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Spring Webinar Series 2025

Mix and Match

Presented by: Becky McElduff

May 21, 2025

What is Mix and Match?

- Mix and match is a nickname for the issuing of State product forms in combination with Compact product forms and vice-versa
- Examples:
 - State annuity contract + Compact application
 - Compact life insurance policy + State rider

What is the Purpose of Mix and Match?

- Mix and Match was created to accommodate:
 - Initial pace of Uniform Standards development; and
 - Considerations involved with company's product development cycle—"turning a tall ship"

What is the Purpose of Mix and Match?

- Underlying regulatory assumption is filers will use full extent of available Uniform Standards to reap full benefit of using the Compact

“If the product component being filed with the state insurance departments is within the scope of an applicable Uniform Standard, it should be filed with the Insurance Compact rather than split between the Insurance Compact and the state insurance department through Mix and Match.” 9/23/13 Weekly Tip

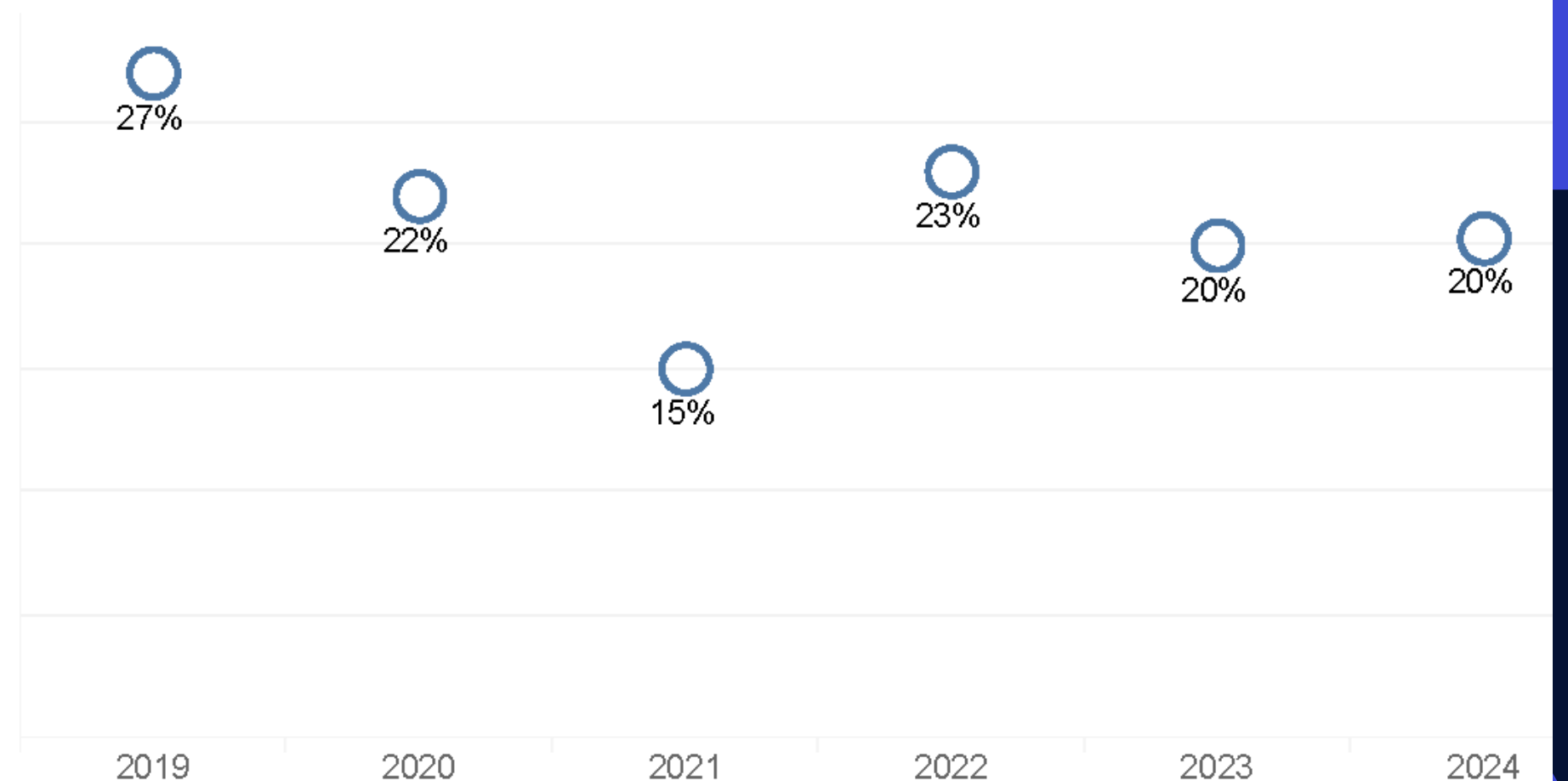
Mix and Match Framework

- The use of riders providing stand-alone benefits speaks to the intended purpose of Mix and Match
 - For example, accelerated death benefit for annuity rider as State Product Component because there is no Uniform Standard for the rider benefit to be issued with Compact-approved annuity contract
- Another good example is when a state first joins the Compact, may need to use State Product Components with Compact filings while rolling out Compact-approved portfolio

What is the Purpose of Mix and Match?

- Seeing a downward trend in the use of mix and match
- 2024 was 20% of submissions
- 213/1050 filings filed and approved in 2024 use mix and match

Mix & Match Percentage



Mix and Match Framework

- Compact Product Component issued in combination with State Product Component
- “Product Component” is defined in the rule as application, policy, rider, amendment, endorsement, form required to be used with an application, outline of coverage, advertisement, and rate schedule

Mix and Match Framework

Established in §111 of the Compact's Product Filing Rule

§ 111. State Filings.

