NAIFA 2024 State Priorities Survey

As the NAIFA Government Relations Team gears up for another busy legislative season, we want to hear from you about the top policy priorities in your state. By collecting this information, we will gain a better understanding of national trends, prepare impactful policy materials, and help your chapter coordinate advocacy efforts for the most impact! We encourage you to consider the following, not in a defensive-only position, but to share the possibility of leading or advancing certain initiatives in your state.

We have attempted to include maps or policy information where necessary but if you have any questions, please do not hesitate to contact Bianca Alonso Weiss (bweiss@naifa.org). NAIFA Government Relations has generated the survey in a PDF format to streamline sharing among chapter leadership for discussion, collaborating, and drafting answers. ALL responses should be submitted through the survey directly. No PDF answers will be accepted. All surveys are due Friday, October 27, 2023. Please submit ONE survey per state.

NOTE – Chapters who submit this survey by Friday, September 30, 2023 will receive TWO extra credit points toward their score for NAIFA's Chapter Excellence Award!

* 1. Who is completing the survey :

First Name	
Last Name	
Position (Role/Leadership Title)	

* 2. What NAIFA state chapter do you represent?

Insurance and Financial Advisor Regulation

* 3. **Worker Classification:**

Worker Classification – With the continued proliferation of ABC Test models, attempts to redefine or reclassify independent contractors remain steadfast. Ensuring producers' ability to operate as independent contractors is paramount to protecting the independent agency and producer sales model. What is the likelihood of a proposal that would attempt to redefine or reclassify independent contractors in your state?

Extremely Likely	Somewhat Likely	Neither Likely nor Unlikely / Neutral	Somewhat Unlikely	Extremely Unlikely	Unknown or Need More Information	N/A
○	○	○	○	○	○	○

If you answered "Extremely Likely" or "Somewhat Likely," please explain your answer.

Producer Licensing

Recruitment, retention, and diversity are threads woven deeply into the fabric of NAIFA's mission. A key component is to serve as an industry expert on diversity and inclusion by attracting and nurturing members from all backgrounds and providing the resources to meet the needs of their markets. By working to remove unnecessary barriers to entry and retention, we believe we can take meaningful steps toward progress.

* 4. **Elimination of Pre-Licensing Education:**

What is the likelihood of a proposal that would eliminate pre-licensing education requirements? (Please view the map of which states currently have pre licensing mandates). Please select (N/A) if your state currently does not have pre-licensing education mandates.

Extremely Likely	Somewhat Likely	Neither Likely nor Unlikely / Neutral	Somewhat Unlikely	Extremely Unlikely	Unknown or Need More Information	N/A
○	○	○	○	○	○	○

If you answered "Extremely Likely" or "Somewhat Likely," please explain your answer.

* 5. **CE Credit for Association Membership:**

What is the likelihood of a proposal that would expand CE Credit for Association Membership? (View the map for states that already offer CE credit for association membership). Please select N/A if your state currently already offers CE credit for association membership.

Extremely Likely	Somewhat Likely	Neither Likely nor Unlikely / Neutral	Somewhat Unlikely	Extremely Unlikely	Unknown or Need More Information	N/A
○	○	○	○	○	○	○

If you answered "Extremely Likely" or "Somewhat Likely," please explain your answer.

* 6. **Financial Literacy Course:**

So far in 2023, eight (8) states have passed legislation requiring high school students to complete a personal finance course to be eligible to graduate! What is the likelihood of a proposal for a standalone personal finance course as part of public high school graduation requirements? (View the map of states that already require a personal finance course). If your state already has a personal finance graduation requirement, please select N/A.

Extremely Likely	Somewhat Likely	Neither Likely nor Unlikely / Neutral	Somewhat Unlikely	Extremely Unlikely	Unknown or Need More Information	N/A
○	○	○	○	○	○	○

If you answered "Extremely Likely" or "Somewhat Likely," please explain your answer.

* 7. **Background & 1033 Requirements:**

What is the likelihood of a proposal reconsidering certain criminal history backgrounds, such as a reduction of lookback periods, and 1033 requirements for producer license candidates? (Tennessee passed legislation in 2022 to this effect. Click here for more information.)

