

CHAPTER 11 - FINANCIAL EVALUATION DIVISION

SUBCHAPTER 11A - GENERAL PROVISIONS

SECTION .0100 - DEFINITIONS

11 NCAC 11A .0101 STATUTORY FINANCIAL STATEMENT

History Note: Authority G.S. 57-9; 58-9(3); 58-21;
Eff. February 1, 1976;
Readopted Eff. February 28, 1978;
Repealed Eff. April 1, 1993.

11 NCAC 11A .0102 UNSOUND CONDITION

History Note: Authority G.S. 58-2-40; 58-3-100; 58-30-60(b);
Eff. February 1, 1976;
Readopted Eff. February 28, 1978;
Amended Eff. July 1, 2004; April 1, 1993;
Repealed Eff. June 1, 2007.

11 NCAC 11A .0103 IMPAIRED INSURER

11 NCAC 11A .0104 INSOLVENT INSURER

History Note: Authority G.S. 58-38; 58-39(2); 58-77(10); 58-155.2(1);
Eff. February 1, 1976;
Readopted Eff. February 28, 1978;
Repealed Eff. April 1, 1993.

11 NCAC 11A .0105 MULTIPLE-LINE INSURER

"Multiple-line Insurer" shall mean any insurance company having authority to write the kinds of insurance authorized by G.S. 58-7-75 for both a fire and marine company and a casualty, fidelity and surety company and as more specifically defined under G.S. 58-7-15(3) through (22).

History Note: Authority G.S. 58-2-40; 58-7-15; 58-7-75;
Eff. February 1, 1976;
Readopted Eff. February 28, 1978;
Amended Eff. April 1, 1993;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 20, 2015.

11 NCAC 11A .0106 DEEMER CLAUSE OR DEEMER PROVISION

"A Deemer Clause" or "Deemer Provision" shall mean any clause or provision that establishes a period of time certain, e.g., 30 days, 90 days etc., within which the Commissioner must disapprove a particular matter before him and which if no action is taken by the Commissioner within the period of time certain, said matter before the Commissioner is deemed approved.

History Note: Authority G.S. 58-2-40(1); 58-51-100;
Eff. February 1, 1976;
Readopted Eff. February 28, 1978;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 20, 2015.

11 NCAC 11A .0107 MORTGAGE GUARANTY INSURANCE

11 NCAC 11A .0108 MISCELLANEOUS INSURER

History Note: Authority G.S. 58-9; 58-9(1); 58-72(17);
Eff. February 1, 1976;
Readopted Eff. February 28, 1978;
Repealed Eff. April 1, 1993.

SECTION .0200 - PURPOSE: PERSONNEL AND RECORDS OF THE DIVISION

11 NCAC 11A .0201 PURPOSE OF DIVISION
11 NCAC 11A .0202 PERSONNEL OF DIVISION

History Note: Authority G.S. 58-4; 58-7.3; 58-9;
Eff. February 1, 1976;
Readopted Eff. February 28, 1978;
Repealed Eff. July 1, 1988.

SECTION .0300 - OPERATIONAL UNITS

11 NCAC 11A .0301 OPERATIONAL UNITS: DEFINED
11 NCAC 11A .0302 SECURITIES: OPERATIONAL UNIT
11 NCAC 11A .0303 EXAMINATION: OPERATIONAL UNIT
11 NCAC 11A .0304 LIQUIDATION AND MERGER: OPERATIONAL UNIT
11 NCAC 11A .0305 TAX: AUDIT AND STATISTICAL: OPERATIONAL UNIT
11 NCAC 11A .0306 ACTUARIAL: OPERATIONAL UNIT

History Note: Authority G.S. 58-4; 58-9;
Eff. February 1, 1976;
Readopted Eff. February 28, 1978;
Repealed Eff. July 1, 1988.

