2016 ANNUAL REPORT
FROM THE SUPERINTENDENT
OF THE MAINE BUREAU OF INSURANCE
TO THE LEGISLATURE

Prepared by the Maine Bureau of Insurance
June 2017

Paul R. LePage
Governor

Anne L. Head
Commissioner

Eric A. Cioppa
Superintendent
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I. **INTRODUCTION**

States are the primary regulators of the insurance industry in the United States. The Maine Bureau of Insurance (the Bureau) regulates insurance companies, producers and agents, as well as other entities engaged in the business of insurance in the State. The Bureau enforces solvency standards, as well as consumer protections, under the Maine Insurance Code.

The Bureau primarily serves a regulatory function; however, consumer assistance and education is a large part of the agency’s mission. Staff members in both the Consumer Health Care Division and the Property and Casualty Division respond to consumer calls and written inquiries and research written complaints, to ensure compliance with Maine law. Complaints may then be turned over to the Bureau’s legal staff for enforcement action and potentially to the Market Regulation Unit for further investigation, to determine if there is a pattern of misconduct.

In 2016, there were 1,299 insurance carriers doing business in Maine. The 15 carriers domiciled in the state received more than $7 billion in premiums. Penalties and settlement payments to the State by insurance carriers and producers in 2016 totaled $66,871. Restitution paid to insured Maine individuals and businesses by carriers, following investigations and hearings conducted by the Bureau, totaled $969,775.

In 2016, Bureau staff continued to play an active role in regulating the evolving health insurance Marketplace established by the federal government’s Affordable Care Act.

Interstate cooperation and information-sharing are key elements of regulating the national insurance market in a state-based system. The National Association of Insurance Commissioners (NAIC) facilitates this process. The forums and tools offered by the NAIC provide information that is critical to the Bureau’s regulatory responsibilities. The NAIC also conducts accreditations of state insurance departments, ensuring that each state’s financial regulation is sufficient to oversee its domestic market. The Bureau has been accredited by the NAIC since 1993 and has been an active participant in various NAIC events and working groups. Currently, Bureau Superintendent Eric Cioppa serves as Vice President of the NAIC, Chair of the NAIC’s Financial Condition (E) Committee, member of the Audit Committee, member of the Executive Committee, Co-Chair of the Principles Based Reserving Implementation (EX) Task Force, and Northeastern Zone Representative on the Government Relations (EX) Leadership Council. In addition to his NAIC duties, he is a member of the Maine State Employee Health Commission.

The Bureau also participates in supervisory colleges held by insurer groups’ domiciliary states. Regulators whose states are responsible for affiliates of the group and international regulators participate in these colleges, which allow regulators to assess the risks borne by the subject insurance group and the mitigation strategies employed. Participation in both the NAIC forums and supervisory colleges enhances the Bureau’s ability to monitor and proactively address regulatory issues.
II. BUREAU OF INSURANCE DIVISIONS AND UNITS

CONSUMER HEALTH CARE DIVISION

The responsibilities of the Consumer Health Care Division (CHCD) include:

- assisting consumers with understanding their rights regarding health, disability, long-term care and life insurance;
- investigating and resolving consumer complaints;
- reviewing carriers’ insurance forms to ensure compliance with Maine law;
- licensing medical utilization review entities;
- drafting and reviewing health insurance regulations;
- bringing enforcement actions against licensed entities when violations occur;
- reviewing managed care plans for compliance with provider network adequacy standards;
- approving registrations for preferred provider arrangements (PPAs); and
- coordinating compliance with the federal Affordable Care Act (ACA) as it pertains to the commercial health insurance market.

CHCD staff answered 3,213 telephone and written inquiries during 2016. The most frequent inquiries related to individual insurance, Medicare Supplement, and claim denials. Staff also responded to 636 written health, disability, annuity, and life insurance complaints.

As part of the complaint investigation process, CHCD staff works to obtain restitution for consumers who have suffered a financial loss due to improperly denied claims, or claims which were not paid in accordance with the policy. In 2016, the CHCD obtained restitution of $705,727 for complainants.

During 2016, the CHCD received 1,607 rate and form filings from insurance companies and approved 1,517. Some filings were disapproved, placed on hold, or withdrawn by the insurance company.

