

Are they looking to offer a rebate to move to Nationwide Direct?

*No. Under current law, rebate programs require Director approval and detailed disclosure in the policy. This makes any rebate program prohibitively expensive. For example, Nationwide is a partner in the Plenti program (<https://www.plenti.com/partners>) which is a multi-company rewards program. Because there is no safe harbor in Oregon and because the DFR requires so much specificity to add such programs to the policy, Nationwide's Oregon members cannot participate in this program.*

What is meant by "safe harbor"? What lines will be included (except health insurance)? Commercial? Personal? Life? ....?

*Safe harbor is a monetary limit of \$100 for rebates in the form of prizes, goods, wares, merchandise, articles or property of an aggregate value per calendar year so insurers would not need to Director approval and policy disclosure of rebates under \$100. All lines except health would be included.*

*Other states allow a safe harbor for rebates. For example, Washington provides a \$100 safe harbor (RCW 48.30.150(1)(c)). The Idaho safe harbor is \$200 (Idaho Code 41-1314 (3)).*

Are they including only "rebates" that come directly from the insurer, comparable to dividends in a mutual company, or would rebates directly from agents also be included?

*We assume the language would allow for agents to also take advantage of the law. If agents do not want to be covered we could probably make that change to the bill.*

Would there be any provisions to assure non-discriminatory implementation?

*The current non-discriminatory provisions in law and rules would still apply.*

Would this make it easier for a company to move a policy from the agency to the direct side?

*No, as stated above the intent for creating a safe harbor for rebates, similar to other states, is for marketing. If an insurer independently reached out and offered customers under contract a rebate to switch to an exclusive agent, there is potential contract and/or tort claims for interference with contract and/or business relationships. Those remedies already exist.*