

STATE OF NORTH DAKOTA
BEFORE THE INSURANCE COMMISSIONER

In the Matter of the Promulgation)	REGULATORY ANALYSIS, SMALL
of Proposed Rules Regarding:)	ENTITY ECONOMIC IMPACT
Premium Tax Payments – Estimates,)	STATEMENT AND SMALL ENTITY
Principle-Based Valuation, Long Term)	REGULATORY ANALYSIS
Care Insurance Model Regulation, Self)	
Insurance Health Plans, Consumer Credit)	FILE NO. RU-20-814
Insurance, Surplus Lines Insurance,)	
Notice to Policy Holders, and Privacy of)	
Consumer Financial and Health)	
Information.)	

I. REGULATORY ANALYSIS

The North Dakota Insurance Department (“Department”) issues this regulatory analysis as required by N.D.C.C. § 28-32-08. An agency must issue a regulatory analysis if a written request for an analysis is filed by the Governor or a member of the Legislative Assembly or a proposed rule being adopted by the agency is expected to have an impact on the regulated community in excess of \$50,000. *Id.*

Each of the proposed rules may have an impact on the regulated community in excess of \$50,000.

A. Classes of Persons Who Probably Will Be Affected by the Proposed Rules

N.D. Admin. Code ch. 45-03-06– Premium Tax Payments - Estimates. The classes of persons who will probably be affected by the proposed rule are insurers that write large and or small group health insurance who pay assessments into the reinsurance association of North Dakota.

N.D. Admin. Code ch. 45-03-26 – Principle-Based Valuation. The classes of persons who will probably be affected by the proposed rule are life and health insurers.

N.D. Admin. Code ch. 45-06-05.1 – Long Term Care Insurance Model Regulation. The classes of persons who will probably be affected by the proposed rule are insurers filing long term care policies with the North Dakota Insurance Department after March 1, 2020.

N.D. Admin. Code ch. 45-06-17 – Self Insurance Health Plans. The classes of persons who will probably be affected by the proposed rule are the Public Employee Retirement System and the Public Employees.

N.D. Admin. Code ch. 45-07-01.1 – Consumer Credit Insurance. The classes of persons who will probably be affected by the proposed rule are life insurers. The current formula is based on an NAIC guideline. Even though the formula was not originally written correctly, insurers have been following it as if it has been, so the impact on insurers will also be minimal.

N.D. Admin. Code ch. 45-09-01 – Surplus Lines Insurance. The classes of persons who will probably be affected by the proposed rule are surplus lines producers.

N.D. Admin. Code ch. 45-11-01 – Notice to Policy Holders. The classes of persons who will probably be affected by the proposed rule are life and health insurers.

N.D. Admin. Code ch. 45-14-01 – Privacy of Consumer Financial and Health Information. The classes of persons who will probably be affected by the proposed rule are insurers who do business in North Dakota.

B. Description of the Probable Impact Including the Economic Impact of the Proposed Rules

N.D. Admin. Code ch. 45-03-06– Premium Tax Payments - Estimates. The proposed rule states that the credit for assessments paid to the reinsurance association of North Dakota shall be taken in the calendar year in which it was paid. If the credit exceeds the premium tax liability, it is not eligible to be carried over to future years. This rule is expected to have no fiscal impact.

N.D. Admin. Code ch. 45-03-26 – Principle-Based Valuation. The proposed rule states that the most current version of the Valuation model as adopted by the National Association of Insurance Commissioners shall be utilized by insurers. This rule change is expected to have no fiscal impact.

N.D. Admin. Code ch. 45-06-05.1 – Long Term Care Insurance Model Regulation. The proposed rule simply corrects a clerical error from the March 1, 2020 rules batch and corrects the effective date from October 1, 2019 to the rightful date of March 1, 2020. This rule change is expected to have no fiscal impact.