Extremely Likely	Somewhat Likely	Neither Likely nor Unlikely / Neutral	Somewhat Unlikely	Extremely Unlikely	Unknown or Need More Information	N/A
○	○	○	○	○	○	○

If you answered "Extremely Likely" or "Somewhat Likely," please explain your answer.

* 8. Are there any other producer licensing, exam, CE, or similar proposals that your state expects or would like to prioritize?

○ Yes

○ No

If "Yes," please explain.

* 9. **Insurance Producer Apprentice License**

The concept of an Insurance Producer Apprentice License has been discussed among our industry coalition. As of August 2023, four (4) states – Texas, Nebraska, Georgia, and Alabama – offer a once-in-a-lifetime temporary license to prospective producers, who are simultaneously studying for the agent exam, to sell insurance products under the supervision, guidance, and sponsorship of a licensed insurer. What is the likelihood of this being introduced in your state? If your state already has such a program, please select N/A.

Extremely Likely	Somewhat Likely	Neither Likely nor Unlikely / Neutral	Somewhat Unlikely	Extremely Unlikely	Unknown or Need More Information	N/A
○	○	○	○	○	○	○

If you answered "Extremely Likely" or "Somewhat Likely," please explain your answer.

Standard of Care

NAIFA has a long history of commitment to creating uniform and standardized sales processes for producers across the country. We continue to work with states to adopt the revised NAIC Annuity Best Interest Model (#275) swiftly and uniformly and to reject fiduciary approaches and other overly burdensome sales processes. So far in 2023, 40 states have adopted this model!

* 10. **Annuity Best Interest Standard – Adoption of NAIC Model #275:**
o   What is the likelihood of a proposal adopting the NAIC Model #275 for Annuity Best Interest? (View the map of which states have already adopted). Please select N/A if your state has already adopted this provision.

Extremely Likely	Somewhat Likely	Neither Likely nor Unlikely / Neutral	Somewhat Unlikely	Extremely Unlikely	Unknown or Need More Information	N/A
○	○	○	○	○	○	○

If you answered "Extremely Likely" or "Somewhat Likely," please explain your answer.

* 11. **Fiduciary or Similar Standard of Care:**

What is the likelihood of a proposal that would attempt to impose a fiduciary or similar standard of care on insurance producers?

Extremely Likely	Somewhat Likely	Neither Likely nor Unlikely / Neutral	Somewhat Unlikely	Extremely Unlikely	Unknown or Need More Information	N/A
○	○	○	○	○	○	○

If you answered "Extremely Likely" or "Somewhat Likely," please explain your answer.

* 12. **Illustration and Disclosures:**

What is the likelihood of a proposal concerning additional requirements for life insurance illustrations and/or disclosures (particularly for IULs).

Extremely Likely	Somewhat Likely	Neither Likely nor Unlikely / Neutral	Somewhat Unlikely	Extremely Unlikely	Unknown or Need More Information	N/A
○	○	○	○	○	○	○

If you answered "Extremely Likely" or "Somewhat Likely," please explain your answer.

[   ]

* 13. **Senior Financial Protection:**

What is the likelihood of a proposal that would expand Senior Financial Protection? (View a map of states with this initiative underway). Please select N/A if your state already adopted senior financial protection provisions such as the NASAA model.

Extremely Likely	Somewhat Likely	Neither Likely nor Unlikely / Neutral	Somewhat Unlikely	Extremely Unlikely	Unknown or Need More Information	N/A
○	○	○	○	○	○	○

If you answered "Extremely Likely" or "Somewhat Likely," please explain your answer.

[   ]

* 14. Are there any other standard of care similar proposals that your state expects or would like to prioritize?

○ Yes

○ No

If "Yes," please explain.

[   ]

Promoting Financial Protection & Security

Paid Family Medical Leave:
NAIFA anticipates a new Paid Family Medical Leave (PFML) Model that will remove regulatory impediments for PFML product filings. This model will drastically expand the PFML product offering, not only in states that currently have a mandate but also for employers who wish to offer the coverage as part of expanded benefits or to transfer the risk of existing benefits.

* 15. What is the likelihood of a state Paid Family Medical Leave proposal? (<u>View a map of states that already have Paid Family Medical Leave initiatives.</u>) Please select N/A if your state already has passed mandated PFML.

