



October 21, 2025

National Association of Benefits and Insurance Professionals (NABIP)
999 E Street NW, Suite 400
Washington, DC 20004

National Association of Insurance Commissioners (NAIC)
1101 K St. N.W., Suite 650
Washington, DC 20005

RE: Protecting Consumer Access and Fair Competition: NABIP Recommendation on Medicare and ACA Carrier Commission Practices

Dear NAIC Leadership and State Insurance Commissioners:

On behalf of the National Association of Benefits and Insurance Professionals (NABIP), I am submitting this letter to urge coordinated state review of carrier practices in the Medicare Advantage, Part D Prescription Drug, Medicare Supplement, and ACA markets that mirror the unfair trade practices identified by the Idaho Department of Insurance in [Bulletin No. 25-06](#) (October 15, 2025).

These practices have been reported in nearly every state across the country and include:

- Implementing “zero-commission” or substantially reduced commission structures on select Medicare and ACA products;
- Removing or restricting access to plan applications for appointed agents;
- Changing commission schedules without adequate advance notice; and
- Intentionally discouraging or disincentivizing the marketing of certain plans to drive sales towards products that carriers financially prefer.

Such actions undermine fair competition, manipulate the market, restrict consumer access, and erode the essential role that licensed independent producers play in helping Americans navigate increasingly complex Medicare and ACA Marketplace plan options.

The Idaho Department of Insurance has already established important regulatory clarity for the Medicare program by confirming that:



- Carriers must make applications readily accessible to both consumers and appointed producers across all print and digital mediums (as had been made available until recently);
- Mid-plan year commission changes are prohibited, similar to product changes post rate-filing; and
- If commissions are built into a filed product, they must be paid as filed.

NABIP urges state insurance commissioners to:

1. Review and investigate carrier practices that implement “zero-commission” or restrictive compensation structures on Medicare or ACA-related products;
2. Evaluate consistency with existing state unfair trade practice statutes and producer compensation regulations;
3. Consider adopting guidance or bulletins similar to Idaho Bulletin No. 25-06 to preserve market fairness and protect consumer access; and
4. Coordinate enforcement and data collection to ensure consistent oversight of carrier behavior across state lines.

Independent agents are critical to consumer protection, particularly for older Americans and Americans with disabilities who depend on impartial, regulated professionals to make informed coverage decisions. When compensation manipulation or access restrictions occur, consumers lose transparency, choice, and support.

NABIP stands ready to assist the NAIC and its member regulators by providing documentation, examples, and testimony from licensed producers who have experienced these practices. Thank you for your continued leadership in protecting consumers and ensuring fair market practices across the nation’s Medicare and ACA insurance landscape.



Sincerely,

Michael Andel
Senior Vice President of Government Affairs
National Association of Benefits and Insurance Professionals