N.D. Admin. Code ch. 45-06-17 – Self Insurance Health Plans. The proposed rule sets the framework should the Legislature direct the North Dakota Public Employees Retirement System to create a self insurance plan for the members. Any fiscal impact is difficult to calculate at this point. Should the Legislature decide to create the Self Insurance plan for North Dakota Public Employees, all fiscal impact would be associated with that plan.

N.D. Admin. Code ch. 45-07-01.1 – Consumer Credit Insurance. The proposed rule corrects mistakes in the formulas used within this chapter. This rule is expected to have no fiscal impact.

N.D. Admin. Code ch. 45-09-01 – Surplus Lines Insurance. The proposed rule amends the filing guidelines for Surplus Lines Producers and their due diligence search to determine that the product requested is not available from a company authorized to do business in the state. The amendment aligns the filing guidelines with the North Dakota Century Code. The rule is expected to have no fiscal impact.

N.D. Admin. Code ch. 45-11-01 – Notice to Policy Holders. The proposed rule updates the notice of protection provided by the North Dakota Life and Health Guaranty Association to include Health Maintenance Organizations in the terms “insurance company” and “insurer”. It also updates the definition of health benefit plan as it is defined in North Dakota Century Code. The rule is expected to have no fiscal impact.

N.D. Admin. Code ch. 45-14-01 – Privacy of Consumer Financial and Health Information. This chapter is being amended to be consistent with the statutory exception in N.D.C.C. §26.1-02-38, which is an exception to the general rule regarding annual privacy notices to customers stating that if a licensee that provides nonpublic personal information to nonaffiliated third parties in accordance with applicable century code has not changed its policies and practices from those that were disclosed to the consumer are not required to provide an annual notice unless that licensee fails to comply with the guidelines set forth in the exception. The rule is expected to have no fiscal impact.

C. Probable Costs to the Agency of Implementation and Enforcement of the Proposed Rules and Any Anticipated Effect on State Revenues

N.D. Admin. Code ch. 45-03-06– Premium Tax Payments - Estimates. The probable cost to the agency of implementation and enforcement of this rule is expected to have no impact on the Department’s operations or expenditures. There will be no effect on state revenues from the proposed rule.

N.D. Admin. Code ch. 45-03-26 – Principle-Based Valuation. The probable cost to the agency of the implementation and enforcement of this rule is expected to have no impact on the Department’s operations or expenditures. There will be no effect on state revenues from the proposed rule.

N.D. Admin. Code ch. 45-06-05.1 – Long Term Care Insurance Model Regulation. The probable cost to the agency of implementation and enforcement of this rule is expected to have no impact on the Department’s operations of expenditures. There will be no effect on state revenues from the proposed rule.

N.D. Admin. Code ch. 45-06-17 – Self Insurance Health Plans. The probable cost to the agency of implementation and enforcement of this rule is expected to have no impact on the Department’s operations or expenditures. There will be no effect on state revenues from the proposed rule itself. Any effect on state revenue would be from potential future legislation.

N.D. Admin. Code ch. 45-07-01.1 – Consumer Credit Insurance. The probable cost to the agency of implementation and enforcement of this rule is expected to have no impact on the Department’s operations of expenditures. There will be no effect on state revenues from the proposed rule.

N.D. Admin. Code ch. 45-09-01 – Surplus Lines Insurance. The probable cost to the agency of implementation and enforcement of this rule is expected to have no impact on the Department’s operations of expenditures. There will be no effect on state revenues from the proposed rule.

N.D. Admin. Code ch. 45-11-01 – Notice to Policy Holders. The probable cost to the agency of implementation and enforcement of this rule is expected to have no impact on the Department’s operations of expenditures. There will be no effect on state revenues from the proposed rule.

N.D. Admin. Code ch. 45-14-01 – Privacy of Consumer Financial and Health Information. The probable cost to the agency of implementation and enforcement of this rule is expected to have no impact on the Department’s operations of expenditures. There will be no effect on state revenues from the proposed rule.