<table>
<thead>
<tr>
<th></th>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Consumer Complaints Received</td>
<td>543</td>
<td>441</td>
<td>586</td>
<td>534</td>
<td>636</td>
</tr>
<tr>
<td>Consumer Inquiries Received</td>
<td>3,958</td>
<td>4,977</td>
<td>4,287</td>
<td>3,205</td>
<td>3,213</td>
</tr>
<tr>
<td>Restitution to Consumers</td>
<td>$2,198,607</td>
<td>$1,500,967</td>
<td>$2,432,187</td>
<td>$1,228,971</td>
<td>$705,727</td>
</tr>
<tr>
<td>Rate and Form Filings Received</td>
<td>2,230</td>
<td>2,323</td>
<td>1,820</td>
<td>1,752</td>
<td>1,607</td>
</tr>
</tbody>
</table>

In 2016, CHCD staff drafted a revision to one new rule, repealed one rule, and held a forum for consumers and other stakeholders to discuss concerns and potential solutions to long-term care insurance issues. (See Appendix A for more information about the forum and a list of outreach events.)
EXTERNAL REVIEWS

External reviews are available as a third level of review for consumers who have exhausted their insurance carrier’s internal appeals for denial of benefits in a fully insured medical plan. The Bureau contracted with three independent external review organizations in 2016: National Medical Review, Maximus Federal Services, Inc., and Island Peer Review Organization.

The CHCD received 77 requests for medical external review. Of the 61 requests completed by January 1, 2017, 37 were overturned (60%), and 24 upheld the carrier’s decision (40%).

Thirty-two cases were heard regarding medical necessity of treatment:
- 5 mental/behavioral health;
- 2 physical therapy/chiropractic care;
- 4 substance abuse treatment;
- 1 medical devices or equipment;
- 5 medication therapy;
- 7 lab tests; and
- 8 general treatment decisions

Twenty-nine decisions were related to whether the treatment provided was experimental or investigational: 27 lab tests; 1 medical equipment; and 1 general treatment decisions.

The CHCD received and reviewed additional requests for external review that did not qualify under the statutes, either because the internal appeal process was not utilized prior to requesting external review or because the denial was based on issues other than the validity of the carrier’s medical decisions.

The Figure below illustrates the number of medical external reviews for the years 2007-2016 that were upheld, overturned, or withdrawn by either the carrier or the consumer prior to the review.

![Medical External Review Outcomes](chart.png)

The spike in external reviews and overturned decisions in 2015 and 2016 were due to certain requested labs that are considered experimental by some carriers.
**Life & Health Actuarial Unit**

The Life & Health Actuarial Unit provides actuarial and technical services to Bureau staff involving life and health insurance. Tasks performed by the Unit are outlined below.

- Reviewing and taking appropriate action on rate filings for regulated lines of insurance, primarily individual health, small group health, credit life and health, group and individual Medicare supplement, and long-term care.
- Providing reserve analysis review of life and health insurance companies.
- Providing technical assistance to insureds, consumers, state agencies, and others on insurance matters.
- Studying proposed mandated benefit legislation as requested by the Legislature to determine the social impact, the financial impact, and the medical efficacy of the proposed mandate.
- Estimating the impact on health insurance premiums of proposed expansions of health care services requiring a certificate of need from the Maine Department of Health and Human Services.
- Assisting the Research and Statistical Unit with the collection of health insurance data:
  - Annual reports on mandated benefits claims experience;
  - Annual supplemental premium reports from health insurers;
  - Annual reports on insured demographics for small group and individual health insurance;
  - Annual reports on claims paid by third-party administrators and by insurers administering employers’ self-funded health plans; and
  - Preparation of quarterly “market snapshots” for the small group and individual health insurance markets.

**Property and Casualty Division**

The Property and Casualty Division (P&C) performs three separate functions: review of insurer rate, rule, and form filings; resolution of consumer complaints; and administration of cancellation/nonrenewal hearings.

In 2016, P&C staff answered 2,794 telephone and written inquiries, responded to 254 written complaints, and obtained restitution of $264,048 for consumers who suffered a financial loss due to improperly denied claims or claims that were not paid in accordance with the policy.

The P&C Division received 3,444 rate and form filings from insurance companies during 2016.

<table>
<thead>
<tr>
<th></th>
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<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Consumer Complaints Received</td>
<td>319</td>
<td>281</td>
<td>295</td>
<td>274</td>
<td>254</td>
</tr>
<tr>
<td>Consumer Inquiries Received</td>
<td>4,758</td>
<td>4,021</td>
<td>3,800</td>
<td>3,209</td>
<td>2,794</td>
</tr>
<tr>
<td>Restitution to Consumers</td>
<td>$943,685</td>
<td>$381,459</td>
<td>$963,110</td>
<td>$261,586</td>
<td>$264,048</td>
</tr>
<tr>
<td>Rate and Form Filings Received</td>
<td>3,092</td>
<td>3,434</td>
<td>3,877</td>
<td>3,757</td>
<td>3,444</td>
</tr>
</tbody>
</table>
The NAIC released two reports\(^1\) in 2016 ranking Maine’s personal auto and homeowners lines of insurance as 3\(^{rd}\) and 10\(^{th}\) most affordable in the nation. The reports, based on data from 2014 (the most recent year for which cumulative data was available to the NAIC), indicate that Maine consumers pay less for these types of insurance than do consumers in most other states.