- (a) Nothing in this Rule shall be construed to restrict or otherwise prevent an Insurer from filing its Products, Rates or Advertisements with the insurance department in any Compacting State wherein the Insurer is licensed to conduct the business of insurance and, in such case, the filing shall be subject to the laws of the State where filed. Nothing herein shall be construed to preclude or limit the enforcement of any laws of a Compacting State regarding the filing, approval or use of State Product Components.
- (b) (1) Any Commission Product Component, approved before or after the effective date of this amended Rule, may be used with any State Product Component, subject to the requirements of paragraph (b)(2) of this section and the restrictions contained in paragraphs (b)(3), (4), and (5) of this section.

Submission Requirements for Mix and Match

(2) With respect to any combination use of a Commission Product Component with a State Product Component that is offered or sold in a Compacting State wherein the Insurer is licensed to conduct the business of insurance, the Insurer may offer or sell such combined Product Components **provided that the Insurer includes in its filing of a Commission Product Component both of the following:**

- (i) **a statement of intent to** use one or more State Product Components with a Commission Product Component, which identifies the Compacting State(s) wherein the combined Product Components will be offered or sold, and which sufficiently identifies for each of such Compacting State(s) the State Product Component(s) that will be used with the Commission Product Component. At the request of a Compacting State described in the previous sentence, an Insurer shall promptly provide the Compacting State with copies of the State Product Components identified with respect to such Compacting State. Such Compacting State may make a standing request with an Insurer for such copies, in which case the Insurer shall provide the copies as to all future Product Filings that involve combined Product Components that will be offered or sold in such Compacting State; and
- (ii) **a certification** that the combination of a Commission Product Component and a State Product Component does not contain inconsistent, ambiguous, unfair, inequitable or misleading clauses, or exceptions or conditions that unreasonably affect the risk purported to be assumed. This certification shall not give **rise to** any presumption that the combination of Product Components, in fact, meets this standard for purposes of any action by the Commissioner of a Compacting State to prohibit the combined use of a Commission Product Component with a State Product Component pursuant to paragraph (b)(3) of this section.