D. Description of Any Alternative Methods for Achieving the Purpose of the Proposed Rules That Were Seriously Considered by the Agency and the Reasons Why the Methods Were Rejected in Favor of the Proposed Rules

N.D. Admin. Code ch. 45-03-06– Premium Tax Payments - Estimates. The Department considered whether there are any less intrusive or less costly alternative methods of achieving the purpose of the proposed rule. The proposed rule states that the credit for assessments paid to the reinsurance association of North Dakota shall be taken in the calendar year in which it was paid. If the credit exceeds the premium tax liability, it is not eligible to be carried over to future years. The Department did not identify any alternative methods of achieving the purpose of the proposed rule that would have been equally effective.

N.D. Admin. Code ch. 45-03-26 – Principle-Based Valuation. The Department considered whether there were any less intrusive or less costly alternative methods of achieving the purpose of the proposed rule. The Department did not identify any alternative methods of achieving the purpose of the proposed rule that would have been equally effective

N.D. Admin. Code ch. 45-06-05.1 – Long Term Care Insurance Model Regulation. The Department considered whether there were any less intrusive or less costly alternative methods of achieving the purpose of the proposed rule. The Department did not identify any alternative methods of achieving the purpose of the proposed rule that would have been equally effective.

N.D. Admin. Code ch. 45-06-17 – Self Insurance Health Plans. The Department considered whether there are any less intrusive or less costly alternative methods of achieving the purpose of the proposed rule. The proposed rule sets the framework should the Legislature direct the North Dakota Public Employees Retirement System to create a self insurance plan for the members. The Department did not identify any alternative methods of achieving the purpose of the proposed rule that would have been equally effective.

N.D. Admin. Code ch. 45-07-01.1 – Consumer Credit Insurance. The Department considered whether there are any less intrusive or less costly alternative methods for achieving the purpose of the proposed rule. The proposed rule corrects mistakes in the formulas used within this chapter. The Department did not identify any alternative methods of achieving the purpose of the proposed rule that would have been equally effective.

N.D. Admin. Code ch. 45-09-01 – Surplus Lines Insurance. The Department considered whether there are any less intrusive or less costly alternative methods of achieving the purpose of the proposed rule. This rule just brings the existing rule in line with updates in Century Code. The Department did not identify any alternative method of achieving the purpose of the proposed rule that would have been equally effective.

N.D. Admin. Code ch. 45-11-01 – Notice to Policy Holders. The Department considered whether there are any less intrusive or less costly alternative methods of achieving the purpose of the proposed rule. This rule just updates definitions and clarifies the Notice within the rule. The Department did not identify any alternative method of achieving the purpose of the proposed rule that would have been equally effective.

N.D. Admin. Code ch. 45-14-01 – Privacy of Consumer Financial and Health Information. The Department considered whether there are any less intrusive or less costly alternative methods of achieving the purpose of the proposed rule. The Department did not identify any alternative methods of achieving the purpose of the proposed rule that would have been equally effective.

II. SMALL ENTITY ANALYSES

N.D.C.C. § 28-32-08.1 requires that an agency prepare a regulatory analysis and an economic impact statement of the impact of the rule changes on a small entity. "Small entity" is defined by state law to include small businesses, small organizations, and small political subdivisions. *Id.* "Small business" is defined to mean a business entity, including its affiliates, which is independently owned and operated and employs fewer than 25 full-time employees; or has gross annual sales of less than \$2,500,000. *Id.* "Small organization" means any not-for-profit enterprise that is independently owned and operated and is not dominant in its field. *Id.* "Small political subdivision" means a political subdivision with a population of less than 5,000. *Id.*

A. Small Entity Economic Impact Statement

1. Small entities subject to the proposed rule

N.D. Admin. Code ch. 45-03-06– Premium Tax Payments - Estimates. The small entities that may possibly be subject to this proposed rule are insurers that write large and or small group health insurance that fit the definition of "small entity".

