

**G.S. 150B-21.3A Report for 11 NCAC 12, LIFE AND HEALTH DIVISION**

Agency - Department of Insurance

Comment Period - January 4, 2018 - March 5, 2018

Date Submitted to APO - Filled in by RRC staff

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 ORGANIZATION AND FUNCTIONS	11 NCAC 12 .0101	GENERAL PROVISIONS	Amended Eff. April 1, 1989	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0200 - DESCRIPTIONS OF FORMS	11 NCAC 12 .0201	PRE-EXISTING CONDITIONS AND RENEWABLE AT COMPANY OPTION	Readopted Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0204	NOTICE FOR REVISION OF RATES FOR NON-PROFIT SERVICE CORP	Amended Eff. April 8, 2002	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0208	MEDICARE AND MEDICAID - BUYER'S GUIDE	Eff. October 24, 1981	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0300 - GENERAL PROVISIONS	11 NCAC 12 .0304	SEX DISCRIMINATION ON APPLICATIONS	Readopted Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0306	LIFE: HEALTH AND ACCIDENT COVERAGES: POLICY OUT OF STATE	Amended Eff. February 1, 1992	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0309	APPLICATION: BYLAWS: RULES: PART OF THE POLICY CONTRACT	Readopted Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0310	INDUSTRIAL INSURANCE	Readopted Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0312	ACCIDENTAL DEATH BENEFIT: INHALATION OF GAS: ETC	Amended Eff. February 1, 1992	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0313	DISABILITY BENEFIT: CONFINEMENT INDOORS	Readopted Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0317	ORIGIN OF SICKNESS: DESCRIPTION	Amended Eff. February 1, 1992	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0319	SUBROGATION PROHIBITED	Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0320	SOUND HEALTH SHALL BE DEFINED	Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0321	RATE FILING: HMO	Amended Eff. February 1, 1992	Necessary without substantive public interest	No	N/A	Yes	Necessary with substantive public interest	RRC not required to review comment(s)	Necessary with substantive public interest and must be readopted	Agency must readopt
		11 NCAC 12 .0322	REGULAR CARE AND ATTENDANCE OF A PHYSICIAN	Amended Eff. February 1, 1992	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0323	COMPLICATION OF PREGNANCY	Amended Eff. February 1, 1992	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0324	HIV AND AIDS DISCRIMINATION PROHIBITED	Amended Eff. October 1, 1994	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0326	APPLICATION FOR INSURANCE REQUIRED	Amended Eff. February 1, 1996	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note

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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
		11 NCAC 12 .0328	ELIGIBLE INDIVIDUAL COVERAGE	Eff. April 1, 2003	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0329	SUBMISSION REQUIREMENTS: FORM AND RATE FILINGS	Eff. July 1, 2006	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0330	NOTICE OF A CLOSED BLOCK OF INDIVIDUAL BUSINESS	Eff. July 1, 2006	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0331	HEALTH INSURANCE RISK POOL NOTICE LANGUAGE REQUIREMENTS	Eff. February 1, 2010	Unnecessary	No	N/A	No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		11 NCAC 12 .0332	REVIEW/AUDIT OF THIRD PARTY ADMINISTRATORS	Eff. July 1, 2010	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	<b>SECTION .0400 - LIFE: GENERAL NATURE</b>	11 NCAC 12 .0403	TERMINATION OF LIFE INSURANCE: EMPLOYEE-EMPLOYER CONTRACTS	Amended Eff. April 8, 2002	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0404	APPLICATIONS WHICH FINANCE THE FIRST YEAR'S PREMIUM	Amended Eff. February 1, 1992	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0405	LIFE INSURANCE: TOTAL AND PERMANENT DISABILITY BENEFITS	Readopted Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0406	GROUP LIFE INSURANCE: COLLECTION FEE	Readopted Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0407	GROUP LIFE INSURANCE: DEPENDENT BENEFIT	Amended Eff. April 1, 1989	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0415	LIFE APPLICATION	Amended Eff. February 1, 1996	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0416	LIFE APPLICATION: GUARANTEED ISSUE	Amended Eff. February 1, 1996	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0419	FILING AND APPROVAL OF VARIABLE ANNUITY CONTRACTS	Readopted Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0420	APPROVAL OF CONTRACTS: ADDITIONAL INFORMATION REQUIRED	Amended Eff. February 1, 1992	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0421	PREPARATION OF VARIABLE ANNUITY CONTRACT FILINGS	Amended Eff. April 1, 1989	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0422	CONTRACTS PROVIDING FOR VARIABLE BENEFITS	Readopted Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0423	REQUIRED REPORTS ON VARIABLE ANNUITY BUSINESS	Amended Eff. July 18, 2002	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0424	LIFE INSURANCE ADVERTISING: DEFINITIONS	Amended Eff. April 1, 1989	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note