**Hearings**
When an insurance company issues a notice of cancellation or nonrenewal of a homeowners or personal auto policy, the company must advise the insured of the right to request a hearing contesting the action. There is also a statutory right to request a hearing when a commercial property or liability policy is cancelled prior to its expiration date.

The hearing provides a forum to dispute the reason(s), and requires the Bureau to determine whether the cancellation or nonrenewal was done in accordance with Maine law. The following graph and table show the number of hearings scheduled and those resulting in decisions. In some cases, the insurance company or the insured may cancel the proceeding prior to hearing, which results in no issued decision.

![Number of Hearings Scheduled](image)

<table>
<thead>
<tr>
<th>Hearing Results</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Decisions Issued</td>
<td>71</td>
<td>62</td>
<td>77</td>
<td>69</td>
<td>55</td>
</tr>
<tr>
<td>Findings for the Policyholder</td>
<td>32</td>
<td>28</td>
<td>26</td>
<td>19</td>
<td>11</td>
</tr>
</tbody>
</table>

**Workers’ Compensation**
The Property and Casualty Division is also responsible for processing all rate, rule, and form filings presented to the Bureau involving workers’ compensation insurance, reinsurance for self-insurers, and occupational disability policies. In addition to these filings, the Division assists the actuarial staff with workers’ compensation loss cost filings.

The Division also responds to general inquiries regarding workers’ compensation premiums and policies, handles complaints regarding workers’ compensation insurance rates, rules, and policy cancellations, and conducts research and special projects related to workers’ compensation matters. Complaints regarding specific workers’ compensation claims are under the jurisdiction of the Workers’

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\(^1\) The two NAIC reports are titled *2014 Homeowners Insurance Report* and *2013/2014 Auto Insurance Database Report*. 
Compensation Board. If the Workers’ Compensation Board finds a pattern of improper claims handling practices, however, it can refer the matter to the Bureau.

**PROPERTY AND CASUALTY ACTUARIAL UNIT**

The Property and Casualty Actuarial Work Unit reviews rate filings made by licensed insurance companies and by advisory organizations. The unit’s responsibilities are outlined below.

- Reviews rate and rating rule filings;
- Reviews and analyzes loss cost filings by industry advisory organizations that gather experience and file expected loss figures that insurers use to establish rates and rating rules;
- Provides technical assistance to insureds, consumers, state agencies, and others on insurance-related matters;
- Reviews funding and reserves of workers’ compensation self-insurance trusts;
- Provides reserve analysis of property/casualty insurance companies; and
- Provides technical assistance to the Superintendent in all aspects of property/casualty and workers’ compensation matters.

** LICENSING DIVISION**

The Licensing Division is responsible for processing and maintaining license records on insurance producers and business entities (agencies), including issuing and terminating licenses. Additional responsibilities include overseeing the licensing examination process and supervising the continuing education program. Electronic processing of producer appointments, appointment terminations, and non-resident license applications, as well as participation in the national producer database, have made the licensing process more efficient, timely and uniform.

The Licensing Division processed 17,701 new licenses during 2016 for producers, consultants, adjusters, and business entities.

**NUMBER OF NEW INDIVIDUAL LICENSES, 2016**

<table>
<thead>
<tr>
<th></th>
<th>Producers</th>
<th>Consultants</th>
<th>Adjusters</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resident</td>
<td>661</td>
<td>1</td>
<td>40</td>
</tr>
<tr>
<td>Non-Resident</td>
<td>14,172</td>
<td>0</td>
<td>2,827</td>
</tr>
<tr>
<td>Total</td>
<td>14,833</td>
<td>1</td>
<td>2,867</td>
</tr>
</tbody>
</table>

**NUMBER OF ACTIVE INDIVIDUAL LICENSES, 2016 (AS OF 12/31/2016)**

<table>
<thead>
<tr>
<th></th>
<th>Producers</th>
<th>Consultants</th>
<th>Adjusters</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resident</td>
<td>5,929</td>
<td>42</td>
<td>696</td>
</tr>
<tr>
<td>Non-Resident</td>
<td>109,519</td>
<td>12</td>
<td>11,708</td>
</tr>
<tr>
<td>Total</td>
<td>115,448</td>
<td>54</td>
<td>12,404</td>
</tr>
</tbody>
</table>
**ALTERNATIVE RISK MARKETS WORK UNIT**

The Alternative Risk Markets Work Unit reviews and evaluates applications for workers' compensation self-insurance authority, captive entities, multiple employer welfare arrangements, group self-insurance reinsurance accounts, and the Maine Self-Insurance Guaranty Association. Its mission is to apply the rules and regulations governing these entities in a fair, consistent, and timely manner to assure that these entities remain solvent and that the Maine businesses utilizing alternative risk mechanisms do so effectively and responsibly.