N.D. Admin. Code ch. 45-03-26 – Principle-Based Valuation. The small entities that may possibly be subject to this proposed rule are life and health insurers that fit the definition of "small entity."

N.D. Admin. Code ch. 45-06-05.1 – Long Term Care Insurance Model Regulation. The small entities that may be subject to this proposed rule are Long Term Care Insurers that fit the definition of "small entity".

N.D. Admin. Code ch. 45-06-17 – Self Insurance Health Plans. The proposed rules will not affect small entities or small businesses as those terms are defined by N.D.C.C. § 28-32-08.1.

N.D. Admin. Code ch. 45-07-01.1 – Consumer Credit Insurance. The small entities that may possibly be subject to this proposed rule would be any Life, Accident, and or Health insurer that qualifies as a "small entity."

N.D. Admin. Code ch. 45-09-01 – Surplus Lines Insurance. The small entities that may possibly be subject to the proposed rule are surplus lines producers that qualify as a "small entity".

N.D. Admin. Code ch. 45-11-01 – Notice to Policy Holders. The small entities that may be subject to the proposed rule are life and health insurers who qualify as a "small entity".

N.D. Admin. Code ch. 45-14-01 – Privacy of Consumer Financial and Health Information. The small entities that may be subject to the proposed rule are insurers who qualify as a "small entity".

2. Administrative and other costs required for compliance with the proposed rule

N.D. Admin. Code ch. 45-03-06– Premium Tax Payments - Estimates. The administrative and other costs required for compliance with the proposed rule are expected to be minimal.

N.D. Admin. Code ch. 45-03-26 – Principle-Based Valuation. The administrative and other costs required for compliance are expected to be minimal.

N.D. Admin. Code ch. 45-06-05.1 – Long Term Care Insurance Model Regulation. The administrative and other costs required for compliance with the proposed rule are expected to be minimal.

N.D. Admin. Code ch. 45-06-17 – Self Insurance Health Plans. Since the proposed rule will not affect small entities or small businesses as those terms are defined by N.D.C.C. § 28-32-08.1, there will be no administrative or other costs required for compliance with the proposed rule.

N.D. Admin. Code ch. 45-07-01.1 – Consumer Credit Insurance. The administrative and other costs required for compliance with the proposed rule are expected to be minimal.

N.D. Admin. Code ch. 45-09-01 – Surplus Lines Insurance. The administrative and other costs required for compliance with the proposed rules are expected to be minimal.

N.D. Admin. Code ch. 45-11-01 – Notice to Policy Holders. The administrative and other costs required for compliance with the proposed rule are expected to be minimal.

N.D. Admin. Code ch. 45-14-01 – Privacy of Consumer Financial and Health Information. The administrative and other costs required for compliance with the proposed rule are expected to be minimal.

3. Probable cost and benefit to private persons and consumers who are affected by the proposed rules

N.D. Admin. Code ch. 45-03-06– Premium Tax Payments - Estimates. Any cost to private persons and consumers would be indirect and not measurable.

N.D. Admin. Code ch. 45-03-26 – Principle-Based Valuation. Any cost to private persons and consumers would be indirect and not measurable.

N.D. Admin. Code ch. 45-06-05.1 – Long Term Care Insurance Model Regulation. Any cost to private persons and consumers would be indirect and not measurable.

N.D. Admin. Code ch. 45-06-17 – Self Insurance Health Plans. Any cost to private persons and consumers would be indirect and not measurable.

N.D. Admin. Code ch. 45-07-01.1 – Consumer Credit Insurance. Any cost to private persons and consumers would be indirect and not measurable.

N.D. Admin. Code ch. 45-09-01 – Surplus Lines Insurance. Any cost to private persons and consumers would be indirect and not measurable.

N.D. Admin. Code ch. 45-11-01 – Notice to Policy Holders. Any cost to private persons and consumers would be indirect and not measurable.

