



October 31, 2025

Commissioner D.J. Bettencourt
New Hampshire Insurance Department
Suite 14
21 South Fruit St.
Concord, NH 03301

Re: Request for Regulatory Review of Carrier Commission Practices and Potential Violations of RSA § 417:1 et seq.

Dear Commissioner Bettencourt,

On behalf of the Professional Insurance Agents of New Hampshire Inc., we write to express concern regarding recent practices by certain insurance carriers that may constitute unfair methods of competition and deceptive acts under the New Hampshire Unfair Insurance Trade Practices Act (RSA § 417:1 et seq.).

PIANH has received reports that some carriers are reducing or eliminating producer compensation—particularly commissions—on health insurance products marketed to Medicare-eligible consumers. These changes often are implemented mid-year, without prior notice, and appear to discourage producers from marketing or selling the affected products. Such practices may result in reduced consumer access to licensed insurance professionals and diminished transparency in the marketplace.

Legal basis for regulatory action

RSA § 417:12 authorizes the Department to initiate proceedings against any act or practice not defined in statute if it is believed to be unfair or deceptive. Upon notice and hearing, the Commissioner may issue a cease-and-desist order if the practice is found to violate the Act.

PIANH believes that the commission-cutting practices described above—particularly when they result in reduced access to filed products or disincentivize producers from assisting consumers—may meet the threshold for investigation under this framework.

Impact on New Hampshire consumers and the marketplace. New Hampshire's senior population continues to grow, and many rely on licensed insurance producers to help them understand coverage options, avoid enrollment errors, and navigate claims and appeals. When carriers reduce or eliminate compensation without transparency or justification, producers are effectively removed from the distribution channel. This disproportionately affects vulnerable populations, including individuals with limited digital literacy, language barriers, or complex health care needs.

Moreover, if compensation was built into the rate development of a filed product, its removal mid-year may constitute a material change that undermines the integrity of the filing process and the competitive balance of the market.

Request for action

PIANH respectfully urges the Department to:

1. Investigate whether recent carrier practices regarding producer compensation violate RSA § 417:1 et seq.
2. Issue guidance or a bulletin clarifying the Department's position on mid-year commission changes and producer access to filed products.
3. Require transparency in carrier compensation policies, including advance notice of changes and justification where compensation is removed or reduced.

We appreciate the Department's continued commitment to consumer protection and fair competition in the insurance marketplace. PIANH stands ready to provide additional information or participate in any stakeholder discussions the Department may convene on this issue.

Sincerely,

A handwritten signature in dark ink, appearing to read "Casey L. Hadlock". The signature is fluid and cursive, with a large, stylized "C" and "H".

CASEY HADLOCK
President, Professional Insurance Agents of New Hampshire