Mix and Match Framework

- Mix and match restrictions in Section 111:
 - Company must certify the “Combination of components cannot contain or result in inconsistent, ambiguous, unfair, inequitable or misleading clauses, or exceptions or conditions that unreasonably affect the risk purported to be assumed.” Paragraph (b)(3)
 - Applicable Uniform Standards must permit mix and match. Paragraph (b)(4)
 - State Product Component must be in a product line subject to the jurisdiction of the Compact. Paragraph (b)(5)

Mix and Match Framework

- Company must identify State Product Components being mixed and match in Statement of Intent tab of Compact filing
 - Hint: **State**ment of Intent is for **State** forms
- Contrast with “associated filing,” the SERFF feature that links filings containing previously approved Compact forms being used with, or replaced by, new Compact forms filed for review

Reverse Mix and Match

- Reverse mix and match is determined by timing of state filing or approval
- State forms filed at same time or after Compact filing are considered reverse mix and match
- This sequence brings more scrutiny from states, especially if the state form will only be used with the Compact product
- Regardless of sequence of filing, same guidelines and process apply
- State Product Component must be available for use, approved or otherwise, before it can be listed on the Statement of Intent



Questions?

Mix and Match Framework

- Each Uniform Standard specifies on the first full page if it can be used for mix and match

increase at a specified age) and plans providing return or premium benefits (intermediate period endowment benefits).

Mix and Match: These standards are available to be used in combination with State Product Components as described in § 111(b) of the Operating Procedure for the Filing and Approval of Product Filings.

Self-Certification: These standards are not available to be filed on a self-certification basis in accordance with the Rule for the Self-Certification of Products Filed with the Interstate Insurance

Mix and Match by Product Line

Permitted

- All individual life and annuity
- LTC rider/rates with State life or annuity product
- DI rider/rates with State life or annuity
- Group policyholder application with State group term and whole life, group DI or group annuity product in its entirety

Not Permitted

- Mortality Table Change Form for life products
- Most components of LTC products
- Most components of individual DI products other than application
- Group policies / contracts and certificates

Guidelines in Addition to Permissibility

Mix and match should not be used to:

- Alter or change values or nonforfeiture requirements in state-approved forms
- Cherry pick to bypass provision within a Uniform Standard (e.g. surrender charge limit)
- Mix parts of a form (e.g. application parts, specifications pages for base form)

Mix and Match Guidelines in Depth

Compact forms cannot alter or change values or nonforfeiture requirements in state-approved forms

- Example: State annuity contract to be used with a Compact rider that changes fixed bonus rate and remove a policy charge
- Not appropriate to mix and match because rider changes values within contract. Even though changes are beneficial to owner, not appropriate for mix and match. Okay for rider to be used with Compact-approved contracts

State Role in Mix and Match

- States review SOI schedule and follow up with companies about state components or corrections to identifying information
 - States should ask company if State Product Component newly filed with state is within scope of existing Uniform Standard. If so, why was it not filed with the Compact?
 - States should consult with Compact if company asserts State Product Component was not eligible to file with Compact. Outside of scope, or did company not wish to comply with a Uniform Standards requirement?

State Role in Mix and Match

- States can reject mix and match under the fairness criteria, instead requiring state filing of Commission Product Components
 - Example: State Component is filed before Commission Component is approved
 - Example: State requires application to be filed with product; company wishes to have a master Compact application and not file under multiple state types of insurance



Questions?

Mix and Match in SERFF

- Companies are required to complete the Statement of Intent tab as thoroughly as possible
- Companies are advised:
 - Minimize use of “Not Available”
 - Date legally implemented is approval date or launch date
 - OR and MT require specificity on all SOIs

IC25-00199 + RiverSource Lif...