N.D. Admin. Code ch. 45-14-01 – Privacy of Consumer Financial and Health Information. Any cost to private persons and consumers would be indirect and not measurable.

4. Probable effect of the proposed rule on state revenues

N.D. Admin. Code ch. 45-03-06– Premium Tax Payments - Estimates. The probable effect on state revenues is expected to be nonexistent.

N.D. Admin. Code ch. 45-03-26 – Principle-Based Valuation. The probable effect on state revenues is expected to be nonexistent.

N.D. Admin. Code ch. 45-06-05.1 – Long Term Care Insurance Model Regulation. The probable effect on state revenues is expected to be nonexistent.

N.D. Admin. Code ch. 45-06-17 – Self Insurance Health Plans. The probable effect on state revenues is unable to project at this time because any effect on revenues will be based on future legislative action.

N.D. Admin. Code ch. 45-07-01.1 – Consumer Credit Insurance. The probable effect on state revenues is expected to be nonexistent.

N.D. Admin. Code ch. 45-09-01 – Surplus Lines Insurance. The probable effect on state revenues is expected to be nonexistent.

N.D. Admin. Code ch. 45-11-01 – Notice to Policy Holders. The probable effect on state revenues is expected to be nonexistent.

N.D. Admin. Code ch. 45-14-01 – Privacy of Consumer Financial and Health Information. The probable effect on state revenues is expected to be nonexistent.

5. Any less intrusive or less costly alternative methods of achieving the purpose of the proposed rule

N.D. Admin. Code ch. 45-03-06– Premium Tax Payments – Estimates. The Commissioner considered whether there are any less intrusive or less costly alternative methods of achieving the purpose of the proposed rule and no less intrusive or less costly alternative methods were identified.

N.D. Admin. Code ch. 45-03-26 – Principle-Based Valuation. The Commissioner considered whether there are any less intrusive or less costly alternative methods of achieving the purpose of the proposed rule and no less intrusive or less costly alternative methods were identified.

N.D. Admin. Code ch. 45-06-05.1 – Long Term Care Insurance Model Regulation. The Commissioner considered whether there were any less intrusive or less costly alternative

methods of achieving the purpose of the proposed rule and no less intrusive or less costly alternative methods were identified.

N.D. Admin. Code ch. 45-06-17 – Self Insurance Health Plans. The Commissioner considered whether there are any less intrusive or less costly alternative methods of achieving the purpose of the proposed rules and no less intrusive or less costly alternative methods were identified.

N.D. Admin. Code ch. 45-07-01.1 – Consumer Credit Insurance. The Commissioner considered whether there are any less intrusive or less costly alternative methods of achieving the purpose of the proposed rules and no less intrusive or less costly alternative methods were identified.

N.D. Admin. Code ch. 45-09-01 – Surplus Lines Insurance. The Commissioner considered whether there are any less intrusive or less costly alternative methods of achieving the purpose of the proposed rule and no less intrusive or less costly alternative methods were identified.

N.D. Admin. Code ch. 45-11-01 – Notice to Policy Holders. The commissioner considered whether there are any less intrusive or less costly alternative methods of achieving the purpose of the proposed rule and no less intrusive or less costly alternative methods were identified.

N.D. Admin. Code ch. 45-14-01 – Privacy of Consumer Financial and Health Information. The Commissioner considered whether there are any less intrusive or less costly alternative methods of achieving the purpose of the proposed rules and no less intrusive or less costly alternative methods were identified.

B. Small Entity Regulatory Analysis

1. Establishment of less stringent compliance or reporting requirements for small entities

N.D. Admin. Code ch. 45-03-06– Premium Tax Payments – Estimates. Less stringent compliance requirements for small entities were considered and found not appropriate. The Department has an interest in enforcing an assessment/credit structure in the most organized fashion possible. By not allowing credits that exceed liability to be used in future years, it establishes the most ordered system to keep track of those credits and liabilities.

