

2023 Fall National Meeting

Orlando, Florida

REGULATORY FRAMEWORK (B) TASK FORCE


Friday, December 1, 2023

12:00 – 1:00 p.m.

Meeting Summary Report

The Regulatory Framework (B) Task Force met Dec. 1, 2023. During this meeting, the Task Force:

1. Adopted its Sept. 29 and Summer National Meeting minutes. During its Sept. 29 meeting, the Task Force took the following action:
 - A. Adopted its 2024 proposed charges:
 - B. Adopted the white paper *A Guide to Understanding Pharmacy Benefit Manager and Associated Stakeholder Regulation* (PBM white paper).
2. Adopted the report of the Accident and Sickness Insurance Minimum Standards (B) Subgroup, including its Oct. 2, Sept. 18, and Aug. 21 minutes. During these meetings, the Subgroup took the following action:
 - A. Completed its discussions of the comments received on the *Model Regulation to Implement the Accident and Sickness Insurance Minimum Standards Model Act* (#171).
 - B. Exposed a revised draft of Model #171 for a public comment period that ended Dec. 1.
3. Adopted the report of the Employee Retirement Income Security Act (ERISA) (B) Working Group.
4. Adopted the report of the Mental Health Parity and Addiction Equity Act (MHPAEA) (B) Working Group, including its Aug. 14 minutes. The Working Group will meet Dec. 2. During this meeting, the Working Group plans to take the following action:
 - A. Hear a panel discussion of the federal rules on mental health parity.
 - B. Meet in regulator-to-regulator session, pursuant to paragraph 8 (consideration of strategic planning issues) of the NAIC Policy Statement on Open Meetings, to continue work on its goals.
5. Adopted the report of the Pharmacy Benefit Manager Regulatory Issues (B) Subgroup.
6. Heard a presentation from the HIV+Hepatitis Policy Institute on the results and impact of the copay accumulator adjustment programs lawsuit, which challenged a federal rule that allows health insurers to avoid counting the value of drug manufacturer copay assistance toward patients' out-of-pocket cost obligations. The presentation included a detailed analysis of the opinion overturning the federal rule.
7. Heard a presentation from the National Association of Benefits and Insurance Professionals (NABIP) on "Cost: The Greatest Barrier to Access," the major issue keeping health insurance brokers up at night. The presentation highlighted how health care costs are adversely affecting access to health care services. The presentation also offered a few suggestions to address the issues, such as identifying the



true cost drivers, giving attention to the plight of the underinsured, and focusing on social determinants of health.