<table>
<thead>
<tr>
<th>Number of Self-Insurers for Workers’ Compensation</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Individual Self-Insurers</td>
<td>60</td>
<td>59</td>
<td>61</td>
<td>60</td>
<td>59</td>
</tr>
<tr>
<td>Group Self-Insurers</td>
<td>19</td>
<td>19</td>
<td>19</td>
<td>19</td>
<td>18</td>
</tr>
</tbody>
</table>

**FINANCIAL EXAMINATION DIVISION**

The Financial Examination Division examines domestic insurers at least once every five years to ensure soundness of the insurance companies’ financial position. All reports of examination are public and can be found on the Bureau’s website.² Financial statements for Maine-licensed insurance companies can also be found online.³

**FINANCIAL EXAMINATIONS COMMENCED IN 2016**

<table>
<thead>
<tr>
<th>Company</th>
<th>Report Issued</th>
</tr>
</thead>
<tbody>
<tr>
<td>Casco Indemnity Company</td>
<td>Examination in progress</td>
</tr>
<tr>
<td>Gorham Farmers Club</td>
<td>Examination in progress</td>
</tr>
<tr>
<td>MMG Insurance Company</td>
<td>Examination in progress</td>
</tr>
<tr>
<td>State Mutual Insurance Company</td>
<td>March 21, 2017</td>
</tr>
</tbody>
</table>

**FINANCIAL EXAMINATIONS SCHEDULED FOR 2017**

<table>
<thead>
<tr>
<th>Company</th>
<th>Financial Period Ending</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aetna Health, Inc. (a Maine corporation)</td>
<td>December 31, 2016</td>
</tr>
<tr>
<td>Maine Employers Mutual Insurance Company</td>
<td>December 31, 2016</td>
</tr>
<tr>
<td>Medical Mutual Insurance Company of Maine</td>
<td>December 31, 2016</td>
</tr>
<tr>
<td>Patriot Insurance Company</td>
<td>December 31, 2016</td>
</tr>
</tbody>
</table>

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¹ As of March 28, 2017, this represents approximately 1,274 employers.
FINANCIAL ANALYSIS DIVISION

The Financial Analysis Division is responsible for the on-going financial review of domestic companies, and holding company analysis of the groups that Maine’s domestic companies are a part of, as well as the processing of name changes, mergers, acquisitions, amendments to authority, and redomestications of these entities. The Division also handles the licensing and monitoring of foreign insurance companies, managing general agents, third party administrators, risk retention groups, reinsurance intermediaries, surplus lines entities, and reinsurance companies.

NUMBER OF INSURANCE COMPANIES LICENSED IN MAINE

<table>
<thead>
<tr>
<th>Company Type</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property and Casualty Companies</td>
<td>668</td>
<td>687</td>
<td>693</td>
<td>697</td>
<td>689</td>
</tr>
<tr>
<td>Life &amp; Health and HMOs</td>
<td>358</td>
<td>349</td>
<td>346</td>
<td>346</td>
<td>345</td>
</tr>
<tr>
<td>Fraternal Companies</td>
<td>13</td>
<td>13</td>
<td>13</td>
<td>13</td>
<td>13</td>
</tr>
<tr>
<td>Surplus Lines Companies</td>
<td>145</td>
<td>152</td>
<td>157</td>
<td>160</td>
<td>159</td>
</tr>
<tr>
<td>Private Purchasing Alliance</td>
<td>2</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Multiple Employer Welfare Arrangement (MEWA)</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Captive</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Risk Retention Groups</td>
<td>77</td>
<td>72</td>
<td>73</td>
<td>74</td>
<td>76</td>
</tr>
<tr>
<td>Non-Profit</td>
<td>1</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Fire Assessment Company</td>
<td>4</td>
<td>4</td>
<td>4</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Total</td>
<td>1,273</td>
<td>1,285</td>
<td>1,294</td>
<td>1,301</td>
<td>1,293</td>
</tr>
</tbody>
</table>
DOMESTIC INSURANCE COMPANIES, 2016 (DOMICILED IN MAINE)

