

Product Standards Committee (PSC)
Public Call
May 12, 2026

Agenda item 2. Review comments on the amendment to the Rate Filing Standards For Individual Long-Term Care Insurance, § 1. Criteria For Review For All Rate Filings

Andria Seip said that the Management Committee asked the PSC to draft amendments to address Colorado's request to address a statutory conflict that exists with the Uniform Standards with respect to the use of gender as a rating characteristic given Colorado's unique situation with a binding Supreme Court opinion from 2020. The Management Committee and Commission will separately discuss and determine whether to put an amendment in place. The discussion on the public call is limited to the PSC draft.

There was one written comment. Andria Seip requested ACLI present the written comments from their letter of May 7, 2026. The ACLI representative said the ACLI would ask the Management Committee to reject the Colorado proposal in order to preserve the uniformity of the Compact standards. If the Management Committee decides to amend the standard, the ACLI proposed to revise the PSC draft language as follows:

(7) The use of gender as a rating characteristic for premium schedules is permitted unless prohibited by ~~[applicable statute]~~ a binding court ruling or opinion that is based on the state constitution in the state where the policy is delivered or issued for delivery.

Drafting Note: The Interstate Insurance Product Regulation Commission will maintain a comprehensive listing of states ~~[statutes]~~ that, as a matter of state constitutional law, prohibit use of gender as a rating characteristic for premium schedules, based on ~~[information]~~ binding court rulings or opinions reported by Member States.

Andria Seip requested oral comments. There were three general comments about the Colorado request. There were no comments regarding the content of the draft amendment.

Agenda item 3. Any Other Matters

There were no other matters. The next call will be a regulator-only call on May 19, 2026.