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		11 NCAC 12 .0425	LIFE INSURANCE ADVERTISING: APPLICABILITY	Readopted Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0426	LIFE INSURANCE ADVERTISING: FORM AND CONTENT	Amended Eff. February 1, 1992	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0427	LIFE INSURANCE ADVERTISING: DISCLOSURE REQUIREMENTS	Amended Eff. February 1, 1992	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0428	LIFE INSURANCE ADVERTISING: IDENTITY OF INSURER	Amended Eff. April 1, 1989	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0429	LIFE INSURANCE ADVERTISING: LICENSING: STATUS OF INSURER	Amended Eff. April 1, 1989	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0430	LIFE INSURANCE ADVERTISING: STATEMENTS ABOUT THE INSURER	Readopted Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0431	LIFE INSURANCE ADVERTISING: ENFORCEMENT PROCEDURES	Amended Eff. February 1, 1992	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0432	LIFE INSURANCE ADVERTISING: ADVERTISING EXPENSE	Readopted Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0433	LIFE INSURANCE ADVERTISING: PRIOR REVIEW OR PRIOR APPROVAL	Readopted Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0434	VARIABLE LIFE INSURANCE: DEFINITIONS	Amended Eff. February 1, 1992	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0435	QUALIFICATION OF INSURER TO ISSUE VARIABLE LIFE INSURANCE	Readopted Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0436	INSURANCE POLICY REQUIREMENTS	Amended Eff. February 1, 1996	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0437	RESERVE LIABILITIES FOR VARIABLE LIFE INSURANCE	Amended Eff. April 8, 2002	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0438	SEPARATE ACCOUNTS	Amended Eff. April 8, 2002	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0439	INFORMATION FURNISHED TO APPLICANTS	Readopted Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0440	APPLICATIONS	Readopted Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0441	REPORTS TO POLICYHOLDERS	Amended Eff. April 1, 1989	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0442	FOREIGN COMPANIES	Readopted Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note

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		11 NCAC 12 .0443	QUALIFICATION: FOR THE SALE OF VARIABLE LIFE INSURANCE	Readopted Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0445	INTEREST CHARGES ON MISSTATEMENT OF AGE OR SEX	Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0446	SOUND HEALTH	Amended Eff. April 1, 1989	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0447	FREE LOOK PROVISION	Amended Eff. August 1, 2004	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0448	WAITING PERIODS ON LIFE INSURANCE RIDERS	Amended Eff. February 1, 1992	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0449	LIMITED INITIAL DEATH BENEFIT	Amended Eff. February 1, 1996	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0450	REQUIREMENT FOR MODIFIED PREMIUM LIFE INSURANCE	Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0461	USE OF SENIOR-SPECIFIC CERTIFICATIONS AND PROFESSIONAL DESIGNATIONS	Eff. February 1, 2010	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	<b>SECTION .0500 - ACCIDENT AND HEALTH: GENERAL NATURE</b>	11 NCAC 12 .0503	WAITING PERIOD	Readopted Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0506	MASS MARKETING APPLICATION	Readopted Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0508	ACCIDENT AND HEALTH TRAVEL: NEWSPAPER SUBSCRIPTIONS	Readopted Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0509	ACCIDENT AND HEALTH INSURANCE: NATURAL DEATH BENEFIT	Readopted Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0510	ACCIDENT AND HEALTH INSURANCE: TOTAL TEMPORARY DISABILITY	Readopted Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0511	GROUP ACCIDENT AND HEALTH INSURANCE: EXCLUSIONS	Readopted Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0512	ACCIDENT AND HEALTH INSURANCE: EFFECTIVE DATE	Readopted Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0513	ACCIDENT AND HEALTH: RIDER OR ELIMINATION ENDORSEMENT	Readopted Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0514	COORDINATION: GROUP A/H CONTRACT BENEFITS: GROUP COVERAGES	Amended Eff. February 1, 1992	Necessary without substantive public interest	No	N/A	Yes	Necessary with substantive public interest	RRC not required to review comment(s)	Necessary with substantive public interest and must be readopted	Agency must readopt
		11 NCAC 12 .0516	ACCIDENT AND HEALTH ADVERTISING: RESPONSIBILITY OF INSURER	Readopted Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note

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		11 NCAC 12 .0517	ACCIDENT AND HEALTH ADVERTISING: DEFINITIONS	Amended Eff. February 1, 1992	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0518	ADVERTISING: DISCLOSURE OF REQUIRED INFORMATION	Readopted Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0519	ACCIDENT AND HEALTH ADVERTISING: FORM AND CONTENT	Readopted Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0520	ACCIDENT AND HEALTH ADVERTISING: PROHIBITIONS	Readopted Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0521	ACCIDENT: HEALTH ADVERTISING: EXCEPTIONS AND LIMITATIONS	Readopted Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0522	ACCIDENT AND HEALTH ADVERTISING: PRE-EXISTING CONDITIONS	Readopted Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0523	ADVERTISING: RENEWABILITY AND TERMINATION	Readopted Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0524	ACCIDENT AND HEALTH ADVERTISING: TESTIMONIALS	Readopted Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0525	ACCIDENT AND HEALTH ADVERTISING: USE OF STATISTICS	Readopted Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0526	ACCIDENT AND HEALTH ADVERTISING OF PLAN OR POLICIES	Amended Eff. February 1, 1992	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0528	ACCIDENT AND HEALTH ADVERTISING: LICENSING AND STATUS	Readopted Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0529	ACCIDENT AND HEALTH ADVERTISING: IDENTITY OF INSURER	Readopted Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0530	ACCIDENT AND HEALTH ADVERTISING: GROUP IMPLICATIONS	Readopted Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0531	ADVERTISING: INTRODUCTORY OR SPECIAL OFFERS	Readopted Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0532	ACCIDENT: HEALTH ADVERTISING: STATEMENT ABOUT AN INSURER	Readopted Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0533	ACCIDENT AND HEALTH ADVERTISING: ADVERTISING FILE	Readopted Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0534	ACCIDENT AND HEALTH ADVERTISING: CERTIFICATE OF COMPLIANCE	Readopted Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0535	ACCIDENT AND HEALTH ADVERTISING: ADVERTISING EXPENSE	Readopted Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note



