



# Jamie Bigayer

ASSOCIATE

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## Overview

Jamie Bigayer counsels insurance and financial services companies on transactional, regulatory, and compliance matters arising under state insurance laws, federal and state securities laws, and related agency rules and regulations. Her practice focuses on the development and distribution of sophisticated financial products, including privately placed innovative fixed and variable life insurance and annuity products.

Jamie advises clients on a wide variety of issues, including contractual issues, legal structure, disclosure requirements, sales and marketing practices, risk analysis, suitability, internal compliance policies and procedures, market conduct, licensing, and other compliance and regulatory issues affecting issuers and distributors of financial products.

Additionally, Jamie advises clients on the use of big data, artificial intelligence, and algorithmic models for accelerated underwriting, state data security and privacy laws, and the uniform electronic transactions act (UETA) and e-signature requirements for implementing electronic transactions and document delivery.

## All Insights

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| 01.11.2022 | Scrutiny of Algorithms and Consumer Data   |
| 09.16.2021 | Insurers Need to Do Their Homework: Review of the Use of Data, Algorithms, and Predictive Models |
| 09.16.2021 | NAIC Illustration Work Stagnates in the Dog Days of Summer                                       |
| 09.16.2021 | The NAIC's New E-Commerce Class  |
| 05.05.2021 | A Rocky Road Ahead for Insurers Using Consumer Data and Models                                   |
| 05.05.2021 | States Spring Into Action With Best Interest Rules for Annuities                                 |
| 05.05.2021 | The Gift of Giving: States Move to Amend Their Anti-Rebating Laws                                |
| 12.15.2020 | NAIC Task Force Gives Insurers a Holiday Rebating Gift   |

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12.15.2020	New Year, New Duties in the Sale of Annuities
09.03.2020	NAIC Virtual Block Party
09.03.2020	No Summer Break for the Rebating Drafting Group
09.03.2020	Topsy-Turvy World of Accelerated Underwriting and Artificial Intelligence
04.13.2020	NAIC Tills the Accelerated Underwriting Garden
04.13.2020	Spring Cleaning on the NAIC Model Privacy Laws
02.13.2020	Suitability Model Crosses the Finish Line
02.06.2020	Innovation and Technology at the NAIC 2019 Fall Meeting
02.06.2020	NAIC Life Insurance and Annuities (A) Committee Ends 2019 With a Big Bang
02.06.2020	Round and Round – Will 2020 Bring the End to Inconsistent Anti-Rebating Prohibitions?
10.04.2019	Innovation Whack-a-Mole
10.04.2019	Tangled Web of Illustration Issues
10.04.2019	Time to Flush Certain Restrictions on Rebates?
08.07.2019	Annuity Suitability Working Group Tries to Get Out of the Parking Lot
07.11.2019	Changes to the Index Product Illustration Requirements Are No Child's Play
07.11.2019	New Chair on the Block Discusses Reconstructing the Suitability Model
07.11.2019	Regulatory Response to Insurance Innovation
04.04.2019	Life Insurers Sinking in Quicksand as Regulators Scrutinize Non-Traditional Consumer Data Sources
01.29.2019	NY DFS Delivers an Icy Blast to Insurers Using External Data Sources and Algorithmic Underwriting
12.18.2018	Various NAIC Groups Discuss a Cornucopia of Life and Annuity Topics

