance claim reserves. **2003 Proc. 4<sup>th</sup> Quarter, 16.**

The Health Insurance and Managed Care (B) Committee adopted amendments to the model. **2003 Proc. 4<sup>th</sup> Quarter, 389.**

The Accident and Health Working group adopted amendments to this model. **2003 Proc. 4<sup>th</sup> Quarter, 2065.**

The joint Executive Committee/Plenary adopted amendments to this model. The Medicare Supplement Working Group of the Senior Issues (B) Task Force was charged with reviewing amendments to the model 1) to reflect changes by the Benefits Improvement and Protection Act of 2000 to provisions of the Social Security Act and 2) recommended by the Health Care Financing Administration pursuant to the Balanced Budget Reconciliation Act of 2000. **2001 Proc. 2<sup>nd</sup> Quarter 12-13.**

The Health Insurance and Managed Care (B) Committee adopted amendments to the model. **2001 Proc. 2<sup>nd</sup> Quarter 17.**

The Life and Health Actuarial Task Force was charged with reviewing this model to determine whether it should apply to HMOs and hospital, medical and dental service or indemnity corporations. **2001 Proc. 1<sup>st</sup> Quarter 21.**

The Executive Committee adopted this model. **2000 Proc. 2<sup>nd</sup> Quarter 21.**

The Health Insurance and Managed Care (B) Committee adopted amendments to this model. **2000 Proc. 2<sup>nd</sup> Quarter 163-164.**

The joint Executive Committee/Plenary adopted amendments to this model. This model was previously titled the Minimum Reserves Standards for Individual and Group Health Insurance Contracts. The purpose of this model is to establish minimum statutory reserves for individual and group health insurance. **1998 Proc. 1<sup>st</sup> Quarter 15.**

The Accident and Health Insurance (B) Committee adopted amendments to this model. **1993 Proc. 1<sup>st</sup> Quarter 44.**

The Plenary adopted a technical amendment to this model. **1989 Proc. II 13.**

The Health Insurance and Managed Care (B) Committee and the Plenary adopted this model. **1989 Proc. 1 24.**

## HEALTH INSURANCE RESERVES MODEL REGULATION

### Proceedings Citations

Cited to the Proceedings of the NAIC

#### Section 1. Introduction

The Accident and Health Working Group distributed a draft for comment. In addition, the working group formed a subgroup to develop a document dealing with actuarial issues associated with the Health Insurance Portability and Accountability Act. **1997 Proc. 4<sup>th</sup> Quarter 827-828.**

At the December meeting of the actuarial task force, the task force exposed proposed changes to the Minimum Reserve Standards for Individual and Group Health Insurance Contracts. These amendments have been incorporated into the standards recently adopted in Maine. There are three proposed amendments to the model regulation. The first would allow a company to use its own experience in determining morbidity rates for group disability income claims, under certain conditions, if approved by the commissioner. The second would generally allow a higher interest rate to be used in determining claim reserves if the policy does not require contract reserves. The third would allow an alternate mortality basis, under certain conditions. **1993 Proc. 1<sup>st</sup> Quarter 437.**

The Life, Accident and Health Technical Subcommittee considered several revisions to address the problem of if the maximum currently issued rate is reduced, the old reg. has the effect of forcing companies to revalue old issues to a lower rate. The change recommended here would appear to be the proper maximum requirement. **1981 Proc. I 483 – 486.**

#### Section 2. Claim Reserves

The Working Group exposed changes to the model intended to clarify the circumstances under which disability income insurers may use their own experience in determining claim reserves. **2003 Proc. 2<sup>nd</sup> Quarter 229.**

The Working Group discussed the appropriate phase-in period for the proposed changes to the standards to the disability insurance claim reserves. **2003 Proc. 1<sup>st</sup> Quarter 176.**

The Life and Health Actuarial Task Force (LHATF) received a charge to review section 2B(1)(b) to determine if changes were needed to clarify the section. **2002 Proc. 4<sup>th</sup> Quarter 51.**