**G.S. 150B-21.3A Report for 11 NCAC 12, LIFE AND HEALTH DIVISION**

Agency - Department of Insurance

Comment Period - January 4, 2018 - March 5, 2018

Date Submitted to APO - Filled in by RRC staff

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
		11 NCAC 12 .0536	ACCIDENT AND HEALTH ADVERTISING: PRIOR REVIEW OR APPROVAL	Readopted Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0538	ACCIDENT: HEALTH PROMOTIONAL MATERIAL: STICKERS REQUIRED	Readopted Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0539	NOTICE FOR REVISION OF RATES FOR NON-PROFIT SERVICE CORP	Readopted Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0540	BLANKET AND FRANCHISE POLICIES	Amended Eff. April 8, 2002	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0541	NOTICE OF CLAIM: CREDIT INSURANCE	Readopted Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0542	ACCIDENT AND HEALTH APPLICATION: GUARANTEED ISSUE	Readopted Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0543	POLICIES CONTAINING A PRE-EXISTING CONDITION EXCLUSION	Amended Eff. April 1, 1989	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0544	POLICIES RENEWABLE AT THE OPTION OF THE COMPANY	Amended Eff. April 1, 1989	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0546	DIAGNOSIS OF CANCER	Eff. September 26, 1978	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0548	INSURANCE FOR MEDICARE ELIGIBLE	Amended Eff. May 1, 1992	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0549	CONVERSION POLICIES: HOSPITAL ROOM RATES	Amended Eff. February 1, 1992	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0550	ORTHODONTIC COVERAGE LIMITATIONS	Eff. April 1, 1982	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0551	CANCER INSURANCE REQUIREMENTS	Amended Eff. April 1, 1997	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0553	EXCESS INSURANCE: NON-DUPLICATION OF COVERAGE	Amended Eff. February 1, 1992	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0555	LONG-TERM CARE POLICY REQUIREMENTS	Amended Eff. February 1, 1992	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0556	HOME HEALTH CARE POLICY REQUIREMENT	Amended Eff. February 1, 1992	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0557	POLICIES CONTAINING A TERMINATION OR CANCELLATION PROVISION	Amended Eff. February 1, 1992	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0559	PRECERTIFICATION	Eff. February 1, 1992	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note

**G.S. 150B-21.3A Report for 11 NCAC 12, LIFE AND HEALTH DIVISION**

Agency - Department of Insurance

Comment Period - January 4, 2018 - March 5, 2018

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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
		11 NCAC 12 .0561	DEDUCTIBLES AND COPAYMENTS BASED ON REAL COST	Eff. January 1, 1995	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0562	UNEARNED PREMIUM	Eff. February 1, 1996	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0563	WEIGHTED AVERAGE: MENTAL ILLNESS BENEFITS COVERAGE	Eff. July 1, 2008	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	<b>SECTION .0600 - REPLACEMENT REGULATIONS</b>	11 NCAC 12 .0601	PURPOSE AND SCOPE	Amended Eff. August 1, 2004	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0602	DEFINITION OF REPLACEMENT	Amended Eff. August 1, 2004	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0603	OTHER DEFINITIONS	Amended Eff. August 1, 2004	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0604	EXEMPTIONS	Amended Eff. February 1, 2008	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0605	DUTIES OF PRODUCERS	Amended Eff. August 1, 2004	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0606	DUTIES OF THE EXISTING INSURER	Amended Eff. August 1, 2004	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0607	DUTIES OF INSURERS THAT USE Producers (effective August 1, 2004)	Amended Eff. August 1, 2004	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0608	DUTIES OF INSURERS WITH RESPECT TO DIRECT RESPONSE SOLICITATIONS	Amended Eff. August 1, 2004	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0609	VIOLATIONS AND PENALTIES	Amended Eff. August 1, 2004	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0610	SEVERABILITY	Eff. October 1, 1985	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0611	NOTICE REGARDING REPLACEMENT	Amended Eff. August 1, 2004	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0612	DUTIES OF REPLACING INSURERS THAT USE PRODUCERS	Eff. August 1, 2004	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	<b>SECTION .0700 - CREDIT INSURANCE AND CREDIT LIFE:ACCIDENT AND HEALTH INSURANCE</b>	1 NCAC 12 .0701	LIMITATION ON AMNT OF CR LIFE/CR ACCIDENT/HEALTH INS WRITTEN	Eff. May 1, 1989	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0702	INSURER LIABILITY: PREMIUM ACCEPTED FROM INELIGIBLE DEBTOR	Eff. May 1, 1989	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0703	CALCULATION - UNEARNED PREMIUM REFUNDS: CREDIT LIFE & CREDIT ACCIDENT/HEALTH INSURANCE	Eff. May 1, 1989	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note