UPDATE

EDIT FILING ASSIGNEES

EDIT LABELS

⋮ ▾

General Information

Filing Documents

Companies & States

Filing Fees

Statement of Intent

Filing Review

Pending Changes

Filing Notes

Public Access

Dispositions

Associated Filings

VIEW AMENDMENT HISTORY

Statement of Intent Items

State

Form Number

Regulatory Method

Date Legally Implemented

Document Name

Select ▾

Type Form Number

Select ▾

Select ▾

Type Document Name

CLEAR ALL

State	Form Number	Document Name / Description	Regulatory Method	Date Legally Implemented	Tracking Number	Comments
Montana	116520	Individual Life and Disability Income Insurance Application	Approved	1/19/2021	Serff Tracking Number: AEMN-132572476	N/A
Montana	117916	Insurance Application Amendment	Approved	2/22/2024	Serff Tracking Number: AEMN-133849278	N/A
Montana	117918	Insurance Application Amendment Supplement - Part II	Approved	2/22/2024	Serff Tracking Number: AEMN-133849278	N/A
Montana	131244	Electronic Signature form	Approved	2/21/2012	Serff Tracking Number: AEMN-127296720	N/A
Montana	133081	Insurance Application Supplement – Part Two	Approved	7/21/2010	Serff Tracking Number: AEMN-126410405	N/A
North Dakota	115206	Individual Life and Disability Income Insurance Application	Approved	11/24/2020	Serff Tracking Number: AEMN-132572477	N/A

Viewing SOI Data

- Compact has standards for the state components
- Notice age of some state components
 - Older components raise concern about current compliance
- Combinations do not run afoul of current mix and match guidelines
- A state would allow same type of combinations within state filing framework—new policy filed for use with older riders and endorsements

General Information Form Schedule Rate/Rule Schedule Supporting Documentation Statement of Intent Companies and Contact Filing Fees Filing Correspondence						
The statement of intent schedule has been marked public access.						
SOI Schedule Required: Yes						
Filing Type: * Initial Filing						
Attachments: * Statement of Intent LP232 6.8.17.pdf						
State Product Components						
	State *	Form Number *	Tracking Number *	Regulatory Method *	Date Legally Implemented *	Document Name/Description *
	Alabama	LR 88 (Rev. 02-12)	PEKN-130988861	Approved	04/26/2017	Guaranteed Insurability Benefit Rider
	Alabama	LR 98 (Rev. 4-10)	PEKN-130988936	Approved	04/19/2017	Accelerated Benefit Rider
	Alabama	LR19 (2-82)	PEKN-130988861	Approved	04/26/2017	Children's Term Insurance Benefit Provisi
	Alabama	LR24 (Rev. 2-82)	PEKN-130988861	Approved	04/26/2017	Aviation Exclusion Provision
	Alabama	LR50 AL (4-17)	PEKN-130988861	Approved	04/26/2017	Benefit in Case of Accidental Death
	Alabama	LR51 (Rev. 11-83)	PEKN-130988861	Approved	04/26/2017	To Waive Premiums in Case of Total Disab
	Arizona	LA 129 AZ (Rev. 12-16)	PEKN-130786279	Approved	01/27/2017	Application for Individual Life Insurance
	Arizona	LA 149 AZ(11-16)	PEKN-130786279	Approved	01/27/2017	APPLICATION FOR LIFE INSURANCE
	Arizona	LR 88 (Rev. 02-12)	PEKN-127683788	Approved	11/21/2011	Guaranteed Insurability Benefit Rider
	Arizona	LR 98 (Rev. 4-10)	PEKN-127060868	Approved	03/14/2011	Accelerated Benefit Rider
	Arizona	LR19 (2-82)	PEKN-127049152	Exempt	03/01/2011	Children's Term Insurance Benefit Provisi

Mix and Match Process

- Compact reviews for completion of the information on the SOI
 - Required certification omitted
 - Certification not signed
 - Including ICC forms on SOI rather than Associated Filings
 - Potential issues in nature of SOI forms
- Extraneous forms: State product components should not include disclosure forms outside of contract

“Ancillary forms that are used with the State Product Component—such as separate point-of-sale notice and disclosure forms—should not be listed on the SOI Schedule.” 2/20/15 Weekly Tip

What's Next for Mix and Match

2023 Rulemaking Committee survey results:

- More rules around appropriate-ness of mix and match in specific scenarios
- Proactive reporting to regulators
- More filer instructions on using M&M for new and previously approved filings
- Streamlining SOI entries via SERFF Modernization

2024: Began Member State Life monthly communications including state questions about mix and match

2025 Workplan: Recommend changes to improve the process and further minimize the need for Mix and Match



Questions?

CONTACT THE INSURANCE COMPACT

Email Address

Comments@insurancecompact.org

Phone Number

(202) 471-3962

Website

www.insurancecompact.org

