

May 26, 2026

Interstate Insurance Product Regulation Commission
1101 K Street, NW
Suite 650
Washington, DC 20001

RE: Proposed Operating Procedures for Intermediate Review

Members of the Management Committee:

The American Council of Life Insurers (ACLI) appreciates this opportunity to comment on the Compact's proposed *Operating Procedures for the Intermediate Review of the Application of Uniform Standards or Operating Procedures during the Review of a Product Filing Submission*.

We have several concerns with various aspects of the proposed Intermediate Review Process, particularly the implications of Section 105 (b) which could have significant effects on carriers. Our primary concern relates to the potential business disruption that could arise if carriers are required to make changes to existing approved products as a result of this process. We are also wondering whether this process could jeopardize the validity of contracts already issued and potentially subject carriers to additional risks. These implications could have significant consequences for carriers, and we feel it's important to raise them early in the discussion.

Our concerns are as follows:

- **Section 103(b)(2) – Practical Implementation of the “Complete Filing” Requirement**
From a practical standpoint, it is unclear how the requirement to provide a “complete copy of the product filing” will operate given that a filing often evolves throughout the review process. Clarification would be helpful regarding how filers are expected to maintain and submit an updated “complete” version on an ongoing basis. While the inclusion of correspondence occurring outside of SERFF is understandable, information housed within SERFF should already be readily accessible to the Compact Office. It is not evident why a separate, complete copy of the filing is necessary. Additionally, the language refers specifically to a “complete copy of the product filing,” which raises the question of whether this process is intended to apply exclusively to product filings, as opposed to applications or other types of filings submitted to the Compact.
- **Section 103(b)(3) – Submission of Applicable Uniform Standards**
This subsection requires the carrier to provide a copy of the relevant Uniform Standards or Operating Procedures. It is unclear why this is necessary, as the Compact Office and Member

Review Board presumably already have access to and familiarity with these materials. Clarification as to the purpose or intended use of this requirement would be helpful.

- **Section 103(c) – Submission Method and File Management**

The cumulative size of the materials required to be submitted could become unmanageable, particularly if complete filings and extensive correspondence are required. Consideration should be given to whether links to documents may be provided in lieu of full copies, or whether submissions could be made through a dedicated portal rather than by email. Additionally, development of a standardized template for the Request for Intermediate Review could improve efficiency and consistency for both industry participants and regulators.

- **Section 103(d) – Discretionary Nature of Review Board Decisions**

The discretionary authority of the Member Review Board to recommend or decline an Intermediate Review would benefit from additional transparency. Without any articulated criteria, examples, or guardrails, carriers may be unable to meaningfully assess whether submitting a Request for Intermediate Review is likely to be productive. Providing non-binding examples or illustrative factors could help conserve both industry and regulatory resources and reduce inefficient or unnecessary submissions.

- **Section 103(k) – Timing and Distribution of the Report**

Clarification is requested regarding whether the distribution of the Report under this subsection occurs concurrently with the ten-business-day review period described in Section 103(j), or only upon expiration of that period. In addition, it is recommended that the Report be provided to the Requestor at this stage. In some cases, the Requestor may be a carrier represented by the Industry Advisory Committee, which further supports providing the Report directly to the Requestor when it is distributed.

- **Section 103(l) – Ability to Withdraw the Request**

It is unclear whether the Requestor has the option to forgo this step if it is satisfied with the Report. As drafted, this provision could extend an “Agreed Written Extension” to 75 days or more, even where the Requestor may prefer to proceed with the filing. The procedure should expressly permit the Requestor to withdraw its Request for Intermediate Review at any time. There may be valid business or strategic reasons for doing so, and it would be reasonable to allow withdrawal even if the associated fee is forfeited.

- **Section 105(b) – Impact on Previously Approved Filings**

This provision raises several significant concerns:

- It is unclear whether this language could introduce litigation or regulatory risk for previously approved products and policies already issued, potentially creating a de facto “class” of impacted filings.
- The provision appears to allow one filer’s Request for Intermediate Review to adversely affect other carriers’ existing books of business, raising concerns about unintended competitive or arbitrage impacts.
- The requirement for filers to “update their products” is ambiguous. Clarification is needed regarding whether this applies to in-force policies. At a minimum, any such provision should

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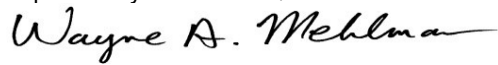
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expressly exclude in-force business and should incorporate reasonable minimum timeframes to allow carriers adequate time to implement updates, if required.

- Given these concerns, it is recommended that implementation be limited to Section 105(c), thereby ensuring that material changes to Uniform Standards or Operating Procedures occur through the formal rulemaking process.

Thanks again for this opportunity to comment, and we look forward to working with you on this issue going forward. If you have any questions, please feel free to contact me.

Respectfully submitted,



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