<table>
<thead>
<tr>
<th>Maine Domestics</th>
<th>12/31/16 Premium</th>
<th>12/31/16 Assets</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aetna Health, Inc.</td>
<td>$75,532,224</td>
<td>$27,647,958</td>
</tr>
<tr>
<td>Anthem Health Plans of Maine, Inc.</td>
<td>$1,066,393,503</td>
<td>$408,406,115</td>
</tr>
<tr>
<td>Casco Indemnity Company</td>
<td>$9,742,460</td>
<td>$30,616,478</td>
</tr>
<tr>
<td>Great Falls Insurance Company</td>
<td>$13,281,581</td>
<td>$12,308,108</td>
</tr>
<tr>
<td>Maine Community Health Options</td>
<td>$382,653,075</td>
<td>$101,985,131</td>
</tr>
<tr>
<td>Maine Dental Service Corp</td>
<td>$61,006,741</td>
<td>$53,915,937</td>
</tr>
<tr>
<td>Maine Employers' Mutual Insurance Company</td>
<td>$159,819,613</td>
<td>$886,754,628</td>
</tr>
<tr>
<td>Martin's Point Generations Advantage, Inc.</td>
<td>$329,279,875</td>
<td>$88,442,126</td>
</tr>
<tr>
<td>Medical Mutual Insurance Company of Maine</td>
<td>$46,250,905</td>
<td>$297,222,733</td>
</tr>
<tr>
<td>MMG Insurance Company</td>
<td>$184,850,895</td>
<td>$262,103,546</td>
</tr>
<tr>
<td>Patriot Insurance Company</td>
<td>$49,757,487</td>
<td>$126,001,241</td>
</tr>
<tr>
<td>Patrons Oxford Insurance Company</td>
<td>$46,875,692</td>
<td>$22,768,469</td>
</tr>
<tr>
<td>State Mutual Insurance Company</td>
<td>$1,458,769</td>
<td>$2,478,342</td>
</tr>
<tr>
<td>UNUM Insurance Company</td>
<td>$10,260,548</td>
<td>$57,381,218</td>
</tr>
<tr>
<td>UNUM Life Insurance Company of America</td>
<td>$4,574,325,682</td>
<td>$21,069,793,996</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td><strong>$7,011,489,050.</strong></td>
<td><strong>$23,447,826,026.</strong></td>
</tr>
</tbody>
</table>

NON-MAINE HEALTH MAINTENANCE ORGANIZATIONS 2016 (MAINE ONLY PREMIUMS)

<table>
<thead>
<tr>
<th>HMOs (State of Domicile)</th>
<th>12/31/16 Premium</th>
<th>12/31/16 Assets</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arcadian Health Plan, Inc. (WA)</td>
<td>$52,881,944</td>
<td>$275,771,796</td>
</tr>
<tr>
<td>Harvard Pilgrim Health Care, Inc. (MA)</td>
<td>$215,602,238</td>
<td>$916,793,599</td>
</tr>
<tr>
<td>Meridian Health Plan of Michigan, Inc. (MI)</td>
<td>$0</td>
<td>$537,364,000</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td><strong>$268,484,182</strong></td>
<td><strong>$1,729,929,395</strong></td>
</tr>
</tbody>
</table>

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1 Year-end direct written premium totals are reported on a national basis.

2 Financial statements for HMOs operating in Maine are available at:
http://www.maine.gov/pfr/insurance/regulated/insurance_companies/financial_statements/hmo/financial.html
NEW COMPANY LICENSES ISSUED IN 2016 (22 TOTAL)

<table>
<thead>
<tr>
<th>Life and Health Insurance Companies</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Clear Spring Life Insurance Company</td>
<td>Tufts Insurance Company</td>
</tr>
<tr>
<td>Investors Heritage Life Insurance Company</td>
<td>United Heritage Life Insurance Company</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Property and Casualty Insurance Companies</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>All America Insurance Company</td>
<td>Radnor Specialty Insurance Company</td>
</tr>
<tr>
<td>Central Mutual Insurance Company</td>
<td>Rockwood Casualty Insurance Company</td>
</tr>
<tr>
<td>Metropolitan Direct Property and Casualty Insurance Company</td>
<td>SU Insurance Company</td>
</tr>
<tr>
<td>Norcal Mutual Insurance Company</td>
<td>Sompo America Fire &amp; Marine Insurance Company</td>
</tr>
<tr>
<td>OBI America Insurance Company</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Eligible Surplus Lines Insurance Companies</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>CM Vantage Specialty Insurance Company</td>
<td>Professional Security Insurance Company</td>
</tr>
<tr>
<td>ISMIE Indemnity Company</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Risk Retention Groups</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>County Hall Insurance Company, A Risk Retention Group</td>
<td>Mountain Laurel Risk Retention Group, Inc.</td>
</tr>
<tr>
<td>Dan Risk Retention Group, Inc.</td>
<td>The Mutual Risk Retention Group, Inc.</td>
</tr>
<tr>
<td>Franklin Casualty Insurance Company</td>
<td>Velocity Insurance Company, A Risk Retention Group</td>
</tr>
</tbody>
</table>

