Session 143: Non-binary Gender Identity and the Insurance Industry: Impact Analysis and Discussion
Non-binary gender identity and the insurance industry

Erin Sheriff | she, her, hers | Actuary
October 29, 2019
Active participation in the Society of Actuaries is an important aspect of membership. While the positive contributions of professional societies and associations are well-recognized and encouraged, association activities are vulnerable to close antitrust scrutiny. By their very nature, associations bring together industry competitors and other market participants.

The United States antitrust laws aim to protect consumers by preserving the free economy and prohibiting anti-competitive business practices; they promote competition. There are both state and federal antitrust laws, although state antitrust laws closely follow federal law. The Sherman Act, is the primary U.S. antitrust law pertaining to association activities. The Sherman Act prohibits every contract, combination or conspiracy that places an unreasonable restraint on trade. There are, however, some activities that are illegal under all circumstances, such as price fixing, market allocation and collusive bidding.

There is no safe harbor under the antitrust law for professional association activities. Therefore, association meeting participants should refrain from discussing any activity that could potentially be construed as having an anti-competitive effect. Discussions relating to product or service pricing, market allocations, membership restrictions, product standardization or other conditions on trade could arguably be perceived as a restraint on trade and may expose the SOA and its members to antitrust enforcement procedures.

While participating in all SOA in person meetings, webinars, teleconferences or side discussions, you should avoid discussing competitively sensitive information with competitors and follow these guidelines:

- **Do not** discuss prices for services or products or anything else that might affect prices
- **Do not** discuss what you or other entities plan to do in a particular geographic or product markets or with particular customers.
- **Do not** speak on behalf of the SOA or any of its committees unless specifically authorized to do so.
- **Do** leave a meeting where any anticompetitive pricing or market allocation discussion occurs.
- **Do** alert SOA staff and/or legal counsel to any concerning discussions
- **Do** consult with legal counsel before raising any matter or making a statement that may involve competitively sensitive information.

Adherence to these guidelines involves not only avoidance of antitrust violations, but avoidance of behavior which might be so construed. These guidelines only provide an overview of prohibited activities. SOA legal counsel reviews meeting agenda and materials as deemed appropriate and any discussion that departs from the formal agenda should be scrutinized carefully. Antitrust compliance is everyone’s responsibility; however, please seek legal counsel if you have any questions or concerns.
Presentation Disclaimer

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Non-binary background
Gender or sex... which should I use?

What’s the difference?

**sex**
- biological differences in genitalia and genetics

**gender**
- the role of a person in a society or culture
Sex: male, female, intersex

The 46th chromosome typically determines the sex of a fetus. However, there are variations in chromosomes as well as reproductive organs & hormones that we should consider.

1 in 100 people have bodies that differ from assumed male or female.
Gender: male, female, non-binary

- Gender fluid: doesn’t identify as having a fixed gender
- Bigender: two distinct gender personas or identities
- Pangender: identify as all genders
- Agender: doesn’t identify as having a particular gender
- Two spirit: having both male and female spirits within them
- Gender nonconforming: behavior or appearance doesn’t conform to current culture and social expectations about what’s appropriate to their gender
- Gender queer: doesn’t identify as having a fixed gender

and many more…
Are transgender people non-binary?

- Most transgender people identify as binary: male or female.
- Most non-binary people are not transgender.

~ www.transequality.org
What does this mean for actuaries?

- data considerations
- customer expectations
- rate filings
- underwriting / claims
Questions
Agile Innovation Overview

Marti Ryan | she, her, hers | Futurist/Strategist

October 29, 2019
Agile: able to move quickly and easily

consumer-centric  test & learn  fail fast
Team

Mascots
What does success look like?

1. **Design Sprint Strategists**: Create questions and a plan to address them, if time permits.

2. **Do it better than any other team**
Be bold. Be creative.

Three things to do to be creative

expand the way you see

expand the way you think

expand the way you believe in yourself
Case Study #1

Your company is a health insurance provider and one of your consumers/patients is going through a gender transition, from male to female. They have also been treating for on-going, chronic pain and seeing a physical therapist.

What needs to be addressed within the payor - provider ecosystem to process claims?

What if the consumer/patient was transitioning from male to agender?
You are an actuary and want to create a rating category for a third gender category - “X”.

What considerations are needed to set rates for insurance products?

What are the impacts of the new category and/or rating algorithms on your company? Your members?
How DID Agile Feel?
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