



The State of New Hampshire Insurance Department

21 South Fruit Street, Suite 14
Concord, NH 03301

David J. Bettencourt
Commissioner

Keith E. Nyhan
Deputy Commissioner

September 12, 2025

Dear Licensed Producer,

On behalf of the Department, I want to express my sincere thanks for the outreach we have received from many of you regarding upcoming changes in the Medicare Advantage (MA) market.

Your early communication has been invaluable. It alerts us to developments as they unfold, but moreover, it underscores the crucial role you play in helping Granite Staters secure and maintain the coverage they need. Producers remain on the front lines when seniors face difficult choices, and the Department is deeply appreciative of your commitment to guiding consumers through these difficult transitions.

Recent Experience and Anticipated Changes:

Last fall New Hampshire experienced the first wave of this national trend when several carriers reduced availability or withdrew entirely from our MA market. More than 44,000 seniors, *over half of the state's Medicare Advantage population*, were affected. Not surprisingly, many turned to you, to their elected officials, and to the Department for guidance and reassurance.

This year, we have taken additional steps to prepare for further disruption. The drivers are national in scope: rising healthcare costs, reductions in federal payments, and new federal regulatory requirements implemented over the past few years. These pressures are leading insurers across the country to reduce benefits, narrow provider networks, or withdraw from certain markets.

At present, this remains a competitive market by national standards. However, further changes are expected. Even when carriers do not exit entirely, enrollees will likely encounter reduced benefits or narrower networks as insurers concentrate resources where their provider relationships and financial performance are strongest.

Looking ahead, we are aware, thanks in no small part to the insight many of you have shared, that additional carrier withdrawals and further reductions of plan offerings are anticipated for 2026. Unfortunately, some carriers that have communicated their intentions to us have done so confidentially, which legally prevents us from engaging in expansive or specific public outreach at this stage. That said, confidentiality is not an excuse for inaction. The Department remains actively engaged in communication with policymakers, stakeholders, and consumers, and we will continue to provide as much information as we are able in the months ahead.

Strengthened State Oversight:

While plan design and pricing remain federally regulated, the Legislature and Governor Ayotte enacted legislation last session, supported by the Department, that strengthens state oversight of Medicare Advantage withdrawals and plan changes beginning in 2026. This new requirement provides advance notice and detailed reporting enhances transparency and adds a layer of consumer protection in a market that has too often lacked both.

What We Are Telling Consumers:

To promote consistency, we would like to make you aware of the guidance the Department is sharing with impacted enrollees. We are encouraging them to act promptly but carefully during their Special Enrollment Period, to use Medicare's Plan Finder tool to compare benefits, providers, and prescription coverage, and to fully understand their option to return to Original Medicare. For those who do, we are advising that they may select a standalone Part D plan and, in most cases, exercise their guaranteed issue right to purchase a Medicare Supplement policy without underwriting.

Producer Concerns and Compensation:

We also recognize the concerns many of you have raised regarding compensation in a market undergoing such volatility. While the Department does not have the authority to compel Medicare Advantage or Medicare Supplement carriers to adjust commission structures, we have initiated internal discussions, prompted by your feedback, about possible avenues and guidance for supporting both consumers and producers.

It is worth noting that New Hampshire law does not prohibit producers from charging fees for certain concierge-style services, provided those fees are

transparent and compliant with all applicable requirements. At the same time, producers cannot charge additional fees for services already compensated through commissions. We will be providing additional guidance in the very near future.

Closing:

The Department recognizes the challenges these changes may create for both consumers and producers. We are committed to ensuring that New Hampshire's producer community is supported as you guide seniors through difficult decisions and market shifts. Your insight and collaboration strengthen our ability to respond effectively, and your role as trusted advisors is central to protecting consumers during this period of transition.

Finally, I would like to extend particular thanks to the New Hampshire Association of Insurance Agents for its steadfast partnership and assistance to both the Department and consumers. Their support, coupled with your daily efforts in the field, ensures that Granite Staters continue to receive the clear information, professional guidance, and timely support they deserve.

Thank you again for your vigilance, your feedback, and your service to the people of New Hampshire.

Sincerely,

A handwritten signature in blue ink, appearing to read "D.J. Bettencourt". The signature is fluid and cursive, with the first name "D.J." and the last name "Bettencourt" clearly distinguishable.

D.J. Bettencourt
Commissioner