

# PROPOSED REGULATION OF THE COMMISSIONER OF INSURANCE

## LCB File No. R039-14

February 5, 2014

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

AUTHORITY: NRS 679B.130

A REGULATION relating to individual health insurance. Amending certain regulations to comply with state and federal law and repealing other regulations which are unnecessary under state and federal law.

**Section 1.** NAC 689A.020 is hereby amended to read as follows:

“Advertisement” means:

1. Printed and published material and descriptive literature used in newspapers, magazines, radio and television scripts, billboards, *Internet web sites* and similar displays;
2. Descriptive literature and sales aids of all kinds issued by an insurer for presentation to members of the public, including, but not limited to, circulars, leaflets, booklets, depictions, illustrations and form letters; and
3. Prepared sales talks, presentations and material for use by agents and brokers, and representations made by the agents and brokers in accordance with them.

**Sec. 2.** NAC 689A.270 is hereby amended to read as follows:

~~1-1~~ 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. 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 a certificate executed by an authorized officer, certifying that, to his or her 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 or her knowledge, information and~~

~~belief, the insurer did not disseminate or provide any advertisement in this State during the previous year.}~~

**Sec. 3.** NAC 689A.350, 689A.445, 689A.455, 689A.465, 689A.485, and 689A.615 are hereby repealed.