

SUPPLEMENTAL NOTICE OF PROPOSED CHANGES IN THE
REGULATIONS OF THE DIVISION OF INSURANCE

BRIEF DESCRIPTION

The Division of Insurance proposes to adopt regulations to clarify the term "year of adoption" found in AS 21.42.160 to improve the ability of insurers to submit forms on the original filing that comply with the state's statutes, and to define the terms "replacement form" and "revised form" in 3 AAC 31.200 – 3 AAC 31.299.

The Division of Insurance proposes to adopt regulation changes in Title 3 of the Alaska Administrative Code, dealing with a clarification of the term "year of adoption" found in AS 21.42.160 including the following:

3 AAC 31.250(a) relating to form filings is proposed to be amended as follows:

A form filing must include the year of adoption on the form.

The year of adoption appearing on the form is the year of the effective date of the filing in which the new, revised, or replacement form was authorized or approved for use by the insurer in the state unless one of the enumerated exceptions applies.

There are five enumerated exceptions as follows:

The year the filing actually becomes effective is different than the year of the effective date initially requested;

A form has been previously authorized or approved for use by the insurer in the state for another program or product or under another line of business and is not a revision to or replacement of a form currently authorized or approved for use in the particular program, product, and line of business to which the filing applies;

A form has been previously authorized or approved for use in the state for an insurer with the same National Association of Insurance Commissioner's group number and is not a revision to or replacement of a form currently authorized or approved for use by the insurer making the filing;

A form is used by an insurer in multiple states, has not previously been authorized or approved for use in the state, and includes a year of adoption or an edition date; or

A form has been filed by, and authorized or approved for, a licensed rating organization for use in the state.

3 AAC 31 is proposed to be amended to add a new definitions section, 3 AAC 31.299, to define the terms "replacement form" and "revised form".

This is a SUPPLEMENTAL NOTICE adding to the NOTICE OF PROPOSED CHANGES that was issued on June 2, 2014, concerning these proposed regulation revisions contained in the Department of Law file number JU2014200464. This SUPPLEMENTAL NOTICE is being issued to hold an additional hearing, to enable persons to testify at the hearing by teleconference, and to extend the comment period on the proposed revisions to allow additional time for comments.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed action, by submitting written comments to the Division of Insurance; Attention: Michael Ricker; P.O. Box 110805; Juneau, AK 99811-0805 or by e-mail to michael.ricker@alaska.gov; or by fax to (907) 465-3422. Comments may also be submitted through the Alaska Online Public Notice System at <http://aws.state.ak.us/OnlinePublicNotices>. All comments must be received **no later than 5:00 p.m., Alaska Daylight Time, August 14, 2014.**

Oral or written comments also may be submitted at a hearing to be held on **Thursday, August 7, 2014** in conference room B which is on the ninth floor of the State Office Building located at 333 Willoughby Ave., Juneau, Alaska. The hearing will be held from **10:00 a.m. to 10:30 a.m., ADT**, and may be extended to accommodate those present before 10:30 a.m. who may not have had the opportunity to comment. If you are unable to attend the meeting in person and would like to participate by teleconference, please call 1-800-315-6338 and enter the access code 42070 followed by # (pound sign).

If you are a person with a disability who needs a special accommodation in order to participate in the process, please contact Tonya Essary at (907) 465-2597 or TDD (907) 465-5437 no later than August 4, 2014 to ensure that any necessary accommodations can be provided.

For a copy of the proposed regulation changes, please contact the Division of Insurance by telephoning (907) 269-7900 in Anchorage or (907) 465-2515 in Juneau, or via the Internet at <http://commerce.alaska.gov/dnn/ins/HearingsMeetingsandNotices.aspx>.

After the public comment period ends, the Division of Insurance will either adopt these or other provisions dealing with the same subject, without further notice, or decide to take no action on them. The language of the final regulations may be different from that of the proposed regulations. **YOU SHOULD COMMENT DURING THE TIME ALLOWED IF YOUR INTERESTS COULD BE AFFECTED.** Written comments received are public records and are subject to public inspection.

Statutory Authority: AS 21.06.090; AS 21.42.120; AS 21.42.123; AS 21.42.125; AS 21.57.080; AS 21.66.450; AS 21.84.255; AS 21.86.070; AS 21.87.180, and AS 21.96.080

Statutes Being Implemented, Interpreted, or Made Specific: AS 21.42.160.

Fiscal Information: This action is not expected to require an increased appropriation.

DATE: July 7, 2014.



Lori Wing-Heier
Director of Insurance