MARKET REGULATION UNIT

The Market Regulation Unit is responsible for establishing and monitoring a compliance program for all licensees. This program includes both in-house analysis and on-site examination of licensees. The Market Regulation Unit uses the information available from a variety of sources and performs analysis on selected companies to determine which companies are deemed to be market outliers. Once identified as a market outlier, the Market Regulation staff determines the most effective process for obtaining information from the company in order to identify why the company’s results are outside the expected results for the Maine marketplace. The information gathering process could encompass many forms, including a meeting with the company, a data call, interrogatories, or – in select circumstances – a targeted or full scope market conduct examination. The examination process typically focuses on the following areas: (1) company operations/management; (2) complaint handling; (3) marketing and sales; (4) producer licensing; (5) policyholder service; (6) underwriting; and (7) claims. While the unit does not handle individual complaints, it does use complaint data to analyze licensee trends and business practices or patterns. This analysis is often a key factor in determining that a company is a market outlier and requires additional review.

2016 MARKET CONDUCT EXAMINATIONS COMPLETED

<table>
<thead>
<tr>
<th>COMPANY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anthem Health Plans of Maine, Inc.</td>
</tr>
</tbody>
</table>
In addition to conducting market analysis and onsite examinations, the Unit participates in multi-state examinations on behalf of the State of Maine. The State of Maine received payments in 2016 relating to Regulatory Settlement Agreements (RSAs) arising from multi-state examinations of certain companies’ practices and procedures for identifying and paying proceeds to beneficiaries of life insurance policies and annuities. The lead states’ examinations and resulting RSAs call for these companies to implement business reforms that will promote timely and efficient searches for beneficiaries of their in-force life insurance policies and annuities and lapsed policies, through regular matches of their insureds and annuitants against the Social Security Administration’s Death Master File. (Lapsed policy match attempts are required for 18 months.) It also provides for payments to be allocated among states subscribing to the RSA.

During 2016, the State of Maine received $43,346 in payments from these RSAs. The companies examined and the payment amounts were as follows:

**2016 Multi-State Market Conduct Settlement Payments**

<table>
<thead>
<tr>
<th>Company</th>
<th>2016 Payment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jackson National Life Insurance Company</td>
<td>$12,168</td>
</tr>
<tr>
<td>AXA*</td>
<td>$18,011</td>
</tr>
<tr>
<td>Homesite Insurance Group</td>
<td>$2,952</td>
</tr>
<tr>
<td>Standard Insurance Company</td>
<td>$762</td>
</tr>
<tr>
<td>Hartford</td>
<td>$7,143</td>
</tr>
<tr>
<td>Securian-Minnesota Mutual Life</td>
<td>$2,310</td>
</tr>
<tr>
<td>Total</td>
<td>$43,346</td>
</tr>
</tbody>
</table>


In 2016, the Unit continued to audit claims-handling information of four companies – both insurers and third-party administrators (TPAs) – previously referred to the Bureau by the Workers’ Compensation Board, due to questionable claims-handling practices. These companies were identified through the Board’s monitoring, audit and enforcement program. To fulfill its statutory responsibility, the Bureau entered into consent agreements with these companies to end those practices. These agreements require the companies, among other obligations, to self-audit claims on a quarterly basis for up to two years and report those findings to the Bureau. The Unit is in the process of auditing these reports.

**Workers’ Compensation Insurers and TPAs with Pending Consent Agreements**

<table>
<thead>
<tr>
<th>Licensee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Guarantee Insurance Company</td>
</tr>
<tr>
<td>Liberty Mutual Group</td>
</tr>
<tr>
<td>Protective Insurance Company</td>
</tr>
<tr>
<td>York Risk Services Group</td>
</tr>
</tbody>
</table>

In 2016, the unit contributed to the work of the NAIC by participating in the National Analysis Project’s review of property and casualty companies with a significant national market share.
RESEARCH AND STATISTICS UNIT

The Research and Statistics Division has the overall responsibility of creating, maintaining, and monitoring databases used by the Bureau. The objective of the unit is to collect, interpret, and provide data from regulated entities to Bureau divisions and units, other governmental agencies, and the public as needed. Additionally, the unit researches issues for other Bureau divisions and units, serves as liaison between the Bureau and NAIC online applications, and maintains the Bureau’s website.

