

**ADOPTED REGULATION OF THE
COMMISSIONER OF INSURANCE**

LCB File No. R179-03

Effective December 16, 2003

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §1, NRS 679B.130.

Section 1. NAC 689A.270 is hereby amended to read as follows:

689A.270 1. Each accident and health insurer shall maintain at its home or principal office a complete file containing every printed, published or prepared advertisement of individual policies and typical printed, published or prepared advertisements of blanket, franchise and group policies disseminated in this or any other state whether or not licensed in the other state, with a notation attached to each advertisement which indicates the manner and extent of distribution and the form number of any policy advertised. The file is subject to inspection by the Division. All advertisements must be retained for at least 3 years.

2. ~~Each~~ *Except as otherwise provided in subsection 3, each* insurer which is required to file an annual statement *with the Division or the National Association of Insurance Commissioners* and which is subject to the provisions of this section must file with the Division ~~with its annual statement~~ a certificate executed by an authorized officer, certifying that , to his knowledge, information and belief, the advertisements which were disseminated by the insurer during the preceding statement year complied with the insurance laws of this state and NAC 689A.010 to 689A.270, inclusive.

3. Each insurer which is required to file an annual statement with the Division or the National Association of Insurance Commissioners and which did not disseminate or provide any advertisement in this state during the previous year must file with the Division a certificate, executed by an authorized officer, certifying that, to his knowledge, information and belief, the insurer did not disseminate or provide any advertisement in this state during the previous year.

NOTICE OF ADOPTION OF PROPOSED REGULATION
LCB File No. R179-03

The Commissioner of Insurance adopted regulations assigned LCB File No. R179-03 which pertain to chapter 689A of the Nevada Administrative Code on December 3, 2003.

Notice date: 10/15/2003
Hearing date: 11/18/2003

Date of adoption by agency: 12/3/2003
Filing date: 12/16/2003

INFORMATIONAL STATEMENT

A hearing was held on November 18, 2003, in Carson City, Nevada, and video-conferenced to the Bradley Building in Las Vegas, regarding the reporting requirements for advertisement of health insurance.

Public comment was solicited by posting notice of the hearing in the following public locations: 788 Fairview Drive, Legislative Counsel Bureau, Capitol Building Lobby, Blasdel Building, Carson City Courthouse, State Library, Clark County Library, Capitol Press Room and the Division's Las Vegas Office.

In addition, the Department of Business and Industry, Division of Insurance (Division), maintains a list of interested parties, comprised mainly of insurance companies, agencies and other persons regulated by the Division. These persons were notified of the hearing and that copies of the regulation could be obtained from or examined at the offices of the Division in Carson City.

The hearing was attended by eight individuals in Carson City and approximately six individuals in Las Vegas. No written comments were received.

There were no revisions recommended or made to the Proposed Regulation, LCB File No. R179-03. Considering the comments by those attending the hearing, the Commissioner has issued an order adopting the regulation as a permanent regulation of the Division.

The economic impact of the regulation is as follows:

- (a) On the business it is to regulate: None.
- (b) On the public: None.

The Division anticipates a nominal expense to enforce the proposed regulation. The Division is not aware of any overlap or duplication of the regulation with any state, local or federal regulation.

STATE OF NEVADA
DEPARTMENT OF BUSINESS AND INDUSTRY
DIVISION OF INSURANCE

IN THE MATTER OF THE

CAUSE NO. **03.731**
LCB File No. **R179-03**

**REGULATION REGARDING THE
REPORTING REQUIREMENTS FOR
ADVERTISMENT OF HEALTH INSURANCE./**

**SUMMARY OF PROCEEDINGS
AND ORDER**

SUMMARY OF PROCEEDINGS

A public workshop, as required by NRS 233B.061, on the proposed regulation regarding the reporting requirements for advertisement of health insurance was held before Alice A. Molasky-Arman, Commissioner of Insurance, on November 18, 2003, in Carson City, Nevada, and video-conferenced to the Bradley Building in Las Vegas, Nevada. A public hearing on the proposed regulation was also held before Commissioner Molasky-Arman on November 18, 2003, in Carson City, Nevada, and video-conferenced to the Bradley Building in Las Vegas, Nevada. The regulation is proposed under the authority of NRS 679B.130.

The Department of Business and Industry, Division of Insurance (Division), did not receive any oral or written comments. The hearing was attended by eight individuals in Carson City and approximately six individuals in Las Vegas. The following person provided testimony before the Hearing Officer: Louis Roggensack, representing the Division.

Based upon the testimony received at the hearing, the regulation was unchanged from the proposed regulation.

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ORDER OF THE COMMISSIONER

Having reviewed the record in this matter, it is hereby ordered that the proposed regulation regarding the reporting requirements for advertisement of health insurance, LCB File No. R179-03, be adopted as a permanent regulation of the Division.

SO ORDERED this _____ day of _____, 2003.

ALICE A. MOLASKY-ARMAN
Commissioner of Insurance