**G.S. 150B-21.3A Report for 11 NCAC 12, LIFE AND HEALTH DIVISION**

Agency - Department of Insurance

Comment Period - January 4, 2018 - March 5, 2018

Date Submitted to APO - Filled in by RRC staff

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
		11 NCAC 12 .0704	MISSTATEMENT OF AGE: CREDIT LIFE AND HEALTH INSURANCE	Eff. April 1, 1989	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0706	SUICIDE: CREDIT LIFE INSURANCE	Eff. April 1, 1989	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0707	NOTICE OF CLAIM: CREDIT LIFE/CREDIT ACCIDENT/HEALTH INSURANCE	Eff. May 1, 1989	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0708	AMOUNT/CREDIT LIFE INSURANCE/TRANSACTIONS OF GREATER THAN 120 MONTHS DURATION	Eff. May 1, 1989	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0709	UNIFORM DECREASING COVERAGE: CREDIT LIFE	Eff. April 1, 1989	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0710	ACTUARIALLY EQUIVALENT: CREDIT LIFE	Amended Eff. April 8, 2002	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0711	MOTOR VEHICLE LEASES	Eff. April 1, 1989	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0712	TRUNCATED COVERAGE NOTICE	Eff. January 1, 1994	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0713	REVOLVING OR OPEN-END CREDIT INSURANCE	Eff. January 1, 1994	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .0714	REFUND OF UNEARNED PREMIUM FOR CREDIT INSURANCE	Eff. July 1, 2010	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .0800 - MEDICARE SUPPLEMENT INSURANCE	11 NCAC 12 .0843	NAIC MEDICARE SUPPLEMENT INSURANCE MINIMUM STANDARDS MODEL ACT	Eff. August 1, 2005	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	SECTION .1000 - LONG-TERM CARE INSURANCE	11 NCAC 12 .1002	DEFINITIONS	Amended Eff. August 1, 2002	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1003	POLICY DEFINITIONS; APPEALS	Amended Eff. April 1, 1999	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1004	POLICY PRACTICES AND PROVISIONS	Amended Eff. August 1, 2002	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1005	CONTINUATION OR CONVERSION	Eff. September 1, 1990	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1006	REQUIRED DISCLOSURE PROVISIONS	Amended Eff. August 1, 2002	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1007	PROHIBITION OF POST-CLAIMS UNDERWRITING	Eff. September 1, 1990	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1008	MINIMUM STANDARDS FOR HOME HEALTH CARE BENEFITS	Amended Eff. December 1, 1992	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note



**G.S. 150B-21.3A Report for 11 NCAC 12, LIFE AND HEALTH DIVISION**

Agency - Department of Insurance

Comment Period - January 4, 2018 - March 5, 2018

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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
		11 NCAC 12 .1009	REQUIREMENT TO OFFER INFLATION PROTECTION	Amended Eff. December 1, 1992	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1010	REQUIREMENTS FOR REPLACEMENT	Amended Eff. December 1, 1992	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1011	DISCRETIONARY POWERS OF COMMISSIONER	Eff. September 1, 1990	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1012	RESERVE STANDARDS	Amended Eff. August 1, 2002	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1013	LOSS RATIO	Amended Eff. August 1, 2002	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1014	FILING REQUIREMENT	Amended Eff. August 1, 2002	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1015	STANDARD FORMAT OUTLINE OF COVERAGE	Amended Eff. August 1, 2002	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1016	PERMITTED COMPENSATION ARRANGEMENTS	Eff. February 1, 1991	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1017	REQUIREMENTS FOR ADVERTISING	Amended Eff. August 1, 2002	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1018	STANDARDS FOR MARKETING	Amended Eff. August 1, 2002	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1019	REPLACEMENT POLICIES	Eff. December 1, 1992	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1020	SHOPPER'S GUIDE	Eff. December 1, 1992	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1021	REPORTING	Eff. December 1, 1992	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1022	PROTECTION AGAINST UNINTENTIONAL LAPSE	Eff. December 1, 1993	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1023	INCONTESTABILITY PERIOD	Eff. December 1, 1994	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1024	PROHIBITED POLICY PRACTICE	Amended Eff. April 1, 1995	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1025	SUITABILITY	Amended Eff. November 1, 1999	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1026	NONFORFEITURE BENEFIT REQUIREMENTS	Amended Eff. August 1, 2002	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note