ADMINISTRATIVE SERVICES UNIT

The Administrative Services Unit provides support for all divisions and units within the Bureau. Responsibilities include purchasing, new employee orientation and communication with human resources, travel arrangements and training registrations, copying and distribution of bound and electronic reports, processing and accounting of all Bureau revenue, and consumer outreach support.
III. APPENDICES
APPENDIX A – 2016 OUTREACH EVENTS

The Bureau’s consumer outreach efforts aim to educate Maine individuals and businesses about their rights and responsibilities under Maine’s insurance laws and the federal Affordable Care Act. The Superintendent and Bureau staff members participate in public forums and events to provide this information, and to ensure that consumers are aware of the services the Bureau offers.

Public speaking and other outreach events in which the Bureau participated in 2016 included:

- Meeting of Physical Therapists/Billing Administration, Freeport
- Southern Maine Area Agency on Aging Volunteer Training, Portland
- Maine Insurance Agents Association, South Portland
- NCCI’s Maine State Advisory Forum, Portland
- US Department Of Labor Producer Training, Bangor
- Agency Advisory Board meeting – Great Falls Ins Co, Auburn
- Maine Rural Health & Primary Care CFO Meeting, Augusta
- Healthcare Advocacy, Portsmouth
- Spectrum Generations Volunteer Training, Augusta
- Association of Insurance Compliance Professionals Conference, Portsmouth
- Eastern Maine Medical, Bangor
- Fostering Financial Education in Maine Schools Conference, Augusta
- Hancock and Washington Counties Insurance Professionals Annual Meeting, Trenton
- BOI Long-Term Care Forum, Augusta*
- Elder Abuse Summit, Augusta
- Aroostook Area Agency on Aging - Aging Well Living Well, Presque Isle
- Seniors Plus Volunteer Training, Lewiston
- Senior Expo, Bangor
- MeRTEC Symposium, Portland
- Senior Spectrum Volunteer Training, Augusta
- Maine Association of Retirees Annual Meeting, Augusta
- UNE Geriatrics Conference, Bar Harbor
- Patriots Insurance Education Breakfast meeting, Yarmouth
- Senior Spectrum – Healthy Aging Expo, Hallowell
- Southern Maine Area Agency on Aging Volunteer Training, Scarborough
- Potato Blossom Festival, Presque Isle
- Mollyockett Day, Bethel
- Winter Harbor Lobsterfest, Winter Harbor
- Wild Blueberry Festival, Machias
- Charted Property & Casualty Underwriters Breakfast Meeting, Portland
- Summit on Aging, Augusta
- Senior Expo, Ellsworth
- Common Ground Country Fair, Unity
- Health Care For Maine (HC4ME) Conference, Augusta
- Seniors Plus - Aging Well Living Well Expo, Newry
- Senior Spectrum/People Plus - Senior Expo, Brunswick
- Guaranty Fund Management Services Annual Meeting, Cape Elizabeth
- State Farm Biannual Agent Training, Portland
- Maine Primary Care Association Conference, Bar Harbor
- Lincoln County TRIAD Senior Appreciation Day, Bar Harbor
- USM Law School Legislation and Administration class, Portland
- Annual Infectious Diseases Conference, Augusta
- American Association of Healthcare Administrative Management Conference, Augusta
- American Automobile Association media event, Portland
- Maine Health Underwriters Conference, Portland
- UMaine Cooperative Extension Farmer’s Financial Workshop, Falmouth
- Maine Association of Health Plans Annual Retreat, Portland

*The Bureau held a public Long-Term Care Insurance (LTCi) Forum on May 9, 2016 in Augusta, which was streamed live over the internet. The forum featured Bureau presentations about the rate review process, Maine’s LTCi Partnership Program and new claims processing requirements that protect consumers. Consumers submitted written and in-person comments about their experiences as policyholders. Individuals representing the insurance industry, MaineCare, and consumer advocate organizations presented their views on the challenges presented by the long-term care situation in Maine. Forum presentations and video can be found at [www.maine.gov/insurance/consumer/individuals_families/longterm_care/index.html](http://www.maine.gov/insurance/consumer/individuals_families/longterm_care/index.html)*
APPENDIX B – PUBLICATIONS AND ONLINE TOOLS

The Bureau publishes reports on a variety of insurance topics, as required by statute or upon request by members of the Legislature. These are available on the Bureau’s website.

