

REQUEST FOR TECHNICAL CHANGE

AGENCY: North Carolina Department of Insurance

RULE CITATION: All Rules

DEADLINE FOR RECEIPT: Wednesday December 6, 2017

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

Please provide the rule names in box 2

Please check "no" in box 4 – G.S. 150B-21.5(a)(4) does not exempt RRC review. G.S. 150B-21.5 only exempts an agency from publication and notice requirements.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Amber May
Commission Counsel
Date submitted to agency: November 21, 2017

REQUEST FOR TECHNICAL CHANGE

AGENCY: North Carolina Department of Insurance

RULE CITATION: 11 NCAC 01 .0103

DEADLINE FOR RECEIPT: Wednesday December 6, 2017

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

In (a) and (b), are "Location." and "Mailing Address." necessary? Using these introductions appears to be inconsistent (c) and with other Rules in this Section.

*Please consider revising (c) to say "The ~~Department shall have~~ **Department's** normal working hours **shall be** between 8:00 a.m. and 5:00 p.m., Monday through ~~Friday. Friday,~~ **Friday, except for State recognized holidays as set forth in 25 NCAC 01E .0901. Legal holidays shall be observed as recommended by the N.C. State Personnel Commission."***

If you choose not to use the suggested language, please correct the name of the "N.C. State Personnel Commission" to "North Carolina Office of State Human Resources" and provide a cross-reference to state recognized holidays.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Amber May
Commission Counsel
Date submitted to agency: November 21, 2017

1 11 NCAC 01 .0103 is amended without notice and hearing pursuant to G.S. 150B-21.5(a)(4):

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3 **11 NCAC 01 .0103 LOCATION AND MAILING ADDRESS**

4 (a) Location. The primary location of the North Carolina Department of Insurance is the ~~Debbs-Albemarle~~ Building,
5 ~~430~~325 North Salisbury Street, Raleigh, North Carolina. The Eastern Regional Office is located at ~~233 Middle Street,~~
6 ~~O'Marks Building, New Bern,~~ 2709 Market Street, Suite 101, Wilmington, NC. The Western Regional Office is
7 located at 537 College Street, Asheville, NC.

8 (b) Mailing Address. The mailing address for the North Carolina Department of Insurance is 1201 Mail Service
9 Center, Raleigh, NC 27699-1201. The mailing address for the Eastern Regional Office is ~~P.O. Box 1691, New Bern,~~
10 ~~NC 28563-1691,~~ 2709 Market Street, Suite 101, Wilmington, NC 28403. The mailing address for the Western
11 Regional Office is ~~P.O. Box 1688, 537 College Street, Asheville, NC 28802-1688,~~28802.

12 (c) The Department shall have normal working hours between 8:00 a.m. and 5:00 p.m., Monday through Friday.
13 Legal holidays shall be observed as recommended by the N.C. State Personnel Commission.

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15 *History Note: Authority G.S. 58-2-1; 58-2-40;*

16 *Eff. February 1, 1976;*

17 *Readopted Eff. May 12, 1978;*

18 *Amended Eff. January 1, 2018; November 1, 2005; July 1, 1992; September 1, 1988.*

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REQUEST FOR TECHNICAL CHANGE

AGENCY: North Carolina Department of Insurance

RULE CITATION: 11 NCAC 04 .0116

DEADLINE FOR RECEIPT: Wednesday December 6, 2017

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

Are lines 4-5 ("The Division maintains facilities and personnel to receive inquiries and complaints by telephone, letter or personal visit") necessary?

If lines 4-5 are necessary, is the intent to tell your regulated public that they can contact the Division with questions? If so, please say that.

Is the "Division" defined elsewhere in this Section of Rules? I don't think that it is. As such, I would suggest revising this Rule to follow the formatting of some of your other address rules (such as .0103) or say something like :

The contact information of the North Carolina Department of Insurance Consumer Services Division (Division) is as follows:

- (1) The telephone number is 1-855-408-1212.*
- (2) The mailing address is XXXXX*
- (3) The street address is XXXXX*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Amber May
Commission Counsel

Date submitted to agency: November 21, 2017

1 11 NCAC 04 .0116 is amended without notice and hearing pursuant to G.S.150b-21.5(a)(4):

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3 **11 NCAC 04 .0116 INQUIRIES AND INFORMATION**

4 The Division maintains facilities and personnel to receive inquiries and complaints by telephone, letter or personal
5 visit. ~~The telephone numbers for the Division are toll free 1-800-662-7777 or 1-800-546-5664 and 1-919-807-6750.~~
6 toll free telephone number for the Division is 1-855-408-1212. The mailing address of the Division is: North Carolina
7 Department of Insurance, 1201 Mail Service Center, Raleigh, North Carolina 27699-1201; (Attention: Consumer
8 Services Division). ~~The street address of the Division is: Room 3040, Dobbs Building, 430 is North Carolina~~
9 Department of Insurance Consumer Services Division, Albemarle Building, 325 North Salisbury Street, Raleigh,
10 North Carolina.

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12 *History Note: Authority G.S. 58-2-25; 58-2-40;*

13 *Eff. December 15, 1979;*

14 *Amended Eff. January 1, 2018; July 1, 2012; April 1, 1989; July 1, 1986.*

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REQUEST FOR TECHNICAL CHANGE

AGENCY: North Carolina Department of Insurance

RULE CITATION: 11 NCAC 08 .0903

DEADLINE FOR RECEIPT: Wednesday December 6, 2017

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The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

Is the Department of Insurance the correct rule-making body? Should this instead be the Manufactured Housing Board? Please note that this Rule was on the Manufactured Housing Board's Report approved by RRC at their November meeting.

Why is (a) necessary?

