

Advisory Council on Regulation

Meeting Minutes

Date: December 12, 2019

Time: 11:00AM – 12:00PM

Meeting Held: Conference Room 601

Present: Warren Rupar, Agents of CT, Inc.
Eric George, Insurance Association of Connecticut
Peter Kocheburger, Executive Director, Insurance Law LL.M. Program, Deputy Director, Insurance Law Center, Associate Clinical Professor of Law, University of Connecticut School of Law
Christine Capiello, Anthem
Craig LeRoy, Roy & Leroy
Cliff Leach, The Hartford
Susan Halpin, Robinson & Cole

Distribution: Andrew N. Mais, Commissioner
Joshua Hershman, Deputy Commissioner

Commissioners Introduction – discussed meeting purpose and expressed that the Department is open to insight, guidance, and any inputs related to Regulations and the way it can affect consumers. Interested in agency Regulations to support consumers and effectively protect them.

1. Introductions from Attendees

Deputy Commissioner – shared interest in matters that can possibly create actual solutions.

2. Commissioner Discussed the mission – Agenda and the Department intentions

3. Discussion:

Susan Halpin – asked, are we excluding Legislation?

Christine Capiello – shared her concerns related to consumer impact. Who should they deal with when issues come up? Consumers not aware of the process will contact many different agencies causing more confusion and extra work.

Gerard O’Sullivan – The Department takes the lead on taking care of the consumers from a regulatory stand. When necessary we refer to the different agencies Federal, Legislators, but we always let them know from the regulatory part.

Eric George – make rules and regulations easier if the Department continues to oversee like it has been. Shared concerns related to the Paid Family Medical Leave and filling in some significant roles.

Commissioner – expressed that he will share those concerns with the Governor.

Peter Kochenburger- suggested that for the amount of overlap with (Innovation & Technology) coordination with the groups would be beneficial.

Commissioner – explained, what should be put in place in order to protect the consumers, but also advised the Department will have combined meetings.

Cliff Leach – Regulation is not limited to this state. Finding the difference between Statutes, Bulletins and different types of law. The reason we have the legislature is to go through the process to make the law official.

Graig Leroy – it will be beneficial to know, when we are supposed to go to the Regulation Review rather than dealing with it internally or vice versa

George Bradner – as regulators we are concern of consequences and maybe getting something that wasn't intended.

Craig Leroy – commented, not sure of a true solution.

Deputy Commissioner – looking at our process and the different factors and determining if we are looking at something that is a law.

Cliff Leach – we can't find it in a Statute or Regulation. Always remain open and transparent.

Commissioner – Nothing is off the table and comments or suggestions won't be hold against anyone.

Danny Albert – The SERFF system for electronic filing includes state rules and requirements. Also, access to 83 different position district rules and general instructions.

Christine Cappiello – important to expose the rules and share when there are new ones.

Susan Halpin – looking at the Department to get clarification to make sure everyone is on the same level.

Peter Kochenburger – concerns related to procedures and process. Push to remove or require more of process and rule making.

Commissioner – we ask for clarity, transparency, and work with everyone. We will listen to everyone.

Craig LeRoy – asked, Do you have the resources to do this consumer Regulation. Technical changes and we need to have dialogs. At times Regulations don't go through, because we don't have the funds.

Commissioner – The skills will be needed now in order to evaluate and process as soon as possible.

Eric George – I don't believe that everyone would say that everything needs to go through the Regulatory process. Balance and becoming more flexible to handle certain things in house.

Cliff Leach – Concerns about delays give voice at the National Level. Certain things will raise to the level of legislation and others not.

Wanchin Chou – Always talk to the Department first concerning technical capabilities and open panels.

Warren Rupar – process, charges, and the individual divisions' life, health, property & casualty and the different guidelines. How would the process work? Or would it be systematically through each one?

Commissioner – We are looking at process and substance of Regulation. Looking for suggestions on how should we proceed? Should anyone else be part of this Council?

Eric George – share conversations with the members. Where can improvements be made with the following changes.

Christine Cappiello – it is important to include the consumer. Shared concerns, related to some of the consumer advocacy groups not actually being the right choice. Recommended that Brokers are truly the front line with the consumers. They deal directly with the consumer rather than advocacy groups.

Deputy Commissioner – our primary is the consumer and hearing the different concerns, options, and ideas is very helpful.

Commissioner – question of legitimacy certain things can't be excluded.

Kathy Belfi – asked, any concerns of feeling uncomfortable if a particular group came in to join us?

Christine Cappiello – Yes, up to certain extend.

Commissioner – expressed, he understands the concerns. We need consumer input.

Cliff Leach – looking at the changes that can be made on existing Regulations and what we can do to improve those. The Council shouldn't be focus on changing the laws.

Eric George – change and consumer protection. Also, balancing the protection of the consumer and keeping the market balance as well. Keeping things out of politics as much as possible.

Commissioner – We know what we believe and where we stand, but we will always focus on the consumer. I will make sure this doesn't become a political forum.

Deputy Commissioner – We are not trying to shadow Legislation. The goal is to improve and find solutions on the Regulatory side.

Peter Kochenburger – There is already advocacy groups, but to find proper balance to make sure this doesn't turn to politics.

Peter Kochenburger – Consumer advocacy, no members to pull. Conduct more outreach and bring more consumer groups.

Gerard O'Sullivan – We will never find the exact group, but we need to find the right balance.

-Discussed next Steps:

Commissioner – I look forward to responses and suggestions for new members.

Commissioner – I will share with everyone and get feedback. More meetings will be scheduled.

Upcoming meetings – early to Mid-February.