To help educate the public on insurance matters that can affect their daily lives, the Bureau publishes, distributes, and posts a number of consumer brochures and online tools in multiple formats.

Reports and publications can be found at www.maine.gov/pfr/insurance/publications_reports/index.html.

The Bureau’s publications and online tools include:

Health Insurance
- Disability Insurance Guide
- External Review Guide: When Your Health Insurance Carrier Denies Benefits for Health Care Services
- External Review Summary
- Health, Disability and Long-Term Care Insurance Complaint Comparison
- Health Insurance Appeals Process Guide
- Health Insurance Tips
- Health Savings Accounts (HSAs) link to information from the US Department of the Treasury
- A Consumer’s Guide to Individual Health Insurance in Maine (and Important Renewal Information)
- Ten Things You Should Know Before Buying Cancer Insurance (Español)
- Long Term Care Insurance and Maine’s Long Term Care Partnership Program, A Consumer’s Guide
- Long Term Care (LTC) Insurance - Maine Tax Qualified and Tax Certified Policies (Internet only)
- Long Term Care Partnership Program Approved Policies
- Long Term Care Policies Certified for Income Tax Purposes in Tax Years Ending 12/31/1999
- Long Term Care Policies Certified for Income Tax Incentives in Tax Years Beginning 1/1/2002
- Long Term Care Shopper’s Guide (NAIC publication)
- Mandated Health Insurance Benefits, History of
- Market snapshot - comparison of individual medical insurers in Maine
- Market snapshot - comparison of small group health insurers in Maine
- Are You Eligible for or Do You Have Medicare? (Aggressive Sales Practices)
- Understanding Medicare Enrollment Periods link to Dept. of Health and Human Services
- Choosing a Medigap Policy link to Medicare publication
- Ten Things You Should Know About Buying a Medigap Policy (Español)
- A Consumer’s Guide to Small Business Health Insurance Plans Offered in Maine
- What Should I look For When I Buy Health Insurance?
Life Insurance Brochures
Life Insurance Information for Military Personnel
Ten Things You Should Know Before Purchasing Life Insurance (Español)
Ten Things You Should Know About Buying Annuities (Español)
What you Should Know about Viatical and Life Settlements
Life Settlement Brochure For producers
Alternative Life Settlement Brochure For producers

Workers' Compensation Brochures
Workers' Compensation Insurance in Maine, An Employers' Guide to
Opting Out: A Workers' Compensation Insurance Summary for Executive Officers of Corporations

Auto Insurance Brochures
Auto Insurance, A Consumer's Guide
Auto Insurance, Making the Claims Process Easier
Cancellation or Nonrenewal of Personal Automobile and Property Insurance
Credit Information - Understanding How Insurers Use
Personal Auto Insurance Complaint Comparison
Youthful Drivers Guide
Maine Driving Dynamics
Ten Things You Should Know About Buying Auto Insurance
Policy Forms Used by the 10 Largest Auto Insurance Groups in Maine

Homeowners/Renters Brochures
Cancellation or Nonrenewal of Personal Automobile and Property Insurance
A Homeowner's Insurance Guide to Natural Disasters link to Federal Alliance for Safe Homes
Credit Information - Understanding How Insurers Use
Child Care Liability, Consumer Guide to
Homeowner Insurance Complaint Comparison
Homeowners' Insurance, A Consumer's Guide
Homeowners Insurance, Making the Claims Process Easier
Homeowners' Inventory Checklist
From Homeowner to Renter
Insuring Your Home Business
Ten Things You Should Know About Purchasing Home Insurance
Policy Forms Used by the 10 Largest Homeowners Insurance Groups in Maine

Other Brochures
Insuring Your Farm-The Basics of Property & Liability Coverage
Insuring Your Business-The Basics of Property & Liability Coverage
NAIC Get Smart About Insurance
NAIC "Fight Fake Insurance"
Pet Insurance
Consumer Tools

- File a complaint
- Glossary of terms
- Cancellation/Nonrenewal Hearing Notices
- Helpful links
- Affordable Care Act Rate and Form Filings/Rate Hearings
- Individual Health Insurance Rate Calculator
- Online and printable information on
  - property/casualty insurance
  - health/life insurance

Employer Tools

- Rural Medical Access Program
- Online and printable information on
  - workers’ compensation
  - commercial/professional liability
  - health insurance

Industry Tools

- Physician Tiering Program Reporting
- Online Data Reporting System
- Company forms and information
- Producer and Business Entity forms and information
- Cancellation/Nonrenewal Hearing Notices
- Request for proposal
- Domestic Insurance Company Annual Statement