



May 11, 2026

**Via Email Submission to JMatthews@naic.org**

National Association of Insurance Commissioners  
Attn: NAIC Annuity Suitability Working Group  
1101 K Street, N.W.  
Suite 650  
Washington, DC 20005

**Re: Request for Input Regarding Insurer “Best” Practices or Procedures to Satisfy the Supervisory Obligations of Model Regulation #275**

Dear Members of the Annuity Suitability Working Group,

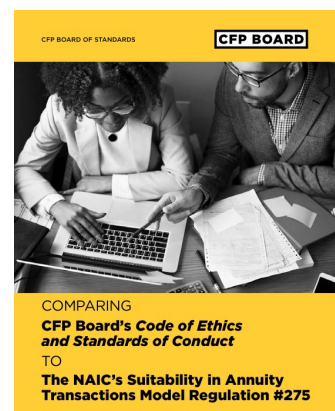
CFP Board appreciates the opportunity to submit this comment letter concerning the implementation of the National Association of Insurance Commissioners’ (NAIC) Suitability in Annuity Transactions Model Regulation (#275) (the Model Regulation).

CFP Board consists of two affiliated non-profit organizations, Certified Financial Planner Board of Standards, Inc. and Certified Financial Planner Board of Standards Center for Financial Planning, Inc. (collectively, “CFP Board”). CFP Board operates the CFP® certification program, which sets high standards of competency and ethics for financial planning in the United States. Today, more than 109,000 CFP® professionals (approximately one-third of retail financial professionals) voluntarily commit to CFP Board, as a part of their certification, to act as a fiduciary, and therefore, to act in the best interests of the client at all times when providing financial advice. CFP Board supports regulatory frameworks that provide real, substantive consumer protection—particularly for complex financial products such as annuities.

CFP Board published a comparison guide evaluating the Model Regulation against CFP Board’s *Code of Ethics and Standards of Conduct* (attached and linked [here](#)). As set forth in the guide, the Model Regulation is fundamentally flawed and does not provide a sound or effective model for regulating annuity recommendations.

Among other things, the Model Regulation:

- Does not require an insurance producer to act as a fiduciary and does not impose a clear, enforceable obligation to place the consumer’s best interests first.
- Excludes cash and non-cash compensation from the scope of material conflicts of interest. As a result, while the Model Regulation requires disclosure of how the producer is compensated, there is no requirement to identify and reasonably manage material conflicts of interest arising from fixed annuity sales



compensation, even though cash and non-cash compensation are among the most prevalent and significant conflicts of interest.

The Model Regulation is misaligned at a structural level with consumer-first principles. Therefore, the NAIC should not proceed with further implementation of the Model Regulation. That would reinforce an inadequate framework and risk entrenching standards that do not meaningfully protect consumers.

Instead, CFP Board urges the NAIC to pause and begin anew by developing a new model regulation from the ground up that provides genuine consumer protections—a model regulation that incorporates well-established fiduciary principles and considers compensation a material conflict of interest. In other words, the NAIC should design a new model regulation to ensure that annuity recommendations are made in the best interests of consumers in both form and substance.

Thank you for considering CFP Board's comments. Please feel free to contact me if you would like to discuss these views further.

Respectfully submitted,

A handwritten signature in blue ink that reads "Erin K. Koepfel". The signature is written in a cursive style with a large, looped "E" and a long, sweeping "l" at the end.

Erin Koepfel, J.D.  
Managing Director, Government Relations & Public Policy Counsel  
CFP Board  
1425 K Street, NW  
Suite 800  
Washington, DC 20005  
[ekoepfel@cfpboard.org](mailto:ekoepfel@cfpboard.org)