

Title of Exposure Draft: ASOP 41 Actuarial Communications

Comment Deadline: [Month, Day, Year] June 1, 2026

Instructions: Please review the exposure draft, and give the ASB the benefit or your recommendations by completing this comment template. Please fill out the tables within the section below, adding rows as necessary. Sample for completing the template provided at the following link:

Each completed comment template received by the comment deadline will receive consideration by the drafting committee and the ASB. The ASB accepts comments by email. Please send to comments@actuary.org and include the phrase 'ASB COMMENTS' in the subject line. Please note: Any email not containing this exact phrase in the subject line will be deleted by our system's spam filter.

The ASB posts all signed comments received to its website to encourage transparency and dialogue. Comments received after the deadline may not be considered. Anonymous comments will not be considered by the ASB nor posted to the website. Comments will be posted in the order that they are received. The ASB disclaims any responsibility for the content of the comments, which are solely the responsibility of those who submit them.

Restating comments verbatim or with slight variations may slow down the ASB review process. If you wish to reinforce any comments provided in another commentator's submission, please clearly state how your comments agree or differ.

I. Identification:

Name of Commentator or Company
Aany Tazmin-Ewing, Wakely (comments represent personal opinions, not those of my company)

II. ASB Questions (If Any). Responses to any transmittal memorandum questions should be entered below.

Question No.	Commentator Response

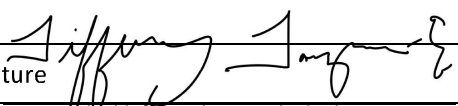
III. Specific Recommendations:

Section # (e.g. 3.2.a)	Commentator Recommendation (Please provide recommended wording for any suggested changes)	Commentator Rationale (Support for the recommendation)
2.4 Intended User	add a second sentence: If the actuary expects that a person will reasonably rely on the actuarial communication to make a decision, they should strongly consider listing that person as an intended user.	see below

IV. General Recommendations (If Any):

Commentator Recommendation (Identify relevant sections when possible)	Commentator Rationale (Support for the recommendation)

V. Signature:

Commentator Signature 	Date 4/2/2026
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In circumstances with asymmetrical information, a principal may engage an actuary in actuarial services that will inform a negotiation between two parties. Under these circumstances, the third party may rely on the actuarial communication whether or not they are listed as an intended user. This happens in practice in Medicaid capitation rate setting where the state's actuary develops rates that will be paid to MCOs, who take risk that they will be adequate for their population's health needs. CMS must approve these rates, but they were routinely not listed as intended users of actuarial certifications, even though these certifications are required to be produced for that purpose. Similarly, many MCOs make decisions about whether to contract with states on the basis of information included in these certifications and other documents provided to them by the state, but they are frequently not listed as intended users of these documents, which means that none of the requirements in this ASOP apply to those actuarial communications, which in many cases, means that MCOs do not have the information necessary to make these decisions. This is a particular problem for new entrants to Medicaid programs who have no historical data to rely on other than what is provided to them by the state.