SECTION .0400 - DESCRIPTION OF FORMS

11 NCAC 11A .0401 APPLICATION FOR ADMISSION TO DO BUSINESS IN NC
11 NCAC 11A .0402 POWER OF ATTORNEY FOR SERVICE OF LEGAL PROCESS
11 NCAC 11A .0403 POWER OF ATTORNEY FOR SALE OF SECURITIES
11 NCAC 11A .0404 APPLICATION FOR LICENSE: GENERAL
11 NCAC 11A .0405 APPLICATION FOR LICENSE: HOSPITALS: MEDICAL SERVICE
11 NCAC 11A .0406 APPLICATION FOR LICENSE: DENTAL SERVICE CORPORATION
11 NCAC 11A .0407 APPLICATIONS FOR LICENSE: FRATERNAL ORDER

History Note: Authority G.S. 58-15; 58-63; 58-63(1); 58-66; 58-72; 58-150; 58-150(3); 58-153;
58-182.5; 105-228.4(a);
Eff. February 1, 1976;
Readopted Eff. February 28, 1978;
Repealed Eff. April 1, 1993.

11 NCAC 11A .0408 AFFIDAVIT: EDUCATION: OCCUPATION: BUSINESS EXPERIENCE

History Note: Authority G.S. 58-73; 58-74; 58-150;
Eff. February 1, 1976;
Repealed Eff. February 28, 1978.

11 NCAC 11A .0409 INSURANCE COMPANY LICENSE
11 NCAC 11A .0410 DEPOSIT BOND FORM

11 NCAC 11A .0411 FIRE AND CASUALTY ANNUAL STATEMENT BLANK
 11 NCAC 11A .0412 COMPLETING FIRE AND CASUALTY ANNUAL STATEMENT BLANK
 11 NCAC 11A .0413 CONSOLIDATED ANNUAL STATEMENT: FIRE AND CASUALTY INSURERS
 11 NCAC 11A .0414 FIRE AND CASUALTY QUARTERLY STATEMENT BLANK
 11 NCAC 11A .0415 LIFE AND ACCIDENT AND HEALTH ANNUAL STATEMENT BLANK
 11 NCAC 11A .0416 ANNUAL STATEMENT BLANK: INSTRUCTIONS
 11 NCAC 11A .0417 LIFE AND ACCIDENT AND HEALTH QUARTERLY STATEMENT BLANK
 11 NCAC 11A .0418 ANNUAL STATEMENT BLANK: SEPARATE ACCOUNT BUSINESS
 11 NCAC 11A .0419 TITLE ANNUAL STATEMENT BLANK
 11 NCAC 11A .0420 INSTRUCTIONS FOR COMPLETING TITLE ANNUAL STATEMENT BLANK
 11 NCAC 11A .0421 TITLE QUARTERLY STATEMENT BLANK
 11 NCAC 11A .0422 HOSPITAL: MEDICAL AND DENTAL SERVICE OR INDEMNITY CORP
 11 NCAC 11A .0423 INSTRUCTIONS/ANNUAL STATEMENT BLANK: HOSPITAL: MEDICAL: DENTAL
 11 NCAC 11A .0424 FRATERNAL ANNUAL STATEMENT BLANK
 11 NCAC 11A .0425 INSTRUCTIONS FOR COMPLETING FRATERNAL STATEMENT BLANK
 11 NCAC 11A .0426 FRATERNAL QUARTERLY STATEMENT BLANK
 11 NCAC 11A .0427 ACCIDENT AND HEALTH POLICY EXPERIENCE EXHIBIT
 11 NCAC 11A .0428 CREDIT LIFE AND ACCIDENT AND HEALTH EXHIBIT
 11 NCAC 11A .0429 CREDIT LIFE INSURANCE STATISTICAL REPORT
 11 NCAC 11A .0430 INSURANCE EXPENSE EXHIBIT
 11 NCAC 11A .0431 STOCKHOLDER INFORMATION SUPPLEMENT
 11 NCAC 11A .0432 TOWN OR COUNTY FARM MUTUAL ANNUAL STATEMENT BLANK

History Note: Authority G.S. 57-9; 58-9(3); 58-15; 58-21; 58-25.1; 58-72; 58-79.2; 58-130;
 58-131.14; 58-134; 58-137; 58-144; 58-188.8; 58-292; 105-228.4;
 Eff. February 1, 1976;
 Readopted Eff. February 28, 1978;
 Repealed Eff. April 1, 1993.

11 NCAC 11A .0433 FIRE AND/OR CASUALTY ABSTRACT
 11 NCAC 11A .0434 LIFE ABSTRACT

History Note: Authority G.S. 58-9(4); 58-63(2);
 Eff. February 1, 1976;
 Readopted Eff. February 28, 1978;
 Repealed Eff. July 1, 1988.

11 NCAC 11A .0435 ANNUAL GROSS PREMIUM TAX RETURN: RETALIATORY TAX RETURN
 11 NCAC 11A .0436 STATEMENT OF INSTALLMENT GROSS PREMIUM TAX
 11 NCAC 11A .0437 ANNUAL ADDITIONAL GROSS PREMIUM TAX RETURN
 11 NCAC 11A .0438 STATEMENT/INSTALLMENT ADDITIONAL ANNUAL GROSS PREMIUM TAX
 11 NCAC 11A .0439 NC FIREMEN'S RELIEF FUND TAX ANNUAL RETURN
 11 NCAC 11A .0440 ANNUAL FRANCHISE OR PRIVILEGE TAX: HOSP AND MEDICAL CORP
 11 NCAC 11A .0441 ANNUAL FRANCHISE OR PRIVILEGE TAX: DENTAL SERVICE CORP
 11 NCAC 11A .0442 NC DOMESTIC CORPORATION FRANCHISE AND INCOME TAX RETURN
 11 NCAC 11A .0443 AUTOMATIC EXTENSION OF TIME TO FILE
 11 NCAC 11A .0444 ADDITIONAL EXTENSION OF TIME TO FILE
 11 NCAC 11A .0445 REFUND FOR CORPORATION FRANCHISE AND INCOME TAXES
 11 NCAC 11A .0446 CERTIFICATION OF WORKMEN'S COMPENSATION LOSS RESERVES
 11 NCAC 11A .0447 WORKMEN'S COMPENSATION ASSESSMENT FORM
 11 NCAC 11A .0448 FORM HC: INSURER HOLDING COMPANY REGISTRATION STATEMENT
 11 NCAC 11A .0449 SALE OF VARIABLE ANNUITY CONTRACTS IN NORTH CAROLINA

History Note: Authority G.S. 57-14; 58-9; 58-79.2; 58-124.2(b); 97-107; 97-114; 105-228.5;
 118-1 to -4;

Eff. February 1, 1976;
Readopted Eff. February 28, 1978;
Repealed Eff. April 1, 1993.

11 NCAC 11A .0450 ANNUAL REPORT OF ESCHEAT: ABANDONED PROPERTY
11 NCAC 11A .0451 INSTRUCTIONS FOR COMPLETING THE ANNUAL REPORT

History Note: Authority G.S. 58-9(3); 116A;
Eff. February 1, 1976;
Readopted Eff. February 28, 1978;
Repealed Eff. July 1, 1988.

11 NCAC 11A .0452 THE FORM A: INSIDER TRADING OF EQUITY SECURITIES
11 NCAC 11A .0453 FORM B: INSIDER TRADING OF EQUITY SECURITIES
11 NCAC 11A .0454 INITIAL STATEMENT OF BENEFICIAL OWNERSHIP OF SECURITIES
11 NCAC 11A .0455 STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF SECURITIES
11 NCAC 11A .0456 REVOCATION OR SUSPENSION OF LICENSE: FOREIGN INSURANCE
11 NCAC 11A .0457 OFFICIAL RECEIPT OF SECURITIES

History Note: Authority G.S. 58-37; 58-44.4(a); 58-86.2; 58-182.6;
Eff. February 1, 1976;
Readopted Eff. February 28, 1978;
Repealed Eff. April 1, 1993.

