

G.S. 150B-21.3A Report for 11 NCAC 04, CONSUMER SERVICES DIVISION

Agency - Department of Insurance

Comment Period - September 13, 2018 - November 16, 2018

Date Submitted to APO - January 22, 2019

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
	SECTION .0100 - GENERAL PROVISIONS	11 NCAC 04 .0115	DIVISION PROCEDURES	Amended Eff. April 1, 1989	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		11 NCAC 04 .0116	INQUIRIES AND INFORMATION	Amended Eff. July 1, 2012	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		11 NCAC 04 .0117	STATEMENT OF ACTION	Amended Eff. April 1, 1989	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		11 NCAC 04 .0118	INSURANCE CARRIERS AS LENDERS	Amended Eff. April 8, 2002	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		11 NCAC 04 .0119	INSURER DEFINED	Amended Eff. April 8, 2002	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		11 NCAC 04 .0120	POLICY OR SERVICE FEES	Amended Eff. February 1, 1996	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		11 NCAC 04 .0121	PREMIUM PAYMENT RECEIPTS	Amended Eff. February 1, 1996	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		11 NCAC 04 .0122	POWER-OF-ATTORNEY	Eff. February 1, 1993	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		11 NCAC 04 .0123	USE OF SPECIFIC COMPANY NAME IN RESPONSES	Amended Eff. February 1, 1996	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		11 NCAC 04 .0124	INSURANCE COMPANY CONTACT PERSONS	Amended Eff. February 1, 1996	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	SECTION .0300 - LIFE: ACCIDENT AND HEALTH	11 NCAC 04 .0312	INFORMATION USED IN CLAIM SETTLEMENTS	Amended Eff. April 1, 1989	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		11 NCAC 04 .0313	PROVISIONS OF CONTRACTS	Amended Eff. July 1, 2012	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		11 NCAC 04 .0314	PREMIUM NOTICES: PAYMENTS AND REFUNDS	Amended Eff. April 1, 1989	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		11 NCAC 04 .0315	ISSUANCE OF CONTRACTS	Amended Eff. April 8, 2002	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		11 NCAC 04 .0316	CONTESTABILITY CLAUSE AND RESCISSION	Eff. December 15, 1979	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		11 NCAC 04 .0317	SEX DISCRIMINATION: LIFE: ACCIDENT AND HEALTH INSURANCE	Eff. December 15, 1979	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		11 NCAC 04 .0318	LIFE INSURANCE SALES: FINANCING FIRST YEAR PREMIUM	Amended Eff. April 8, 2002	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		11 NCAC 04 .0319	CLAIMS PRACTICES: LIFE: ACCIDENT AND HEALTH INSURANCE	Amended Eff. July 1, 2012	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		11 NCAC 04 .0320	STUDENT LOANS	Amended Eff. April 8, 2002	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	SECTION .0400 - PROPERTY AND LIABILITY	11 NCAC 04 .0415	SAFE DRIVER INCENTIVE PLAN	Amended Eff. February 1, 1993	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		11 NCAC 04 .0416	BILLING PROCEDURES FOR AUTOMOBILE INSURANCE	Amended Eff. April 1, 1989	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		11 NCAC 04 .0417	DRIVE-IN CLAIM SERVICE FACILITIES	Amended Eff. July 1, 2012	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		11 NCAC 04 .0418	TOTAL LOSSES ON MOTOR VEHICLES	Amended Eff. April 1, 1993	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		11 NCAC 04 .0419	MOTOR VEHICLE REPAIR ESTIMATES	Amended Eff. April 1, 1993	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		11 NCAC 04 .0420	WRITTEN CONFIRMATION OF ORAL AGREEMENTS	Eff. December 15, 1979	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt

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		11 NCAC 04 .0421	HANDLING OF LOSS AND CLAIM PAYMENTS	Amended Eff. February 1, 1996	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		11 NCAC 04 .0422	CANCELLATION OF INSURANCE	Amended Eff. February 1, 1996	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		11 NCAC 04 .0423	ETHICAL STANDARDS	Amended Eff. October 1, 2010	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		11 NCAC 04 .0425	DEFINITIONS	Eff. April 1, 1989	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		11 NCAC 04 .0426	LIKE KIND AND QUALITY	Eff. April 1, 1989	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		11 NCAC 04 .0427	DISCLOSURE REQUIREMENTS	Amended Eff. March 1, 2004	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		11 NCAC 04 .0429	COMMINGLING	Amended Eff. February 1, 1996	Necessary with substantive public interest	Select One		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		11 NCAC 04 .0430	PROOF OF MAILING; AUTOMOBILE INSURANCE	Amended Eff. July 1, 2012	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		11 NCAC 04 .0431	DEFINITION OF CLAIMANT	Eff. April 1, 1993	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		11 NCAC 04 .0432	REFUND OF EXCESS PREMIUM ON SCHEDULED ITEMS	Amended Eff. July 1, 2012	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		11 NCAC 04 .0433	REFUND OF AUTO INSURANCE PREMIUM ON NEW BUSINESS	Eff. April 1, 1995	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	SECTION .0500 - LIFE INSURANCE ILLUSTRATIONS	11 NCAC 04 .0501	SCOPE AND DEFINITIONS	Eff. January 1, 1997	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		11 NCAC 04 .0502	ASSUMED EXPENSES AND CURRENT SCALE	Eff. January 1, 1997	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		11 NCAC 04 .0503	ILLUSTRATED POLICIES	Eff. January 1, 1997	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		11 NCAC 04 .0504	GENERAL RULES	Eff. January 1, 1997	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		11 NCAC 04 .0505	STANDARDS FOR BASIC ILLUSTRATIONS	Eff. January 1, 1997	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		11 NCAC 04 .0506	STANDARDS FOR SUPPLEMENTAL ILLUSTRATIONS	Eff. January 1, 1997	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		11 NCAC 04 .0507	DELIVERY OF ILLUSTRATION AND RECORD RETENTION	Eff. January 1, 1997	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		11 NCAC 04 .0508	ANNUAL REPORTS AND NOTICES TO POLICY OWNERS	Eff. January 1, 1997	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		11 NCAC 04 .0509	ANNUAL CERTIFICATIONS	Eff. January 1, 1997	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt