BEFORE THE COMMISSIONER OF INSURANCE

STATE OF GEORGIA

IN THE MATTER OF:	)	
	)	
REGULATIONS REGARDING	)	**DOCKET NUMBER**
AGENTS, SUBAGENTS,	)	**I-08-R-3**
COUNSELORS, ADJUSTERS,	)	
SURPLUS LINES BROKERS, AND	)	
AGENCIES; AND	)	
GEORGIA LONG-TERM CARE	)	
INSURANCE PARTNERSHIP	)	
PROGRAM	)	

ORDER

On October 9, 2008, notice of intent to adopt rule changes and notice of hearing were given regarding the proposal of the Commissioner of Insurance to amend the Rules and Regulations of the Office of Commissioner of Insurance by amending Regulation Sections 120-2-3 entitled "Regulations Regarding Agents, Subagents, Counselors, Adjusters, Surplus Lines Brokers, and Agencies;" and, Regulation Section 120-2-16 entitled "Long-Term Care Insurance."

The proposal has been approved as to legality, with one exception, by the Attorney General and is evidenced by a letter dated November 14, 2008, from Amy Burns, Assistant Attorney General, Department of Law, for the State of Georgia. The proposed amendment also was transmitted to Sewell Brumby, Legislative Counsel, pursuant to O.C.G.A. § 50-13-4(e), for assignment to the appropriate standing committees of the Senate and House of Representatives.

Opportunity was given to interested persons to participate in the proposed rulemaking by submitting their written data, views, or arguments by November 17, 2008, and opportunity was given to persons to participate in the proposed rulemaking by submitting oral views, data, or arguments at a hearing held on November 19, 2008. Nine written comments were received and considered. In addition to Tammy Clemens from the Insurance Department, Aubie Knight made oral comments which were considered.

The following changes were made to the proposed regulations after considering the comments:

Rule .04 The Long Term Care Partnership definition was moved to Rule .34.

Rule .13 The NAIC base model language for Tax-Qualified Long Term Care was restored and the LTC Partnership definition was moved to Rule .34.

Rule .20 The effective dates were corrected to 6 months and 12 months after the effective date of the Regulation Chapter for new policies and renewals.

Rule .26 The effective date was changed.

Rule .27 The effective date was changed for relative consistency with the NAIC Model.

Rule .34 Agent commission limitations were removed.

Rule .35 The Long Term Care Partnership-specific items were moved to this Rule and it was renumbered to Rule .34 to reflect the striking of the prior Rule .34 concerning Agent commission limitations.

It is hereby ORDERED that the proposed amendments to Regulation Chapter Section 120-2-16 entitled "Long Term Care Insurance" be adopted and shall become effective twenty (20) days after a copy of the rules are filed in the Office of Secretary of State. A copy of the Regulation Chapter 120-2-16 as amended is attached hereto.

It is FURTHER ORDERED that the proposed amendments to Regulation Chapter Section 120-2-3 entitled "Regulations Regarding Agents, Subagents, Counselors, Adjusters, Surplus Lines Brokers, and Agencies," be adopted and shall become effective twenty (20) days after a copy of the rules are filed in the Office of Secretary of State. A copy of the Regulation Chapter 120-2-3 as amended is attached hereto.

Given under my Hand and Official Seal this 16th day of July, 2009.

JOHN W. OXENDINE
COMMISSIONER OF INSURANCE
STATE OF GEORGIA