

**11 NCAC 12 .1308 ELECTIONS BY CARRIERS**

(a) If an election to be a risk assuming carrier is disapproved by the Commissioner, the carrier shall be considered a reinsuring carrier as of the date of the disapproval, unless the carrier is already so considered.

(b) An insurer that has previously notified the Commissioner that it is not a small employer carrier may enter the small employer group health insurance market upon notification to the Commissioner and the Commissioner's approval of the carrier's statutory health benefit plans; and that carrier shall be a reinsuring carrier.

*History Note: Authority G.S. 58-2-40(1); 58-50-135(a); 58-50-135(c); 58-50-150(a);  
Temporary Adoption Eff. December 21, 1992 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;  
Eff. April 1, 1993;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1, 2018.*