Extremely Likely	Somewhat Likely	Neither Likely nor Unlikely / Neutral	Somewhat Unlikely	Extremely Unlikely	Unknown or Need More Information	N/A
◯	◯	◯	◯	◯	◯	◯

If you answered "Extremely Likely" or "Somewhat Likely," please explain your answer.

* 16. What is the likelihood of a proposal expanding product filings and reducing regulatory hurdles for paid family medical leave products? Please refer to the above map to see if your state has expanded PFML product filings.

Extremely Likely	Somewhat Likely	Neither Likely nor Unlikely / Neutral	Somewhat Unlikely	Extremely Unlikely	Unknown or Need More Information	N/A
◯	◯	◯	◯	◯	◯	◯

If you answered "Extremely Likely" or "Somewhat Likely," please explain your answer.

Long Term Care

Long-Term Care Insurance has had a tumultuous history and currently stands at the precipice of change for both public and private options. So far in 2023, NAIFA has been tracking 65 LTC related bills. NAIFA is committed to being an industry-leading force, ensuring that Americans have broad access to limited and extended care coverages that best suit their needs.

* 17. **Public Program:**

What is the likelihood of a proposal that would establish a state/public Long Term Care program? Please select N/A if your state already offers this (Washington & Hawaii are the only states that have active programs).

Extremely Likely	Somewhat Likely	Neither Likely nor Unlikely / Neutral	Somewhat Unlikely	Extremely Unlikely	Unknown or Need More Information	N/A
○	○	○	○	○	○	○

If you answered "Extremely Likely" or "Somewhat Likely," please explain your answer.

* 18. **Tax Incentives:**

Currently, NAIFA is tracking 29 bills relating to LTC tax incentives. What is the likelihood of a proposal that would expand tax credits or other incentives for private long-term care insurance or caregivers?

Extremely Likely	Somewhat Likely	Neither Likely nor Unlikely / Neutral	Somewhat Unlikely	Extremely Unlikely	Unknown or Need More Information	N/A
○	○	○	○	○	○	○

If you answered "Extremely Likely" or "Somewhat Likely," please explain your answer.

* 19. **Partnership Program:**

What is the likelihood of a proposal that would establish an LTC partnership program? Please select N/A if your state already offers this.

Extremely Likely	Somewhat Likely	Neither Likely nor Unlikely / Neutral	Somewhat Unlikely	Extremely Unlikely	Unknown or Need More Information	N/A
○	○	○	○	○	○	○

If you answered "Extremely Likely" or "Somewhat Likely," please explain your answer.

[ ]

* 20. **Rate Regulation / Non-Forfeiture Options:**

What is the likelihood of a proposal concerning LTC rate changes or non-forfeiture options? Please select N/A if your state already adopted the Non-Forfeiture model.

Extremely Likely	Somewhat Likely	Neither Likely nor Unlikely / Neutral	Somewhat Unlikely	Extremely Unlikely	Unknown or Need More Information	N/A
○	○	○	○	○	○	○

If you answered "Extremely Likely" or "Somewhat Likely," please explain your answer.

[ ]

* 21. Are there any other Long-Term Care proposals that your state expects or would like to prioritize?

○ Yes

○ No

If "Yes," please explain.

[ ]

Risk Classification

Advances in automated and algorithmic underwriting continue, as do conversations about what data (including 3rd party data) can be used and what are the obligations of transparency to consumers. NAIFA continues to work to ensure that a fair and workable balance is maintained in this extraordinarily complex area.

* 22. **Algorithmic accountability:**

What is the likelihood of a proposal related to algorithm-based underwriting practices and/or transparency?

Extremely Likely	Somewhat Likely	Neither Likely nor Unlikely / Neutral	Somewhat Unlikely	Extremely Unlikely	Unknown or Need More Information	N/A
○	○	○	○	○	○	○

If you answered "Extremely Likely" or "Somewhat Likely," please explain your answer.

* 23. Are there any other risk classification/ underwriting proposals that your state expects or would like to prioritize? (I.e. gender-based underwriting, credit scores, etc.)

○ Yes

○ No

If "Yes," please explain.

Life Insurance

The heart of our members' business, life insurance, and related policy concerns remains NAIFA's steadfast focus. As the industry changes and grows, we work to ensure that producers and their clients' interests are protected. These are a few topics we expect to see arise in the upcoming legislative sessions.