N.D. Admin. Code ch. 45-03-26 – Principle-Based Valuation. Less stringent compliant requirements for small entities were considered and found not appropriate. The Department has an interest in ensuring the most current standards are utilized by North Dakota insurers.

N.D. Admin. Code ch. 45-06-05.1 – Long Term Care Insurance Model Regulation. The proposed amendments to the rule for the article do not contain compliance or reporting requirements.

N.D. Admin. Code ch. 45-06-17 – Self Insurance Health Plans. Since the proposed rules will not affect small entities or small businesses as those terms are defined by N.D.C.C. § 28-32-08.1, no less stringent compliance or reporting requirements for small entities were considered.

N.D. Admin. Code ch. 45-07-01.1 – Consumer Credit Insurance. The proposed amendments to the rule for the article do not contain compliance or reporting requirements.

N.D. Admin. Code ch. 45-09-01 – Surplus Lines Insurance. Less stringent compliance requirements for small entities were considered and found not appropriate. The Department has an interest in aligning admin rules with changes in Century Code.

N.D. Admin. Code ch. 45-11-01 – Notice to Policy Holders. The proposed amendments to the rule for the article do not contain compliance or reporting requirements.

N.D. Admin. Code ch. 45-14-01 – Privacy of Consumer Financial and Health Information. Less stringent compliance requirements for small entities were considered and found not appropriate. The Department has an interest in weighing privacy notice requirements with the burden on the company and ultimately with the need of the consumer.

2. Establishment of less stringent schedules or deadlines for compliance or reporting requirements for small entities

N.D. Admin. Code ch. 45-03-06– Premium Tax Payments - Estimates. Less stringent compliance reporting requirements for small entities were considered and found not appropriate. The Department has an interest in all monies assessed, collected, and credited be for the calendar year in which it was earned or assessed.

N.D. Admin. Code ch. 45-03-26 – Principle-Based Valuation. Less stringent compliance reporting requirements for small entities were considered and found not appropriate. The Department has interest in North Dakota Insurers following the appropriate standards.

N.D. Admin. Code ch. 45-06-05.1 – Long Term Care Insurance Model Regulation. The proposed amendments to the rule for the article do not contain compliance or reporting requirements.

N.D. Admin. Code ch. 45-06-17 – Self Insurance Health Plans. Since the proposed rules will not affect small entities or small businesses as those terms are defined by N.D.C.C. § 28-32-08.1, no less stringent schedules or deadlines for compliance or reporting requirements for small entities were considered

N.D. Admin. Code ch. 45-07-01.1 – Consumer Credit Insurance. The proposed amendments to the rules for this article do not contain compliance or reporting requirements.

N.D. Admin. Code ch. 45-09-01 – Surplus Lines Insurance. Less stringent compliance requirements for small entities were considered and found not appropriate. The Department has an interest in aligning admin rules with changes in Century Code.

N.D. Admin. Code ch. 45-11-01 – Notice to Policy Holders. The proposed amendments to the rules for this article do not contain compliance or reporting requirements.

N.D. Admin. Code ch. 45-14-01 – Privacy of Consumer Financial and Health Information. Less stringent compliance requirements for small entities were considered and found not appropriate. The Department has an interest in ensuring privacy notices are sent to consumers when appropriate.

3. Consolidation or simplification of compliance or reporting requirements for small entities

N.D. Admin. Code ch. 45-03-06– Premium Tax Payments - Estimates. Consolidation or simplification of compliant or reporting requirements for small entities were considered and found not appropriate.

N.D. Admin. Code ch. 45-03-26 – Principle-Based Valuation. Consolidation or simplification of compliant or reporting requirements for small entities were considered and found not appropriate.

N.D. Admin. Code ch. 45-06-05.1 – Long Term Care Insurance Model Regulation. The proposed rule does not consolidate and simplify the reporting requirements for small entities.