#### Section 3. Premium Reserves

#### Section 4. Contract Reserves

The Working Group discussed the impact of long-term care insurance reserves on the proposed changes to the model. A regulator explained three changes to the draft: (1) moving the requirement to incorporate provisions for moderately adverse deviations from Section 4B(1)(a)(iii) to a new Section 4A(5) so that the standard applies to the total contract reserve and not just the morbidity basis portion of the reserve assumption; (2) allowing the use of 100% of the voluntary lapse rate used in calculation of gross premiums rather than 80% in setting the minimum voluntary lapse rate standard in policy years five and later; and (3) replacing the 2000 Annuity Mortality Table with the 1994 Group Annuity Mortality Static Table (94 GAM). After discussion, the Working Group voted on these changes and the amendments failed. **2003 Proc. 4<sup>th</sup> Quarter, 2111-2113.**

## HEALTH INSURANCE RESERVES MODEL REGULATION

### Proceedings Citations Cited to the Proceedings of the NAIC

#### Section 4 (cont.)

The Working Group discussed proposed revisions and received a letter from the American Academy of Actuaries (AAA) offering its assistance to study the impact of the proposed changes to the long-term care valuation standards. **2003 Proc. 3<sup>rd</sup> Quarter 216.**

The Accident and Health Working Group exposed a draft that imported recommendations from the Society of Actuaries concerning morbidity standards for the valuation of credit disability insurance. **2001 Proc. 1<sup>st</sup> Quarter 98.**

The Accident and Health Working Group adopted amendments to a draft which contained revisions to individual disability income insurance minimum standard morbidity tables based on prior recommendations from the Individual Subcommittee of the Society of Actuaries Task Force to Recommend Statutory Morbidity Standards for Individual and Group Disability Benefits. **2000 Proc. 2<sup>nd</sup> Quarter 163.**

#### Section 5. Reinsurance

#### Section 6. Effective Date

#### Appendix A. Specific Standards for Morbidity, Interest and Mortality

#### Appendix B. Glossary of Technical Terms Used

#### Appendix C. Reserves for Waiver of Premium

---

#### Chronological Summary of Action (all references are to the Proceedings of the NAIC).

1989 Proc. I 9, 23-25, 651-658, 705 (adopted new model).  
1989 Proc. II 13, 23-24, 467, 875 (adopted technical amendment).  
1991 Proc. II 25, 58, 719, 1257-1264 (amended and reprinted).  
1993 Proc. I 8, 136, 820, 1460-1462 (amended).  
1993 Proc. 1<sup>st</sup> Quarter 3, 34, 266, 438-446 (amended and reprinted).  
1996 Proc. 2<sup>nd</sup> Quarter 10, 30, 732, 960, 961-964 (amended).  
1997 Proc. 4<sup>th</sup> Quarter 1175-1188 (model adopted later is printed here).  
1998 Proc. 1<sup>st</sup> Quarter 15, 17, 770, 1000, 1056-1057 (amended).  
2000 Proc. 2<sup>nd</sup> Quarter 21, 22, 163-164, 166-168, 1098, 1112 (amended).  
2001 Proc. 2<sup>nd</sup> Quarter 12, 14, 112-113, 991, 1130, 1132-1137 (amended).  
2003 Proc. 3<sup>rd</sup> Quarter 217, 1006, 1013, (amended, adopted by parent committee).  
2003 Proc. 4<sup>th</sup> Quarter 16 (Adopted by Plenary).  
2003 Proc. 4<sup>th</sup> Quarter 390, 2059, 2065, 2116-2121 (amended, further amendments adopted by parent committee).  
2004 Proc. 1<sup>st</sup> Quarter Vol. I 53 (adopted by Plenary).

## HEALTH INSURANCE RESERVES MODEL REGULATION

### **Proceedings Citations** Cited to the Proceedings of the NAIC

*The following has been superseded by the model above:*

*Reserve Standards for Individual Health Insurance Policies*

*1941 Proc. 160-162 (adopted).*

*1957 Proc. I 75, 77, 78-85, 107 (amended).*

*1959 Proc. I 90 (reaffirmed).*

*1965 Proc. I 71, 73-86, 88 (adopted 1964 Commissioners Disability Table).*

*1981 Proc. II 27, 35, 558, 561, 778, 781, 823-826 (amended).*

*1985 Proc. II 11, 23, 564, 567-569, 609-612 (cancer tables added).*

*1986 Proc. I 601-605 (Contains amendments adopted in June 1985 but omitted from that Proceedings).*

*1986 Proc. I 9, 23, 547, 557-558, 666 (Appendix A amended).*