11 NCAC 11A .0458 CHECK SHEET AND ANALYSIS OF APPLICATION FOR ADMISSION
11 NCAC 11A .0459 INFORMATION SHEETS: ADMISSION OF A FOREIGN INSURANCE

History Note: Authority G.S. 58-63; 58-75; 58-77; 58-150;
Eff. February 1, 1976;
Repealed Eff. February 28, 1978.

11 NCAC 11A .0460 TAXES AND FEES APPLICABLE TO INSURANCE COMPANIES
11 NCAC 11A .0461 TOWN OR COUNTY FARM MUTUAL EXAMINATION REPORT BLANK
11 NCAC 11A .0462 CERTIFICATE OF COMPLIANCE: MUTUAL AGREEMENT
11 NCAC 11A .0463 POWER OF ATTORNEY: SALE OF DEPOSITED SECURITIES
11 NCAC 11A .0464 CERTIFICATE OF DEPOSIT
11 NCAC 11A .0465 CERTIFICATE OF COMPLIANCE: ACCIDENT AND HEALTH ADVERTISING
11 NCAC 11A .0466 CERTIFICATE OF RETALIATORY PROVISIONS
11 NCAC 11A .0467 CERTIFICATE OF GOOD STANDING
11 NCAC 11A .0468 CERTIFICATE OF SIMILARITY: REPORT ON EXAMINATION
11 NCAC 11A .0469 CERTIFICATE OF SIMILARITY: ANNUAL STATEMENT
11 NCAC 11A .0470 CERTIFICATE OF RESERVE VALUATION
11 NCAC 11A .0471 CERTIFICATE OF COMPLIANCE: INSURANCE LAWS
11 NCAC 11A .0472 STAT INFORMATION: LIFE INS COMPANIES AND FRAT ORDERS
11 NCAC 11A .0473 STAT INFO/FIRE AND CAS/RECIPROCAL/FARM/CO FARM
11 NCAC 11A .0474 STATISTICAL INFORMATION: ACCIDENT AND HEALTH BUSINESS
11 NCAC 11A .0475 AUTHORIZED INVESTMENTS PURSUANT TO G.S. 58-79(A)
11 NCAC 11A .0476 INVESTMENTS MADE PURSUANT TO G.S. 58-79(A)(14)
11 NCAC 11A .0477 AUTHORIZED INVESTMENTS PURSUANT TO G.S. 58-79.1
11 NCAC 11A .0478 CORPORATE RESOLUTION AND CONFLICT OF INTEREST
11 NCAC 11A .0479 CONTRIBUTION FOR DOMESTIC INSURANCE COMPANIES
11 NCAC 11A .0480 PUBLIC HEARING ON PLAN OF EXCHANGE OF CAPITAL STOCK
11 NCAC 11A .0481 PUBLIC HEARING ON PLAN OF MERGER OR CONSOLIDATION
11 NCAC 11A .0482 EXAMINERS' EXPENSE AND DAYS WORKED REPORTS
11 NCAC 11A .0483 STATEMENT OF EXAMINATION CHARGES

11 NCAC 11A .0484	FORM OF MODEL CUSTODIAL AGREEMENT
11 NCAC 11A .0485	FORM OF MODEL CUSTODIAL AND FISCAL AGENCY AGREEMENT
11 NCAC 11A .0486	RECONCILIATION: STATUTORY CAPITAL AND STOCKHOLDERS EQUITY
11 NCAC 11A .0487	RECONCILIATION: STATUTORY NET GAIN AND NET INCOME
11 NCAC 11A .0488	VALUATIONS OF SECURITIES MANUAL

History Note: Authority G.S. 57-10; 58-9; 58-9(1); 58-9(3); 58-11; 58-16; 58-21; 58-34.1; 58-54.4; 58-62; 58-63(3); 58-63.3; 58-72; 58-79; 58-79(a); 58-79(a)(14); 58-79.1; 58-86.4; 58-155.1; 58-182.5; 58-201; 105-288.4;
 Eff. February 1, 1976;
 Readopted Eff. February 28, 1978;
 Amended Eff. January 14, 1980;
 Repealed Eff. April 1, 1993.