* 24. **Taxation of life Insurance:**

What is the likelihood of a proposal concerning the taxation of life insurance policies?

Extremely Likely	Somewhat Likely	Neither Likely nor Unlikely / Neutral	Somewhat Unlikely	Extremely Unlikely	Unknown or Need More Information	N/A
○	○	○	○	○	○	○

If you answered "Extremely Likely" or "Somewhat Likely," please explain your answer.

* 25. **Insurance Regulatory Sandbox:**

Several states have adopted insurance regulatory sandboxes to encourage product innovation. In November 2022, the Insurance Regulatory Sandbox Model Act was adopted by NCOIL. During the 2023 legislative season, four (4) states – Pennsylvania, Missouri, Rhode Island, and Nebraska - proposed legislation to establish a Regulatory Sandbox program.

What is the likelihood of a proposal for adopting a regulatory sandbox would be considered? (View a map of states that already have Regulatory Sandbox initiatives.) Please select N/A if your state already has an insurance regulatory sandbox.

Extremely Likely	Somewhat Likely	Neither Likely nor Unlikely / Neutral	Somewhat Unlikely	Extremely Unlikely	Unknown or Need More Information	N/A
○	○	○	○	○	○	○

If you answered "Extremely Likely" or "Somewhat Likely," please explain your answer.

* 26. Are there any other life insurance-related proposals that your state expects or would like to prioritize?

○ Yes

○ No

If "Yes," please explain.

Retirement Security & Investments

* 27. State-Run Retirement Plans:

What is the likelihood of a proposal that establishes a state-facilitated retirement plan? (Please view a map of states that already have this initiative underway). Please select N/A if your state currently has Mandatory AUTO-IRA

Extremely Likely	Somewhat Likely	Neither Likely nor Unlikely / Neutral	Somewhat Unlikely	Extremely Unlikely	Unknown or Need More Information	N/A
◯	◯	◯	◯	◯	◯	◯

* 28. If you answered somewhat likely or extremely likely to Question 27, what type of state-facilitated retirement plan is your state anticipating?

◯ Secure Choice/Auto IRA

◯ Multiple Employer Plan (MEP)

◯ Unknown

◯ N/A

◯ Other (please specify)

[   ]

* 29. Taxation of financial services or advice:

What is the likelihood of a proposal that would implement a sales tax on financial services, planning, or advice? (View a map of states that already have such sales taxes.) Please select N/A if your state already charges a sales/service tax for your professional financial services, advice, or planning.

Extremely Likely	Somewhat Likely	Neither Likely nor Unlikely / Neutral	Somewhat Unlikely	Extremely Unlikely	Unknown or Need More Information	N/A
◯	◯	◯	◯	◯	◯	◯

If you answered "Extremely Likely" or "Somewhat Likely," please explain your answer.

[   ]

* 30. Are there any other retirement security or investment proposals that your state expects or would like to prioritize?

○ Yes

○ No

If "Yes," please explain.

Health Reform

* 31. Single Payer or Similar Plan:

What is the likelihood of a proposal relating to single-payer health insurance plans or similar?

Extremely Likely	Somewhat Likely	Neither Likely nor Unlikely / Neutral	Somewhat Unlikely	Extremely Unlikely	Unknown or Need More Information	N/A
◯	◯	◯	◯	◯	◯	◯

If you answered "Extremely Likely" or "Somewhat Likely," please explain your answer.

* 32. Are there any other health insurance or reform-related proposals that your state expects or would like to prioritize?

◯ Yes

◯ No

If "Yes," please explain.

Miscellaneous

* 33. **Property & Casualty:**

Are there any property & casualty-related proposals that your state expects or would like to prioritize?

○ Yes

○ No

If "Yes," please explain.

[   ]

* 34. **Privacy and Data Protection:**

Are there any privacy or data protection related proposals that your state expects or would like to prioritize?

○ Yes

○ No

If "Yes," please explain.

[   ]

35. Please rank your Top 5 Policy Priorities for the 2023-2024 legislative/regulatory session.

1st: [   ]

2nd: [   ]

3rd: [   ]

4th: [   ]

5th: [   ]

36. Please feel free to share any additional comments here:

* 37. Would you like a member of the NAIFA Government Relations Team to follow up with you about elements of this survey?

○ Yes

○ No