

Advocacy Partners Program



NAIFA NORTHEAST: ADVOCACY PARTNERSHIP - NEW HAMPSHIRE

We have prepared a summary of NAIFA's engagement in the legislative process over the past 3 years. The New Hampshire Legislature has a two year session. This review would include both years of the 2013-2014 session and the final year of the 2011-2012 session.

How many bills were "sifted" through during the last three years: 2,645 bills

By way of background, there are 800 to 1,000 bills submitted in the NH legislature each year. We sift through and closely review each piece of legislation, identify bills of potential importance, and pass these along to NAIFA for review and input. In addition we review all committee reports and amendments as the bills work their way through the legislative process since any amendment may dramatically change the original intent of the legislation.

How many bills did we "watch" during the last three years: 108 bills

These bills each cover issues which could impact NAIFA members businesses and clients. The NH legislative process is unique. First, there are 400 members in the House and 24 members in the Senate. Second, unlike other New England states, each bill introduced receives a public hearing before a committee. In order to "watch" a bill in New Hampshire, you have to attend the public hearing, subcommittee work sessions, and executive sessions. The committee deliberates each bill and makes a recommendation to the full body after which the bill is voted on by the full body. If the bill moves forward, the same process is repeated in the next body.

We prepare summaries for NAIFA of the bills we monitor and forward any proposed amendments. The specific breakdown by year were as follows: in 2012: approximately 42, in 2013: approximately 30, and in 2014, approximately 36.

How many bills did we provide "testimony" on during the last three years: 15

Providing testimony is only a small part of engagement in the NH legislative process. In order to have an impact on policy outcomes, testimony is helpful but not always the most effective means to ensure the desired direction of a bill. When testimony is offered in NH, NAIFA members attend and present testimony in hearings which has been very effective. We have met with various committee chairs to educate them on issues of importance to the Association. These meetings typically occur either in the members district or at their legislative office and often include NAIFA members. NAIFA provided important insight, through testimony or other means, on the following bills over the past 3 years:

2012 Session

- SB 74 – relative to the life settlements act.
- HB 1406 - relative to goods in intrastate commerce.
- HB 1409 – relative to definitions under the Uniform Securities Act
- HB 1410 – relative to securities regulation
- SB 163- relative to the New Hampshire health benefit exchange.
- SB 334- relative to Medicare unfair trade practices.

2013 Session

- HB 400 -relative to funding agreements issued by life insurance companies.
- HB 430- requiring insurance companies sending out solicitations for insurance to include a disclosure on such solicitations.
- HB 467 – relative to purchasing alliances
- HB 668 - relative to group and individual health insurance market rules.
- SB 70 - relative to the appointment of insurance agents and repealing a fee for insurance producers.

2014 Session

- HB 1146 - establishing a committee to study the feasibility of funding a kindergarten to college/career ready program and a universal college savings account.
- HB 1328 – relative to licensure of insurance exchange navigators
- SB 330- relative to apportionment under the business profits tax of taxable income from mutual fund sales.
- SB 340 - (New Title) requiring the insurance department to hold public information sessions and provide a comment period before approval of products to be sold on the health exchange.

In addition to advocacy in the State House, NAIFA monitors the administrative rulemaking process. Recently, we met with the Insurance Commissioner to discuss proposed rules relative to annuity sales. The meeting resulted in clarifications from the Department which will benefit NAIFA members. In the past, we met with the Securities Bureau to provide insight on the producer perspective relative to their operations.

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What were the three most significant legislation that was either passed or defeated during the last three years?

DEFEATED: Bill to mandate marketing of life settlements.

A life settlement industry sponsored bill would have required producers to advise all clients on the availability of Life Settlements, including producers whose Broker Dealer precludes the sale of the products. NAIFA argued that the current statute (RSA 408-D) permits consumers to legitimately sell life insurance policies they no longer need while ensuring that fraudulent practices targeted at elderly residents are prohibited. The existing law provides adequate licensure for producers who decide to sell life settlements as well as appropriate disclosures to consumers to determine if they would like to pursue a life settlement. By defeating this bill, NAIFA ensured members were not mandated to market life settlements.

PASSED: Language in statute to ensure the role of the producer would continue in the health exchange.

Since the debate over the Affordable Care Act started, NAIFA has advocated for the continued role and compensation for brokers in a health exchange. The current laws governing ACA implementation in NH have been revised several times over the past several years. In each instance, the language ensuring the preservation and compensation for brokers has remained intact.

PASSED: Limitations on continued education requirements for annuity sales.

The NH Insurance Department proposed NAIC rules regarding annuity sales for NH producers. The proposal would have required producers to take additional CE on annuities by 2015. NAIFA met with the Insurance Commissioner and his staff to discuss the challenges of implementation on producers. Subsequent to the meeting with NAIFA, the Department agreed to waive the requirement until the next CE renewal if producers had taken any courses on the subject.