

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 482 Department or Agency Department of Insurance*

Rule No. Rule 482-1-103-.04

Rule Title: Examination Reports.

New Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? N/A*

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? N/A*

Is there another, less restrictive method of regulation available that could adequately protect the public? N/A*

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? N/A*

Is the increase in costs, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? N/A*

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? N/A*

Does the proposed rule have an economic impact? N/A*

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Sections 27-2-17 and 27-7-43, Code of Alabama 1975, and that it complies with all applicable filing requirements of the Alabama Insurance Code.*

Signature of certifying officer Jim L. Ridling
Jim L. Ridling
Commissioner of Insurance

Date: June 17, 2015

*Note: *The Alabama Department of Insurance is exempt from the Alabama Administrative Procedures Act pursuant to Section 41-22-2(e), Code of Alabama 1975.*

Alabama Department of Insurance

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Insurance

RULE NO. & TITLE: Rule 482-1-103-.04: Examination Reports.

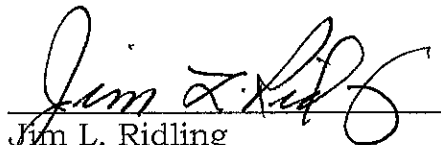
INTENDED ACTION: Amend rule.

SUBSTANCE OF PROPOSED ACTION: The Commissioner of Insurance is proposing to amend the rule which sets forth the procedures for filing of examination reports. The amendments change adjust the time within which an examinee can make a written submission or rebuttal to matters containing in an examination report from 20 days to 30 days, consistent with recent changes to Section 27-2-24, Code of Alabama 1975.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Interested persons may submit data, views, or arguments in writing at any time prior to August 5, 2015, to the Alabama Department of Insurance, Attention: Legal Division, Post Office Box 303351, Montgomery, Alabama 36130-3351, or orally by appearing at the public hearing, Suite 502, RSA Tower, 201 Monroe Street, Montgomery, Alabama, beginning at 10:00 AM, August 12, 2015.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:
August 5, 2015

CONTACT PERSON AT AGENCY: Reyn Norman
General Counsel



Jim L. Ridling
Commissioner of Insurance

1 **482-1-103-.04 Examination Reports.**

2 (1) No later than sixty (60) days following completion of
3 the examination, the examiner in charge shall file with the
4 Chief Examiner a verified report of examination under oath.
5 Upon receipt of the verified report, the Chief Examiner shall
6 transmit a copy of the report to the person examined, together
7 with a notice which shall afford the examinee ~~twenty (20)~~
8 thirty (30) days to make a written submission or rebuttal with
9 respect to any matters contained in the examination report.
10 The written submission by the examinee shall specify any item
11 or items to which the examinee objects, including any affected
12 page numbers of the report if necessary.

13 (2) Within thirty (30) days of the end of the period
14 allowed for the receipt of written submissions or rebuttals,
15 the commissioner will fully consider and review the report,
16 together with any written submissions or rebuttals, and any
17 relevant portions of the examiners' work papers and will enter
18 an order doing one of the following:

19 (a) Adopting the examination report as filed or with
20 modifications or corrections. If the examination report
21 reveals that the company is operating in violation of any law,
22 regulation, or prior order of the commissioner, the

1 commissioner may order the company to take any action the
2 commissioner considers necessary and appropriate to cure the
3 violation.

4 (b) Rejecting the examination report with directions to
5 the examiners to reopen the examination for purposes of
6 obtaining additional data, documentation, or information, and
7 refiling pursuant to Paragraph \pm (1) above.

8 (c) Calling for an investigatory hearing for purposes of
9 obtaining additional documentation, data, information, and
10 testimony.

11 **Author:** Commissioner of Insurance

12 **Statutory Authority:** Code of Alabama 1975, § 27-2-17

13 **History:** New July 5, 1994, Effective July 15, 1994; Revised
14 _____, 2015, Effective _____, 2015.