**G.S. 150B-21.3A Report for 11 NCAC 12, LIFE AND HEALTH DIVISION**

Agency - Department of Insurance

Comment Period - January 4, 2018 - March 5, 2018

Date Submitted to APO - Filled in by RRC staff

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
		11 NCAC 12 .1027	REQUIRED DISCLOSURE OF RATING PRACTICES TO CONSUMERS	Eff. August 1, 2002	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1028	PREMIUM RATE SCHEDULE INCREASES	Eff. August 1, 2002	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1029	SCOPE AND APPLICATION	Eff. August 1, 2002	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1030	LONG-TERM CARE PARTNERSHIP STANDARDS	Eff. February 1, 2011	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	<b>SECTION .1100 - MORTGAGE INSURANCE CONSOLIDATIONS</b>	11 NCAC 12 .1101	APPLICATION	Eff. February 1, 1992	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1102	DEFINITIONS	Eff. February 1, 1992	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1103	GENERAL REQUIREMENTS	Eff. February 1, 1992	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1104	SPECIFIC REQUIREMENTS FOR CERTAIN OFFERS	Eff. February 1, 1992	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1105	DISCLOSURE REQUIREMENTS	Eff. February 1, 1992	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1106	DISABILITY INSURANCE PLANS	Eff. February 1, 1992	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1107	DISCLOSURE OF CONSOLIDATION TO THE DEPARTMENT	Eff. February 1, 1992	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	<b>SECTION .1200 - ACCELERATED BENEFITS</b>	11 NCAC 12 .1201	PURPOSE AND APPLICATION	Eff. March 1, 1992	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1202	DEFINITIONS	Eff. March 1, 1992	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1203	TYPE OF PRODUCT	Eff. March 1, 1992	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1204	ASSIGNEE/BENEFICIARY	Eff. March 1, 1992	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1205	CRITERIA FOR PAYMENT	Eff. March 1, 1992	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1206	DISCLOSURES	Eff. March 1, 1992	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1207	EFFECTIVE DATE OF THE ACCELERATED BENEFITS	Eff. March 1, 1992	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note

**G.S. 150B-21.3A Report for 11 NCAC 12, LIFE AND HEALTH DIVISION**

Agency - Department of Insurance

Comment Period - January 4, 2018 - March 5, 2018

Date Submitted to APO - Filled in by RRC staff

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
		11 NCAC 12 .1208	WAIVER OF PREMIUMS	Eff. March 1, 1992	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1209	DISCRIMINATION	Eff. March 1, 1992	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1210	ACTUARIAL STANDARDS	Eff. March 1, 1992	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1211	ACTUARIAL DISCLOSURE AND RESERVES	Eff. March 1, 1992	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1212	LONG-TERM CARE BENEFITS ACCELERATION	Eff. April 1, 1999	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	<b>SECTION .1300 - SMALL EMPLOYER GROUP HEALTH COVERAGE</b>	11 NCAC 12 .1301	DEFINITIONS	Eff. April 1, 1993	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1302	SCOPE	Eff. April 1, 1993	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1303	POLICY FORMS AND APPROVALS	Eff. April 1, 1993	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1304	COMPLIANCE	Amended Eff. October 1, 1994	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1305	PROHIBITED ACTS	Eff. April 1, 1993	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1307	GUARANTEED ISSUE AND RENEWAL	Amended Eff. February 1, 1994	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1308	ELECTIONS BY CARRIERS	Eff. April 1, 1993	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1309	FAIR MARKETING STANDARDS	Eff. April 1, 1993	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	<b>SECTION .1400 - HMO: POINT-OF-SERVICE</b>	11 NCAC 12 .1401	APPLICABILITY AND SCOPE	Eff. January 1, 1994	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1402	DEFINITIONS	Eff. January 1, 1994	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1403	GENERAL REQUIREMENTS	Eff. January 1, 1994	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1404	DISCLOSURE REQUIREMENTS	Eff. January 1, 1994	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	<b>SECTION .1500 - UNIFORM CLAIM FORMS</b>	11 NCAC 12 .1501	DEFINITIONS	Eff. October 1, 1994	Necessary without substantive public interest	No	N/A	Yes	Necessary with substantive public interest	RRC not required to review comment(s)	Necessary with substantive public interest and must be readopted	Agency must readopt

**G.S. 150B-21.3A Report for 11 NCAC 12, LIFE AND HEALTH DIVISION**

Agency - Department of Insurance

Comment Period - January 4, 2018 - March 5, 2018

Date Submitted to APO - Filled in by RRC staff

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
		11 NCAC 12 .1502	REQUIREMENTS FOR USE OF HCFA FORM 1450 (UB92)	Amended Eff. March 1, 1995	Necessary without substantive public interest	No	N/A	Yes	Necessary with substantive public interest	RRC not required to review comment(s)	Necessary with substantive public interest and must be readopted	Agency must readopt
		11 NCAC 12 .1503	REQUIREMENTS FOR USE OF HCFA FORM 1500	Amended Eff. February 1, 1995	Necessary without substantive public interest	No	N/A	Yes	Necessary with substantive public interest	RRC not required to review comment(s)	Necessary with substantive public interest and must be readopted	Agency must readopt
		11 NCAC 12 .1504	REQUIREMENTS FOR USE OF THE CURRENT ADA DENTAL CLAIM FORM	Amended Eff. February 1, 1995	Necessary without substantive public interest	No	N/A	Yes	Necessary with substantive public interest	RRC not required to review comment(s)	Necessary with substantive public interest and must be readopted	Agency must readopt
		11 NCAC 12 .1505	MANAGED CARE FORMS	Eff. October 1, 1994	Necessary without substantive public interest	No	N/A	Yes	Necessary with substantive public interest	RRC not required to review comment(s)	Necessary with substantive public interest and must be readopted	Agency must readopt
		11 NCAC 12 .1506	ELECTRONIC FORMAT STANDARDS	Eff. October 1, 1994	Necessary without substantive public interest	No	N/A	Yes	Necessary with substantive public interest	RRC not required to review comment(s)	Necessary with substantive public interest and must be readopted	Agency must readopt
		11 NCAC 12 .1507	ATTACHMENT FORM OR FORMAT	Eff. October 1, 1994	Necessary without substantive public interest	No	N/A	Yes	Necessary with substantive public interest	RRC not required to review comment(s)	Necessary with substantive public interest and must be readopted	Agency must readopt
		11 NCAC 12 .1508	MEDICARE SUPPLEMENT PAYORS	Eff. October 1, 1994	Necessary without substantive public interest	No	N/A	Yes	Necessary with substantive public interest	RRC not required to review comment(s)	Necessary with substantive public interest and must be readopted	Agency must readopt
		11 NCAC 12 .1509	PATIENT SUBMITTED CLAIM FORMS	Eff. October 1, 1994	Necessary without substantive public interest	No	N/A	Yes	Necessary with substantive public interest	RRC not required to review comment(s)	Necessary with substantive public interest and must be readopted	Agency must readopt
	<b>SECTION .1600 - RETAINED ASSET ACCOUNTS</b>	11 NCAC 12 .1601	DEFINITIONS	Eff. February 1, 1996	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1602	GENERAL REQUIREMENTS	Eff. February 1, 1996	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1603	DISCLOSURE REQUIREMENTS	Eff. February 1, 1996	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1604	ACCOUNTING	Eff. February 1, 1996	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	<b>SECTION .1700 - VIATICAL SETTLEMENTS</b>	11 NCAC 12 .1710	DEFINITIONS	Eff. April 1, 2003	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1711	LICENSE REQUIREMENTS	Eff. April 1, 2003	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1712	VIATICAL SETTLEMENT BROKERS	Eff. April 1, 2003	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1713	STANDARDS FOR EVALUATION OF REASONABLE PAYMENTS	Eff. April 1, 2003	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1714	REPORTING REQUIREMENTS	Eff. April 1, 2003	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1715	GENERAL RULES	Eff. April 1, 2003	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1716	CONTRACTS AND PAYMENT OF PROCEEDS	Eff. April 1, 2003	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1718	DISCLOSURE	Eff. April 1, 2003	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note

**G.S. 150B-21.3A Report for 11 NCAC 12, LIFE AND HEALTH DIVISION**

Agency - Department of Insurance

Comment Period - January 4, 2018 - March 5, 2018

Date Submitted to APO - Filled in by RRC staff

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
		11 NCAC 12 .1719	PROHIBITED PRACTICES	Eff. April 1, 2003	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1720	INSURANCE COMPANY PRACTICES	Eff. April 1, 2003	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	<b>SECTION .1800 - PPO BENEFIT PLAN PRODUCT LIMITATIONS</b>	11 NCAC 12 .1801	APPLICABILITY	Eff. August 1, 1998	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1802	DEFINITIONS	Eff. August 1, 1998	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1803	GENERAL REQUIREMENTS	Eff. August 1, 1998	Necessary without substantive public interest	No	N/A	Yes	Necessary with substantive public interest	RRC not required to review comment(s)	Necessary with substantive public interest and must be readopted	Agency must readopt
		11 NCAC 12 .1804	DISCLOSURE REQUIREMENTS	Eff. August 1, 1998	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	<b>SECTION .1900 - DOMESTIC VIOLENCE - PROHIBITED ACTS</b>	11 NCAC 12 .1901	DEFINITIONS	Eff. April 1, 2010	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1902	UNFAIR OR DECEPTIVE ACTS OR PRACTICES	Eff. April 1, 2010	Necessary without substantive public interest	No	N/A	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		11 NCAC 12 .1903	JUSTIFICATION OF ADVERSE INSURANCE DECISIONS	Eff. April 1, 2010	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note



Agency	Rule	Name	Type of Comment	Comment	Agency Response
Department of Insurance	11 NCAC 12 .0321	RATE FILING: HMO	Public Coment as defined in G.S. 150B-21.3A(a)(5)	<p>From: Kenneth Lewis, Executive Director NC Association of Health Plans, Inc.</p> <p>The Department has determined that this rule is necessary without substantive public interest. The NCAHP requests that the Department identify this rule as Unnecessary and repeal the rule. The rule is redundant and not needed and therefore should be repealed as the ACA renders this provision unnecessary for qualified health plans.</p>	<p>The Department does not agree that the entire rule is unnecessary. The Department has reached out to the commenter, and discussed the matter with him. As a result, the Department agrees to reclassify this rule from Necessary Without Substantive Public Interest to Necessary With Substantive Public Interest, and then address the issue when the Department is required to readopt this rule.</p>

Agency	Rule	Name	Type of Comment	Comment	Agency Response
Department of Insurance	11 NCAC 12 .0514	COORDINATION: GROUP A/H CONTRACT BENEFITS: GROUP COVERAGES	Public Coment as defined in G.S. 150B-21.3A(a)(5)	From: Kenneth Lewis, Executive Director NC Association of Health Plans, Inc.  The Department has determined that Section .0514 is necessary without substantive public interest. The NCAHP requests that the Department identify this rule as Necessary with Substantive Public Interest and amend the rule to adopt the NAIC Model Act for Coordination of Benefits (see <a href="http://www.naic.org/store/free/MDL-120.pdf">http://www.naic.org/store/free/MDL-120.pdf</a> ).	The Department agrees that the rule should be reclassified from Necessary Without Substantive Public Interest to Necessary With Substantive Public Interest.

Agency	Rule	Name	Type of Comment	Comment	Agency Response
Department of Insurance	11 NCAC 12 .1501	DEFINITIONS	Public Coment as defined in G.S. 150B-21.3A(a)(5)	<p>From: Kenneth Lewis, Executive Director NC Association of Health Plans, Inc.</p> <p>The Department has determined that Section .1500 is necessary without substantive public interest. References in the rules are outdated or preempted by federal and state law. The NCAHP therefore requests that the Department identify this rule as Necessary with Substantive Public Interest and amend the rule as outlined below:</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> References to the forms throughout the Rule are outdated. The NCAHP recommends that the form references be updated as follows: <ul style="list-style-type: none"> <li>o "HCFA" should be replaced by "CMS" (Centers for Medicare and Medicaid Services)</li> <li>o "ICD-9" should be changed to "ICD-10" and the mandated compliance date for use of ICD-10 was October 1, 2015</li> <li>o "HCFA Form 1450 (UB-92)" should be replaced by "UB04" (used by institutional providers)</li> <li>o "HCFA Form 1500" should be replaced by the "CMS1500" (used by professional providers)</li> </ul> </li> <li><input checked="" type="checkbox"/> Repeal 11 NCAC 12.1502(e) and 11 NCAC</li> </ul>	The Department agrees that the rule should be reclassified from Necessary Without Substantive Public Interest to Necessary With Substantive Public Interest.

Agency	Rule	Name	Type of Comment	Comment	Agency Response
Department of Insurance	11 NCAC 12 .1502	REQUIREMENTS FOR USE OF HCFA FORM 1450 (UB92)	Public Coment as defined in G.S. 150B-21.3A(a)(5)	<p>From: Kenneth Lewis, Executive Director NC Association of Health Plans, Inc.</p> <p>Repeal 11 NCAC 12.1502(e) and 11 NCAC 12.1503(d): Insurers are no longer permitted to use or create homegrown codes of any kind per HIPPA transactions and code sets passed in 1999.</p>	The Department agrees that the rule should be reclassified from Necessary Without Substantive Public Interest to Necessary With Substantive Public Interest.

Agency	Rule	Name	Type of Comment	Comment	Agency Response
Department of Insurance	11 NCAC 12 .1503	REQUIREMENTS FOR USE OF HCFA FORM 1500	Public Coment as defined in G.S. 150B-21.3A(a)(5)	<p>From: Kenneth Lewis, Executive Director NC Association of Health Plans, Inc.</p> <p>Repeal 11 NCAC 12.1502(e) and 11 NCAC 12.1503(d): Insurers are no longer permitted to use or create homegrown codes of any kind per HIPPA transactions and code sets passed in 1999.</p>	The Department agrees that the rule should be reclassified from Necessary Without Substantive Public Interest to Necessary With Substantive Public Interest.



Agency	Rule	Name	Type of Comment	Comment	Agency Response
Department of Insurance	11 NCAC 12 .1504	REQUIREMENTS FOR USE OF THE CURRENT ADA DENTAL CLAIM FORM	Public Coment as defined in G.S. 150B-21.3A(a)(5)	<p>FROM: Kenneth Lewis, Executive Director NC Association of Health Plans, Inc.</p> <p>Repeal 11 NCAC 12.1504 as the references and details appear to be outdated. Furthermore, the Department does not have the ability to enforce this rule with respect to these providers.</p>	The Department agrees that the rule should be reclassified from Necessary Without Substantive Public Interest to Necessary With Substantive Public Interest.

Agency	Rule	Name	Type of Comment	Comment	Agency Response
Department of Insurance	11 NCAC 12 .1505	MANAGED CARE FORMS	Public Coment as defined in G.S. 150B-21.3A(a)(5)	<p>FROM: Kenneth Lewis, Executive Director NC Association of Health Plans, Inc.</p> <p>Repeal 11 NCAC 12.1505 as HIPPA standardization makes this rule unnecessary.</p>	The Department agrees that the rule should be reclassified from Necessary Without Substantive Public Interest to Necessary With Substantive Public Interest.

Agency	Rule	Name	Type of Comment	Comment	Agency Response
Department of Insurance	11 NCAC 12 .1506	ELECTRONIC FORMAT STANDARDS	Public Coment as defined in G.S. 150B-21.3A(a)(5)	<p>From: Kenneth Lewis, Executive Director NC Association of Health Plans, Inc.</p> <p>11 NCAC 12 Section .1500 – Uniform Claim Forms</p> <p>The Department has determined that Section .1500 is necessary without substantive public interest. References in the rules are outdated or preempted by federal and state law. The NCAHP therefore requests that the Department identify this rule as Necessary with Substantive Public Interest and amend the rule as outlined below:</p> <p>☐ References to the forms throughout the Rule are outdated. The NCAHP recommends that the form references be updated as follows:</p> <ul style="list-style-type: none"> <li>o “HCFA” should be replaced by “CMS” (Centers for Medicare and Medicaid Services)</li> <li>o “ICD-9” should be changed to “ICD-10” and the mandated compliance date for use of ICD-10 was October 1, 2015</li> <li>o “HCFA Form 1450 (UB-92)” should be replaced by “UB04” (used by institutional providers)</li> <li>o “HCFA Form 1500” should be replaced by</li> </ul>	The Department agrees that the rule should be reclassified from Necessary Without Substantive Public Interest to Necessary With Substantive Public Interest.

