![NAIC - National Association of Insurance Commissioners logo]

11/11/2024

Cocode(s):

Contact:

Health Insurance Artificial Intelligence/Machine Learning Survey

The above listed company or companies, hereafter referred to as the "Company", hold(s) a license to transact the business of insurance and transacts ongoing business in at least one of the following states: Colorado, Connecticut, Illinois, Iowa, Louisiana, Maryland, Minnesota, Nebraska, North Dakota, Oklahoma, Oregon, Pennsylvania, Vermont, Virginia, West Virginia, or Wisconsin (the "Requesting States"). The Requesting States are conducting a market conduct analysis of various health insurers to gain a better understanding of the industry's use and governance of big data and Artificial Intelligence and Machine Learning (AI/ML).

Pursuant to §§ 10-1-303(1) and 10-1-304(1), C.R.S., Conn. Gen. Stat. §§ 38a-15 and 38a-16, Illinois Code 215 ILCS 5/132, Iowa Code §§ 505.8(1), (11), and (12), La. R.S. § 22:1984, Md. Code Ann., Ins. § 2-205, Minn. Stat. §§ 60A.03, subd. 9 and 60A.031, subd. 4, Neb. Rev. Stat. §§ 44-5901 to 5910, N.D.C.C. 26.1-03-19.2 and 26.1-03-19.3, 36 O.S. § 1250.4(A), ORS 731.296, 40 P.S. §§323.3 and 323.4, 8 V.S.A. §§ 13 and 3573, Va. Code Ann. §§ 38.2-1317.1; West Virginia §33-2-9 and Wis. Stat. § 601.42, the Commissioner, Director, or Superintendent in each Requesting State has the authority to request information and conduct an analysis of the Company's use of AI/ML in the business of insurance. This information will be collected by using a survey. The survey also seeks information that could aid in the development of guidance or potential regulatory framework to support the insurance industry's use of big data and AI/ML in accordance with the aspirations and expectations outlined in the National Association of Insurance Commissioners' ("NAIC") Model Bulletin: Use of Artificial Intelligence Systems by Insurers and its Artificial Intelligence Principles. The NAIC, pursuant to a separate agreement, will collect and compile the information on behalf of and under the direction of the Requesting States. The collection of the information will hold the records confidential, and the compilation will be conducted in such a manner to ensure the anonymity of the Company.

This analysis and any related continuum actions are being conducted pursuant to the laws of the Requesting States and consistent with the guidelines and procedures set forth in the Market Regulation Handbook of the NAIC. All documents, materials and other information requested under this authority and held by the Requesting States or the NAIC are deemed confidential by law and

privileged, not subject to subpoena, and do not constitute a public record under § 10-1-309(1)(c)(I), C.R.S, Conn. Gen. Stat. §§ 38a-15 and 38a-16, Illinois Code 215 ILCS 5/132.5(f), Iowa Code §§ 22.7, 505.8 and 505.17, La. R.S. § 22:1984, Md. Code Ann., Ins. § 2-209, Minn. Stat. §§ 60A.03, subd. 9 and 60A.031, subd. 4, Neb. Rev. Stat. § 44-5906(8), N.D.C.C. 26.1-03-19.4, 36 O.S. § 677, ORS 731.312(6), ORS 705.137, ORS 192.355(9)(a), and ORS 192.355(31), 40 P.S. §323.5(f), 1 V.S.A. § 317, 8 V.S.A. §§ 22, 23, 3573 and 3574, Va. Code Ann. § 38.2-1317.2, West Virginia §33-2-9(l), and Wis. Stat. § 601.465. All documents, materials and other information requested under this authority may be shared as confidential records with other state insurance regulators who are parties to the NAIC Master Information Sharing and Confidentiality Agreement.

All individual company responses will be held confidentially. At the completion of the survey, a public report of aggregate information will be issued. More information can be obtained in the Frequently Asked Questions.

This analysis is intended to collect data to inform the Requesting States as to the current and planned business practices of your Company and will not be used to evaluate or determine the Company's compliance with applicable laws and regulations.

Pursuant to the authority of § 10-1-304(5), C.R.S, Conn. Gen. Stat. §§ 38a-15 and 38a-16, Illinois Code 215 ILCS 5/402, and 215 ILCS 5/403, Iowa § 505.8(13), La. R.S. § 22:1984, Md. Code Ann., Ins. § 2-205 and COMAR 31.04.20.05, Minn. Stat. §§ 60A.03, subd. 9 and 60A.031, subd. 4, Neb. Rev. Stat. §§ 44-5901 to 5910, N.D.C.C. 26.1-03-19.2 and 26.1-03-19.3, 36 O.S. § 1250.4(B), ORS 731.296, 40, P.S. §§323.3 and 323.4, 8 V.S.A. § 13, Va. Code Ann. §§ 38.2-1318, West Virginia §33-2-9(i), and Wis. Stat. § 601.42, the Company must provide responses within thirty (30) days to the survey using the NAIC data collection tool identified in the survey instructions. The survey template, filing documentation, and frequently asked questions can be found on the Health AI/ML Survey webpage.

Failure to provide a complete response within the specified timeframe may lead to a finding of a violation, and subsequent suspension or revocation of the Company's certificate of authority, or any other penalty authorized by law.

Thank you in advance for your cooperation with this request. If you have questions about completing the survey, please send an email to NAICAIMLSurvey@naic.org.

Sincerely,

AI/ML Survey Requesting States