N.D. Admin. Code ch. 45-06-17 – Self Insurance Health Plans. Since the proposed rules will not affect small entities or small businesses as those terms are defined by N.D.C.C. § 28-32-08.1, no consolidation or simplification of compliance or reporting requirements for small entities were considered.

N.D. Admin. Code ch. 45-07-01.1 – Consumer Credit Insurance. The proposed rule does not consolidate or simplify the reporting requirements for small entities.

N.D. Admin. Code ch. 45-09-01 – Surplus Lines Insurance. Consolidation or simplification of compliant or reporting requirements for small entities were considered and found not appropriate.

N.D. Admin. Code ch. 45-11-01 – Notice to Policy Holders. The proposed rule does not consolidate and simplify the reporting requirements for small entities.

N.D. Admin. Code ch. 45-14-01 – Privacy of Consumer Financial and Health Information. Consolidation or simplification of compliant or reporting requirements for small entities were considered and found not appropriate.

4. Establishment of performance standards for small entities to replace design or operational standards required in the proposed rule

N.D. Admin. Code ch. 45-03-06– Premium Tax Payments - Estimates. Small entities were not given different operational standards to comply with than large entities. No design standards are presented in the proposed rules.

N.D. Admin. Code ch. 45-03-26 – Principle-Based Valuation. Small entities were not given different operational standards to comply with than large entities. No design standards are presented in the proposed rules.

N.D. Admin. Code ch. 45-06-05.1 – Long Term Care Insurance Model Regulation. Small entities were not given different operational standards to comply with than large entities. No design standards are presented in the proposed rules.

N.D. Admin. Code ch. 45-06-17 – Self Insurance Health Plans. Since the proposed rules will not affect small entities or small businesses as those terms are defined by N.D.C.C. § 28-32-08.1, no establishment of performance standards for small entities to replace design or operational standards required for small entities were considered.

N.D. Admin. Code ch. 45-07-01.1 – Consumer Credit Insurance. Small entities were not given different operational standards to comply with than large entities. No design standards are presented in the proposed rules.

N.D. Admin. Code ch. 45-09-01 – Surplus Lines Insurance. Small entities were not given different operational standards to comply with than large entities. No design standards are presented in the proposed rule.

N.D. Admin. Code ch. 45-11-01 – Notice to Policy Holders. Small entities were not given different operational standards to comply with than large entities. No design standards are presented in the proposed rule.

N.D. Admin. Code ch. 45-14-01 – Privacy of Consumer Financial and Health Information. Small entities were not given different operational standards to comply with than large entities. No design standards are presented in the proposed rule.

5. Exemption of small entities from all or any part of the requirements contained in the proposed rule

N.D. Admin. Code ch. 45-03-06– Premium Tax Payments - Estimates. Small entities were not given different standards to comply with than large entities.

N.D. Admin. Code ch. 45-03-26 – Principle-Based Valuation. Small entities were not given different standards to comply with than large entities.

N.D. Admin. Code ch. 45-06-05.1 – Long Term Care Insurance Model Regulation. Small entities were not given different standards to comply with than large entities.

N.D. Admin. Code ch. 45-06-17 – Self Insurance Health Plans. Since the proposed rules will not affect small entities or small businesses as those terms are defined by N.D.C.C. § 28-32-08.1, no exemption of small entities from all or any part of the requirements was considered.

N.D. Admin. Code ch. 45-07-01.1 – Consumer Credit Insurance. Small entities were not given different standards to comply with than large entities.

N.D. Admin. Code ch. 45-09-01 – Surplus Lines Insurance. Small entities were not given different standards to comply with than large entities.

N.D. Admin. Code ch. 45-11-01 – Notice to Policy Holders. Small entities were not given different standards to comply with than large entities

N.D. Admin. Code ch. 45-14-01 – Privacy of Consumer Financial and Health Information. Small entities were not given different standards to comply with than large entities.

DATED this 7th day of August, 2020.

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