Agency	Rule	Name	Type of Comment	Comment	Agency Response
Department of Insurance	11 NCAC 12 .1507	ATTACHMENT FORM OR FORMAT	Public Coment as defined in G.S. 150B-21.3A(a)(5)	<p>From: Kenneth Lewis, Executive Director NC Association of Health Plans, Inc.</p> <p>11 NCAC 12 Section .1500 – Uniform Claim Forms</p> <p>The Department has determined that Section .1500 is necessary without substantive public interest. References in the rules are outdated or preempted by federal and state law. The NCAHP therefore requests that the Department identify this rule as Necessary with Substantive Public Interest and amend the rule as outlined below:</p> <p>☐ References to the forms throughout the Rule are outdated. The NCAHP recommends that the form references be updated as follows:</p> <ul style="list-style-type: none"> <li>o “HCFA” should be replaced by “CMS” (Centers for Medicare and Medicaid Services)</li> <li>o “ICD-9” should be changed to “ICD-10” and the mandated compliance date for use of ICD-10 was October 1, 2015</li> <li>o “HCFA Form 1450 (UB-92)” should be replaced by “UB04” (used by institutional providers)</li> <li>o “HCFA Form 1500” should be replaced by</li> </ul>	The Department agrees that the rule should be reclassified from Necessary Without Substantive Public Interest to Necessary With Substantive Public Interest.

Agency	Rule	Name	Type of Comment	Comment	Agency Response
Department of Insurance	11 NCAC 12 .1508	MEDICARE SUPPLEMENT PAYORS	Public Coment as defined in G.S. 150B-21.3A(a)(5)	<p>From: Kenneth Lewis, Executive Director NC Association of Health Plans, Inc.</p> <p>11 NCAC 12 Section .1500 – Uniform Claim Forms</p> <p>The Department has determined that Section .1500 is necessary without substantive public interest. References in the rules are outdated or preempted by federal and state law. The NCAHP therefore requests that the Department identify this rule as Necessary with Substantive Public Interest and amend the rule as outlined below:</p> <p>☐ References to the forms throughout the Rule are outdated. The NCAHP recommends that the form references be updated as follows:</p> <ul style="list-style-type: none"> <li>o “HCFA” should be replaced by “CMS” (Centers for Medicare and Medicaid Services)</li> <li>o “ICD-9” should be changed to “ICD-10” and the mandated compliance date for use of ICD-10 was October 1, 2015</li> <li>o “HCFA Form 1450 (UB-92)” should be replaced by “UB04” (used by institutional providers)</li> <li>o “HCFA Form 1500” should be replaced by</li> </ul>	The Department agrees that the rule should be reclassified from Necessary Without Substantive Public Interest to Necessary With Substantive Public Interest.



Agency	Rule	Name	Type of Comment	Comment	Agency Response
Department of Insurance	11 NCAC 12 .1509	PATIENT SUBMITTED CLAIM FORMS	Public Coment as defined in G.S. 150B-21.3A(a)(5)	<p>From: Kenneth Lewis, Executive Director NC Association of Health Plans, Inc.</p> <p>11 NCAC 12 Section .1500 – Uniform Claim Forms</p> <p>The Department has determined that Section .1500 is necessary without substantive public interest. References in the rules are outdated or preempted by federal and state law. The NCAHP therefore requests that the Department identify this rule as Necessary with Substantive Public Interest and amend the rule as outlined below:</p> <p>☐ References to the forms throughout the Rule are outdated. The NCAHP recommends that the form references be updated as follows:</p> <ul style="list-style-type: none"> <li>o “HCFA” should be replaced by “CMS” (Centers for Medicare and Medicaid Services)</li> <li>o “ICD-9” should be changed to “ICD-10” and the mandated compliance date for use of ICD-10 was October 1, 2015</li> <li>o “HCFA Form 1450 (UB-92)” should be replaced by “UB04” (used by institutional providers)</li> <li>o “HCFA Form 1500” should be replaced by</li> </ul>	The Department agrees that the rule should be reclassified from Necessary Without Substantive Public Interest to Necessary With Substantive Public Interest.

Agency	Rule	Name	Type of Comment	Comment	Agency Response
Department of Insurance	11 NCAC 12 .1803	GENERAL REQUIREMENTS	Public Comment as defined in G.S. 150B-21.3A(a)(5)	<p>From: Kenneth Lewis, Executive Director NC Association of Health Plans, Inc.</p> <p>The Department has determined that Section .1803(1) is necessary without substantive public interest. For the reasons outlined below, the NCAHP therefore requests that the Department identify this rule as Necessary with Substantive Public Interest and amend this section. Section 1803 creates an impediment for health insurers to provide an Exclusive Provider Organization (EPO) to North Carolina consumers. EPO's function similarly to an HMO in that they do not offer out-of-network benefits. By limiting the type of insurance products available in North Carolina, insurers are prevented from giving consumers more choices in their selection of health insurance products, limiting their ability to choose higher quality, more cost-effective products that meet their healthcare needs.</p> <p>The NCAHP therefore requests that the Department permit carriers to offer these products under an insurance license (as an EPO/PPO) currently authorized under a health plan license (as an HMO). This requires an amendment to Section .1803(1)</p>	The Department agrees that the rule should be reclassified from Necessary Without Substantive Public Interest to Necessary With Substantive Public Interest.