

**ADOPTED REGULATION OF THE
COMMISSIONER OF INSURANCE**

LCB File No. R087-02

Effective September 20, 2002

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

AUTHORITY: §1, NRS 679B.130 and 679B.139.

Section 1. Chapter 680A of NAC is hereby amended by adding thereto a new section to read as follows:

1. To the extent applicable and not inconsistent with federal law:

(a) The provisions of chapter 680A of NRS that govern domestic insurers, their business, capital and surplus requirements and the requirements for eligibility for a certificate of authority govern multiple employer welfare arrangements; and

(b) A multiple employer welfare arrangement must comply with the criteria set forth in this chapter and chapter 680A of NRS to qualify for a certificate of authority.

2. As used in this section, “multiple employer welfare arrangement” has the meaning ascribed to in 29 U.S.C. § 1002(40)(A).

NOTICE OF ADOPTION OF PROPOSED REGULATION
LCB File No.087-02

The Commissioner of Insurance adopted regulations assigned LCB File No. R087-02 which pertain to chapter 680A of the Nevada Administrative Code on 8/30/2002.

Notice date: 5/29/2002
Hearing date: 6/28/2002

Date of adoption by agency: 8/30/2002
Filing date: 9/20/2002

INFORMATIONAL STATEMENT

A workshop and hearing were held on June 28, 2002, at the offices of the the Department of Business and Industry, Division of Insurance (Division), 788 Fairview Drive, Suite 300, Carson City, Nevada 89701, with a simultaneous video-conference conducted at the Bradley Building, 2501 E. Sahara Avenue, Manufactured Housing Division Conference Room, 2nd Floor, Las Vegas, Nevada 89104, regarding the adoption of the regulation concerning the eligibility and requirements for multiple employer welfare arrangements to obtain a certificate of authority under Chapter 680 of the Nevada Revised Statutes.

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 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.

There was an opportunity at the hearing for oral testimony. No written comments were received by the Division, and no person offered oral testimony regarding the regulation.

The Commissioner of Insurance has considered the regulation and has issued an order adopting the regulation, as proposed, as a permanent regulation of the Division.

The economic impact of the regulation is as follows:

- (a) Regulated Industry: The required fee for application for a certificate of authority, any other fees required of an authorized insurer, and premium taxes as applicable.
- (b) Public: None.

This regulation does not duplicate or overlap any other regulation.