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11.26.2018	Is It Time to Harvest the NAIC Suitability in Annuity Transactions Model Regulation?
10.25.2018	Suitability Working Group Stirs Ingredients for Suitability Model Potion
10.09.2018	NAIC Big Data WG Shifts Its Gaze to the Use of Big Data in Life Insurance Underwriting
10.01.2018	As Students Return to School, Regulators Continue Their Study of the NAIC's Suitability in Annuity Transaction Model Regulation
10.01.2018	NAIC Summer National Meeting Spotlights Innovation and Insurtech
07.20.2018	New York Issues Final Life Insurance and Annuity Suitability and Best Interests Regulation
06.25.2018	Which Thoroughbred Will Win the Standards of Care Derby?
03.31.2018	Another Bout in the NAIC Best Interest Standard Title Fight
03.31.2018	State Suitability, Fiduciary Duty and Disclosure Initiatives Roundup
01.01.2018	New York Department of Financial Services Rings in the New Year With New Suitability Requirements for Insurance Companies
12.29.2017	Did Santa Give the Insurance Industry a Lump of Coal or a Diamond in the Rough?
12.29.2017	The Ghosts of Christmas Past, Present, and Future Haunt Insurers' Use of Big Data and Algorithmic Tools
12.29.2017	The NAIC Says Aloha
10.24.2017	NAIC Insurance Data Security Model Law – States Are Next
07.05.2017	New York DFS Requests Information on Use of External Consumer Data and Information Sources in Life Insurance Underwriting
04.10.2017	Sprouting Activity at the NAIC
10.25.2016	CFPB's Project Catalyst Highlights Innovation Opportunities
09.20.2016	UK's FCA Weighs in on Insurers' Use of Big Data
01.26.2016	FTC's Big Data Report Provides Road Map for Insurers Using Big Data
12.14.2015	NAIC's Market Regulation Committee Adopts Broad Charge to Explore Insurers' Big Data Use

12.02.2015	Will the UK's Scrutiny of Insurers' Use of Big Data Impact US Regulators?
12.30.2014	New Year, New Disclosures
10.07.2014	Florida Modifies Its Annuity Suitability Rule
09.07.2014	Florida Proposes Rule for Annuity and Life Insurance Surrender Disclosures
04.01.2014	Voir Dire for Dummies: Using Visual and Auditory Cues and Question Design to Avoid the Pitfalls of Bunk Science, Gender Stereotypes, Perceptual Errors, and the Social Desirability Bias

## All News

03.27.2019	Carlton Fields Named Top Law Firm for Insurance
10.15.2018	Big Data Starts to Draw Big Scrutiny From Regulators
07.19.2018	Reaction to New York's Best Interest Rule Reveals Industry Fissures
01.11.2018	NY's Suitability Rule Would Have Sweeping Impact on Life Insurers: Law Firm
01.07.2018	4 Ways New York May Make DOL Look Like a Fiduciary Kitten

## Recognition

- *The Best Lawyers in America: Ones to Watch*, Insurance Law (2021–2022)
- Recognized as a top author in insurance thought leadership articles by the 2019 *JD Supra* Readers' Choice Awards
- Blaise Gamba Pro Bono Award (2017)
- LOMA Associate, Life Management Institute Designation (ALMI)
- LOMA Associate, Insurance Regulatory Compliance Designation (AIRC)
- Six Sigma Champion Certification

## Professional & Community Involvement

- American Bar Association
- Dade County Bar Association
- Florida Guardian ad Litem
- Florida Association for Women Lawyers
- Lawyers to the Rescue Pro Bono Legal Aid Clinic at the Camillus House homeless shelter
- Legal Services of Greater Miami

- Women's Chamber of Commerce of Miami-Dade County

## Credentials

### EDUCATION

- Duke University School of Law (J.D., cum laude, 2014)
  - Managing Editor, *Duke Journal of Gender Law & Policy*
- University of Miami (MBA, 2008)
- University of Florida (B.S., cum laude, 2005)

### COURT ADMISSIONS

- Florida State Courts

### BAR ADMISSIONS

- Florida

## Areas of Focus

### PRACTICES

- Business Transactions
- Corporate Law and Governance
- Cybersecurity and Privacy
- Financial Services Regulatory
- Government Law & Consulting
- Life, Annuity, and Retirement Litigation
- Life, Annuity, and Retirement Solutions
- Securities and Derivative Litigation
- Securities Transactions and Compliance

### INDUSTRIES

- Life, Annuity, and Retirement Solutions