

# Compliance Bulletin: Michigan Adopted Revised NAIC Suitability in Annuity Transactions (Best Interest)

Effective June 29, 2021

The National Association of Insurance Commissioners (“NAIC”) has made changes to its Model Regulation #275, Suitability in Annuity Transactions (“NAIC Best Interest Rule”), which adds a best interest standard of care for the solicitation, recommendation and issuance of annuity contracts. The revised model is aligned more closely with the SEC’s new Regulation Best Interest (“SEC Reg BI”), which applies to sales of variable annuity products.

This bulletin discusses obligations for fixed and index annuity transactions under the NAIC Best Interest Rule. The new Best Interest training will be required with all annuity transactions in states where the new regulation has been adopted. For more information on your obligations under the NAIC Best Interest Rule, please refer to the [Producer Sales Practices Manual](#), Section IV, Standard of Care.

Michigan has adopted the new NAIC Best Interest Rule and will start requiring compliance soon. Other states are in the process of adopting the rule for implementation later in 2021. The information below outlines the changes to our application submission process in order to comply with this new rule.

## Requirements in Michigan as of June 29, 2021

**Best Interest Training:** In accordance with the timelines outlined in the bullets below, you must take all trainings required under the NAIC Best Interest Rule on or before the application signed date:

- 1) Applicable AIG product training, and
- 2) NAIC Best Interest Rule training
  - For agents licensed prior to June 29, 2021, and who have already completed the prior Model’s 4-hour general annuity training, those agents must complete a **1-hour standalone best interest** training course by the effective date of the NAIC Best Interest Rule or the **4-hour best interest/general annuity** training.
  - For agents licensed on and after June 29, 2021, a **4-hour best interest/general annuity** training will be required.

**If training is not completed according to the timelines noted above, a new application** (or a re-signed and re-dated application signed by both the agent and applicant) will need to be submitted with a sign date after the training has been completed.

Please follow the directions of your agency on where to take training, but be aware that AIG works with the following vendors: **RegEd, Success CE, Quest CE, and Kaplan.** **Currently, not all vendors have course details available. Please contact the vendor(s) directly to obtain course information and follow the vendor’s instructions to complete only approved courses for Best Interest credit.**

Vendor	4 Hour	1 Hour <i>for agents licensed prior to 6/29/21 who have completed the 4-hour general annuity training. This training is offered for a limited time.</i>
RegEd	Recommending Annuities Under the NAIC Best Interest Standard - 490	Recommending Annuities Under the New NAIC Best Interest Standard - 1 Hour - 491
Success CE	Regulation Best Interest – Annuity Regulations BI (No CE Credit)	Annuity Products – Best Interest Annuity Products BI (No CE Credit)
Quest CE	4 Hour Annuity & Best Interest Training Course No Course Details Available	Best Interest Standard Training Course No Course Details Available
Kaplan	Annuity Suitability and Best Interest Standard: 4-hour Training Course No Course Details Available	Best Interest Standard Training Course No Course Details Available

If you plan on taking training through a vendor not listed in the table, please notify us by emailing [AnnuityCompliance@aig.com](mailto:AnnuityCompliance@aig.com) and/or your agency to ensure that we will be able to receive information from the vendor regarding training completion.

**Product Disclosures:** You are required to inform the client of various features of the annuity and potential consequences of the recommended transaction. We have a number of resources available to assist in understanding our annuity products and conveying this information to clients. The following documents all provide information regarding our products:

- product training and client-approved marketing materials
- the Owner Acknowledgement and Disclosure Statement (fixed index and fixed annuities)

**New Insurance Agent Disclosure for Annuities (“Appendix A”) Form:** You must disclose the manner in which you are compensated, the types of products you are licensed to sell, and how many insurance companies you are authorized to sell for. AIG Annuities will make this form available for you to use. **This form is required for all sales that require the submission of AIG’s Client Profile Form.** If you would like to use your own version of this Insurance Agent Disclosure for Annuities form, it must be submitted to us for review and approval prior to use. The Insurance Agent Disclosure for Annuities form will be added as a requirement with Michigan applications, can be downloaded by logging in at [www.aig.com/Connex](http://www.aig.com/Connex) and searching for form number A1006D in Forms Depot.

**Suitability Supervision:** We have **updated the Client Profile Form** to comply with the new NAIC Best Interest Rule. The updates will be applied in all other states (except New York) and only the updated Client Profile Form will be accepted for sales with any applications. The updated Client Profile Form is designed to collect the additional suitability information required under the NAIC Best Interest Rule and must include a summary for the basis of the recommendation, and provide an enhanced explanation of the basis for a replacement transaction that compares the benefits of the two products.

The updated Client Profile Form is available on order entry systems and will be linked to the application. It will also be available by logging in at [www.aig.com/Connex](http://www.aig.com/Connex) and searching for form number A1005CP (for individually owned accounts), and A1005CPT (for trust owned accounts) in Forms Depot.

## Transition Rules

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Any applications signed in Michigan on or after June 29, 2021 must adhere to the requirements above or the application will be considered not in good order. This adherence includes use of the updated Client Profile Form and the Insurance Agent Disclosure for Annuities form, and completion of the required training as of or prior to the sign date.

## If You Have Questions

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If you need help obtaining a form or have questions about the AIG processes in place to ensure you are in compliance with the Best Interest Rule, please contact your agency to which you send your annuity business.

Annuities are issued by **American General Life Insurance Company (AGL)**, Houston, TX, except in New York, where they are issued by **The United States Life Insurance Company in the City of New York (US Life)**. Products may not be available in all states and may vary by state. AGL and US Life are members of American International Group, Inc. (AIG). All contract and optional benefit guarantees are backed by the claims-paying ability of the issuing insurance company and are not the obligation or responsibility of AIG. AGL and US Life are not authorized to give legal, tax or accounting advice. Please consult your attorney, accountant, or tax advisor on specific points of interest.

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