In (b), what is meant by "Standards"? Do you mean Rules?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Amber May
Commission Counsel
Date submitted to agency: November 21, 2017

1 11 NCAC 08 .0903 is amended without notice and hearing pursuant to G.S. 150B-21.5(a)(4):

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3 **11 NCAC 08 .0903 RULE-MAKING AND HEARING PROCEDURES**

4 (a) Unless otherwise provided for in the North Carolina General Statutes, rulemaking and contested case hearing
5 procedures shall be those set forth in G.S. 150B.

6 (b) Copies of Standards adopted by the Manufactured Housing Board or the Commissioner of Insurance may be
7 obtained by writing or calling:

8 North Carolina Manufactured Housing Board

9 ~~Engineering~~ Manufactured Building Division

10 1202 Mail Service Center

11 Raleigh, North Carolina 27699-1202

12 Phone ~~(919) 661-5880~~ (919) 647-0000

13 The ~~Engineering~~ Manufactured Building Division is located at:

14 ~~322 Chapanoke Road, Suite 200~~ 325 North Salisbury Street

15 Raleigh, North Carolina 27603.

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17 *History Note: Legislative Objection Lodged Eff. December 22, 1982;*

18 *Authority G.S. 143-143.10; 143-143.11; 143-143.11B; 143-143.12; 143-143.14; 143-143.19;*

19 *Eff. January 1, 1983;*

20 *Amended Eff. March 1, 1988 at ARRC request to cure referenced Legislative Objection;*

21 *Amended Eff. January 1, 2018; June 1, 2005.*

22

REQUEST FOR TECHNICAL CHANGE

AGENCY: North Carolina Department of Insurance

RULE CITATION: 11 NCAC 10 .1114

DEADLINE FOR RECEIPT: Wednesday December 6, 2017

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The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

Given .1209, is this Rule necessary?

Are the contents of the transmittal header set forth elsewhere in Rule? If not, please provide the required contents of the transmittal header.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Amber May
Commission Counsel
Date submitted to agency: November 21, 2017

1 11 NCAC 10 .1114 is amended without notice and hearing pursuant to G.S. 150B-21.5(a)(4):

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3 **11 NCAC 10 .1114 TRANSMITTAL HEADER**

4 All rate filings shall be accompanied by a transmittal header, which is available at the Department's Internet web site
5 (www.ncdoi.com), by writing the N.C. Department of Insurance, Property & Casualty Division, ~~430 N. Salisbury St.,~~
6 ~~P.O. Box 26387,~~ 325 North Salisbury Street, 1201 Mail Service Center, Raleigh, NC ~~27611,~~27699-1201, or by calling
7 the Division at ~~(919) 733-3368,~~ (919) 807-6075.

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9 *History Note: Authority G.S. 58-2-40; 58-40-30; 58-41-50;*

10 *Eff. August 1, 2002;*

11 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 3,*
12 *2017. January 3, 2017;*

13 *Amended effective January 1, 2018.*

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REQUEST FOR TECHNICAL CHANGE

AGENCY: North Carolina Department of Insurance

RULE CITATION: 11 NCAC 10 .1209

DEADLINE FOR RECEIPT: Wednesday December 6, 2017

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The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

In what context are transmittal headers required for purposes of this Rule? If it is really intended to be required for all form filings, why is .1114 necessary?

Are the contents of the transmittal header set forth elsewhere in Rule? If not, please provide the required contents of the transmittal header.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Amber May
Commission Counsel
Date submitted to agency: November 21, 2017

1 11 NCAC 10 .1209 is amended without notice and hearing pursuant to G.S. 150B-21.5(a)(4):

2

3 **11 NCAC 10 .1209 TRANSMITTAL HEADER**

4 All form filings shall be accompanied by a transmittal header which is available at the Department's Internet web site
5 (www.ncdoi.com), by writing the N.C. Department of Insurance, Property & Casualty Division, ~~430 N. Salisbury St.,~~
6 ~~P.O. Box 26387,~~325 North Salisbury Street, 1201 Mail Service Center, Raleigh, NC 27611, 27699-1201, or by calling
7 the Division at ~~(919) 733-3368,~~(919) 807-6075.

8

9 *History Note: Authority G.S. 58-2-40; 58-3-150; 58-36-55; 58-45-45; 58-46-55;*

10 *Eff. August 1, 2002;*

11 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. ~~January 3,~~*
12 *~~2017.~~ January 3, 2017;*

13 *Amended effective January 1, 2018.*

14

REQUEST FOR TECHNICAL CHANGE

AGENCY: North Carolina Department of Insurance

RULE CITATION: 11 NCAC 17 .0103

DEADLINE FOR RECEIPT: Wednesday December 6, 2017

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

What is the SHIIP? Is this acronym spelled out elsewhere? If not, please spell it out.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Amber May
Commission Counsel
Date submitted to agency: November 21, 2017

1 11 NCAC 17 .0103 is amended without notice and hearing pursuant to G.S. 150B-21.5(a)(4):

2

3 **11 NCAC 17 .0103 LOCATION, MAILING ADDRESS, AND TELEPHONE**

4 (a) The primary location of SHIIP is ~~41 South Boylan Avenue, Raleigh, N.C. 27603.~~ 325 North Salisbury Street,
5 Albemarle Building, Raleigh, NC 27603.

6 (b) The mailing address of SHIIP is 1201 Mail Service Center, Raleigh, North Carolina, 27699-1201.

7 (c) The telephone numbers for SHIIP are toll-free ~~1-800-443-9354~~ 1-855-408-1212 and 1-919-807-6900.

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9 *History Note: Authority G.S. 58-2-5; 58-2-25; 58-2-40(1); 58-54-25; 58-55-30;*

10 *Eff. July 1, 1992;*

11 *Amended Eff. January 1, 2018; November 1, 2011; September 1, 2002.*

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