11 NCAC 11A .0489	AFFIDAVIT FOR RETURN OF DEPOSIT
11 NCAC 11A .0490	APPLICATION FOR LICENSE: HEALTH MAINTENANCE ORGANIZATION
11 NCAC 11A .0491	HEALTH MAINTENANCE ORGANIZATION: ANNUAL STATEMENT
11 NCAC 11A .0492	INSTRUCTIONS FOR COMPLETING STATEMENT
11 NCAC 11A .0493	HEALTH MAINTENANCE ORGANIZATION: QUARTERLY STATEMENT

History Note: Authority G.S. 57A; 57A-3; 57A-4; 57A-9; 57A-21; 58-9;
 Eff. February 28, 1978;
 Repealed Eff. April 1, 1993.

SECTION .0500 - CPA AUDITS

11 NCAC 11A .0501	PURPOSE AND SCOPE
11 NCAC 11A .0502	DEFINITIONS
11 NCAC 11A .0503	FILING AND EXTENSIONS FOR FILING REPORTS
11 NCAC 11A .0504	CONTENTS OF ANNUAL AUDITED FINANCIAL REPORT
11 NCAC 11A .0505	DESIGNATION OF CPA
11 NCAC 11A .0506	QUALIFICATIONS OF INDEPENDENT CPA
11 NCAC 11A .0507	APPROVAL OF CPA
11 NCAC 11A .0508	SCOPE OF EXAMINATION AND REPORT OF CPA
11 NCAC 11A .0509	NOTIFICATION OF ADVERSE FINANCIAL CONDITION
11 NCAC 11A .0510	INTERNAL CONTROL STRUCTURE RELATED MATTERS
11 NCAC 11A .0511	CPA WORKPAPERS
11 NCAC 11A .0512	EXEMPTIONS AND EFFECTIVE DATES
11 NCAC 11A .0513	EXAMINATIONS

History Note: Authority G.S. 58-2-40; 58-2-131; 58-2-131; 58-2-133; 58-2-205; 150B-21.1(a3);
 Eff. December 1, 1990;
 Amended Eff. June 1, 2007; July 1, 2004; August 1, 2004; April 1, 1993;
 Temporary Amendment Eff. February 15, 2003;
 Repealed Eff. January 1, 2011.

11 NCAC 11A .0514	SEASONING REQUIREMENTS
11 NCAC 11A .0515	NOTES TO FINANCIAL STATEMENTS

History Note: Authority G.S. 58-2-40; 58-2-205;
 Temporary Adoption Eff. October 1, 2000;
 Eff. July 18, 2002;
 Repealed Eff. January 1, 2011.

SECTION .0600 - REINSURANCE INTERMEDIARIES

11 NCAC 11A .0601 DEFINITIONS

History Note: Authority G.S. 58-2-40; 58-2-225;
 Eff. December 1, 1992;
 Repealed Eff. May 1, 1994.

11 NCAC 11A .0602 LICENSURE

History Note: Authority G.S. 58-2-40; 58-2-225;
 RRC Objection Eff. November 19, 1992 due to ambiguity;
 Eff. December 29, 1992;
 Repealed Eff. May 1, 1994.

- 11 NCAC 11A .0603 REQUIRED CONTRACT PROVISIONS - BROKERS**
- 11 NCAC 11A .0604 DUTIES OF INSURERS USING SERVICES OF BROKERS**
- 11 NCAC 11A .0605 REQUIRED CONTRACT PROVISIONS - MANAGERS**
- 11 NCAC 11A .0606 PROHIBITED ACTS**
- 11 NCAC 11A .0607 DUTIES OF REINSURERS USING SERVICES OF A MANAGER**
- 11 NCAC 11A .0608 EXAMINATION AUTHORITY**
- 11 NCAC 11A .0609 PENALTIES AND LIABILITIES**

History Note: Authority G.S. 58-2-40; 58-2-225;
 Eff. December 1, 1992;
 Repealed Eff. May 1, 1994.