

NOTICE OF  
PROPOSED RULE AMENDMENT

- The agency identified below in box 1 provides notice of proposed rule change pursuant to Utah Code Section 63G-3-301 and Subsection 53C-1-201(3)(c).
- Please address questions regarding information on this notice to the agency.
- The full text of all rule filings is published in the Utah State Bulletin unless excluded because of space constraints.
- The full text of all rule filings may also be inspected at the Division of Administrative Rules.

Agency Information

1. Agency: Insurance - Administration  
Room no.: 3110  
Building: STATE OFFICE BLDG  
Street address 1: 450 N MAIN ST  
Street address 2:  
City, state, zip: SALT LAKE CITY UT 84114-1201  
Mailing address 1: PO BOX 146901  
Mailing address 2:  
City, state, zip: SALT LAKE CITY UT 84114-6901

Contact person(s):

Name: Phone: Fax: E-mail:

Steve Gooch	801-538-3803	801-538-3829	sgooch@utah.gov
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(Interested persons may inspect this filing at the above address or at DAR during business hours)

Rule Information

DAR file no:	40158	Date filed:	01/28/2016 03:15 PM
State Admin Rule Filing Key:	157193		
Utah Admin. Code ref. (R no.):	R 590 - 228 - 9		
Changed to Admin. Code ref. (R no.):	- -		

Title

2. Title of rule or section (catchline):  
Correspondence and Status Checks

Notice Type

3. Type of notice: Amendment

Rule Purpose

4. Purpose of the rule or reason for the change:  
The purpose for the change is to remove an outdated section governing correspondence and add a new section regarding protected documents.

Response Information

5. This change is a response to comments by the Administrative Rules Review Committee.  
No

#### Rule Summary

6. Summary of the rule or change:  
The change removes the current section, Correspondence and Status Checks, which has been determined to be outdated. In its place, the rule substitutes a new section, Classification of Documents. This new section sets forth what information can be classified as protected under 63G-2-305 (GRAMA) and delineates the process for requesting protected status for certain documents.

#### Aggregate Cost Information

7. Aggregate anticipated cost or savings to:
- A) State budget:  
Affected: No  
There is no anticipated cost or savings to state budget. The Insurance Department has processes in place to review requests for protected status. The addition of the new section to this rule merely codifies the procedure.
- B) Local government:  
Affected: No  
There is no anticipated cost or savings to local government. The rule governs how companies that submit credit life or credit accident and health forms and rate filings can have certain information classified as protected.
- C) Small businesses:  
Affected: No  
("small business" means a business employing fewer than 50 persons)  
There is no anticipated cost or savings to small businesses. The rule governs how companies that submit credit life or credit accident and health forms and rate filings can have certain information classified as protected.
- D) Persons other than small businesses, businesses, or local government entities:  
Affected: No  
("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency)  
There is no anticipated cost or savings to any other persons. The rule governs how companies that submit credit life or credit accident and health forms and rate filings can have certain information classified as protected. Companies already file requests for protected status as a matter of course; this rule merely codifies the procedure.

#### Compliance Cost Information

8. Compliance costs for affected persons:  
There are no compliance costs for affected persons. There are no costs associated with this rule amendment.

#### Department Head Comments

9. A) Comments by the department head on the fiscal impact the rule may have on businesses:  
The Utah Insurance Department complies and has complied with the law as set forth in 63G-2-305. The substitution in this rule merely codifies the department's procedures with respect to classifying records as protected. There will be no fiscal impact because procedures are already in place and in

use.

B) Name and title of department head commenting on the fiscal impacts:  
Todd E. Kiser, Insurance Commissioner

#### Citation Information

10. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws.

State code or constitution citations (required) (e.g., Section 63G-3-402; Subsection 63G-3-601(3); Article IV) :

Section 31A-22-807

Section 31A-2-201.1

Subsection 31A-2-202(2)

Subsection 31A-2-201(3)

#### Incorporated Materials

11. This rule adds, updates, or removes the following title of materials incorporated by references (a copy of materials incorporated by reference must be submitted to DAR; if none, leave blank) :

<p>Official Title of Materials Incorporated (from title page): Publisher: Date Issued: Issue, or version: ISBN Number: ISSN Number: Cost of Incorporated Reference: Adds, updates, removes:</p>
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#### Comments

12. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until 5:00 p.m. on (mm/dd/yyyy) : 03/16/2016

B) A public hearing (optional) will be held:

On (mm/dd/yyyy): At (hh:mm AM/PM): At (place):

#### Proposed Effective Date

13. This rule change may become effective on (mm/dd/yyyy):

03/23/2016

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After a minimum of seven days following the date designated in Box 12(A) above, the agency must submit a Notice of Effective Date to the Division of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

#### Indexing Information

14. Indexing information - keywords (maximum of four, in lower case, except for acronyms (e.g., "GRAMA") or proper nouns (e.g., "Medicaid")):  
credit insurance filings

#### File Information

15. Attach an RTF document containing the text of this rule change (filename):  
There is a document associated with this rule filing.

#### To the Agency

Information requested on this form is required by Sections 63G-3-301, 302, 303, and 402. Incomplete forms will be returned to the agency for completion, possibly delaying publication in the Utah State Bulletin, and delaying the first possible effective date.

#### Agency Authorization

Agency head or designee, and title: Steve Gooch Information Specialist Date (mm/dd/yyyy): 01/28/2016