



**COMMONWEALTH OF MASSACHUSETTS**  
**Office of Consumer Affairs and Business Regulation**  
**DIVISION OF INSURANCE**

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COMMISSIONER OF INSURANCE

April 24, 2007

The Honorable William F. Galvin  
Secretary of the Commonwealth  
Commonwealth of Massachusetts  
State House, Room 337  
Boston, MA 02133

Re: Massachusetts Securities Division's Proposed Regulations Regarding Use of  
"Senior Designations"; 950 CMR 12.204(2)(i) and 12.205(9)(c)(15)

Dear Secretary Galvin:

I am writing in support of the Massachusetts Securities Division's proposed regulations to prohibit the inappropriate use of "senior designations" by broker-dealer agents and investment adviser representatives in the sale of securities products to senior consumers.

As you know, the Division of Insurance ("Division") serves as the primary regulator of the Massachusetts insurance industry. As part of its responsibilities, the Division is charged with protecting the interests of consumers in the Commonwealth who purchase insurance products.

The Division agrees that the misleading use of credentials or professional designations by securities or insurance professionals with senior consumers in a fashion which conveys an unfounded expertise in matters related to seniors and their particular financial concerns and needs is inappropriate and should be prohibited. To the extent these types of "senior designations" confuse or mislead senior consumers because the seniors are unable to determine whether the credential or designation represents actual professional or educational achievement, their use in the sale of securities or insurance products may be classified as unfair or deceptive sales practices.

In limiting the permissible use of "senior designations" to those credentials or professional designations that have been accredited by an accreditation organization recognized by the Secretary of the Commonwealth, the proposed regulations endeavor to ensure that the value senior consumers may attribute to these designations as indicators of the type of training or

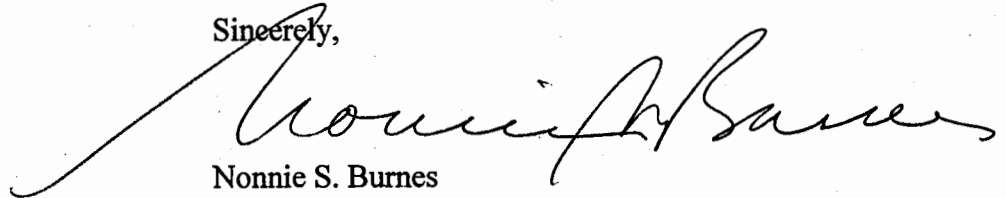
Letter to the Honorable William F. Galvin  
Secretary of the Commonwealth  
Proposed Regulations on Senior Designations  
April 24, 2007  
Page 2 of 2

expertise in senior issues that may reliably guide the seniors' securities purchases is not misplaced. The Division agrees that to the extent senior consumers' securities or insurance purchases are influenced by the presence of these designations, the designations should in fact represent a level of training, education or expertise that warrants that dependence.

The Division is committed to prohibiting unfair or deceptive sales practices in the business of insurance and has pursued various regulatory initiatives to do so. As a recent example, in March of 2006, the Division promulgated its Consumer Protection in Annuity Transactions regulation, 211 CMR 96.00, which is designed to ensure that the insurance needs and financial objectives of all consumers who purchase annuities, including seniors, are appropriately addressed at the time of sale. Indeed your letter of support for 211 CMR 96.00 represents a prime example of the parallel commitment of the Division and the Massachusetts Securities Division to ensuring that the Commonwealth's consumers can be confident that their insurance and securities choices are based on accurate and reliable information that is provided by appropriately licensed and qualified professionals.

I commend the Massachusetts Securities Division's efforts to combat fraud against senior consumers. Moreover, I look forward to working with you and your Securities Division in our cooperative efforts to protect the interests of the citizens of this Commonwealth.

Sincerely,

A handwritten signature in cursive script, appearing to read "Nonnie S. Burnes". The signature is written in black ink and is positioned above the printed name and title.

Nonnie S. Burnes  
Commissioner of Insurance

cc: Bryan Lantagne, Director, Massachusetts Securities Division