

Arizona Department of Insurance and Financial Institutions

ANNUAL REGULATORY AGENDA

December 1, 2022

The Arizona Department of Insurance and Financial Institutions (the “Department”) has prepared and made this annual regulatory agenda available to the public in accordance with the requirements of A.R.S. § 41-1021.02¹. The Department expects to follow this regulatory agenda, however, the annual regulatory agenda does not prohibit the Department from undertaking any rulemaking action even if that action is not included in this annual regulatory agenda.

Rules of the Department are at: Insurance Division – Title 20, Chapter 6

Financial Institutions Division – Title 4, Chapter 46 (Real Estate Appraisal) and Title 20, Chapter 4

NOTE: The Department is not currently engaging in informal or formal rulemaking activities, except where approved by the Governor’s Office, in compliance with A.R.S. § 41-1039(A). The Department will post a notice on the Department’s Web page and will send a notice to stakeholders if the public process on any particular rule package begins or resumes.

The following information is provided as required by A.R.S. § 41-1021.02:

ARS 41-1021.02(B)(1): A notice of docket openings. The Department opened the following dockets in 2022:

Insurance Division: **February 4, 2022** (28 A.A.R. 347, February 4, 2022)
A.A.C. Title 20, Ch. 6, Art. 13. Mental Health Parity

41-1021.02. State agencies; annual regulatory agenda

A. On or before December 1 of each year, each agency, except for a self-supporting regulatory board as defined in section 41-1092, shall prepare and make available to the public the regulatory agenda that the agency expects to follow during the next calendar year.

B. The regulatory agenda shall include all of the following:

1. A notice of docket openings.
2. A notice of any proposed rule making, including potential sources of federal funding for each proposed rule making.
3. A review of existing rules.
4. A notice of a final rule making.

C. The regulatory agenda shall also provide for the following information:

1. Any rule making terminated during the current calendar year.
2. Any privatization option and nontraditional regulatory approach being considered by the agency.

D. This section does not prohibit an agency from undertaking any rule making action even if that action has not been included in the agency's annual regulatory agenda.

July 15, 2022 (28 A.A.R. 1661, July 15, 2022)
A.A.C. Title 20, Ch. 6, Art. 1. Hearing Procedures and Rulemaking Petitions

November 11, 2022 (28 A.A.R. 3508, November 11, 2022)
A.A.C. Title 20, Ch. 6, R20-6-708 and Table A. Licensing Timeframes

November 25, 2022 (28 A.A.R. 3634, November 25, 2022)
A.A.C. Title 20, Ch. 6, R20-6-307. Life & Disability Reinsurance Agreements

Financial Institutions Division: **July 15, 2022** (28 A.A.R. 1660, July 15, 2022)

A.A.C. Title 4, Ch. 46, Art. 3.1. Rules of Practice and Procedure before the Superintendent (Real Estate Appraisal)

A.A.C. Title 20, Ch. 4, Art. 12. Rules of Practice and Procedure before the Superintendent

ARS 41-1021.02(B)(2): Notice of any proposed rulemaking including potential sources of federal funding for each proposed rulemaking.

Insurance Division (no rulemaking has a potential source of federal funding):

February 4, 2022 (28 A.A.R. 330, February 4, 2022)
A.A.C. Title 20, Ch. 6, Art. 13. Mental Health Parity

April 1, 2022 (28 A.A.R. 681, April 1, 2022)
A.A.C. Title 20, Ch. 6, R20-6-407. Service Companies (Supplemental)

July 15, 2022 (28 A.A.R. 1652, July 15, 2022)
A.A.C. Title 20, Ch. 6, Art. 1. Hearing Procedures and Rulemaking Petitions

August 19, 2022 (28 A.A.R. 2051, August 19, 2022)
A.A.C. Title 20, Ch. 6, R20-6-407. Service Companies (Supplemental)

November 11, 2022 (28 A.A.R. 3483, November 11, 2022)
A.A.C. Title 20, Ch. 6, R20-6-708 and Table A. Licensing Timeframes

November 25, 2022 (28 A.A.R. 3613, November 25, 2022)
A.A.C. Title 20, Ch. 6, R20-6-307. Life & Disability Reinsurance Agreements

Financial Institutions Division (no rulemaking has a potential source of federal funding):

July 15, 2022 (28 A.A.R. 1643, July 15, 2022)
A.A.C. Title 4, Ch. 46, Art. 3.1. Rules of Practice and Procedure before the Superintendent (Real Estate Appraisal)

July 15, 2022 (28 A.A.R. 1647, July 15, 2022)
A.A.C. Title 20, Ch. 4, Art. 12. Rules of Practice and Procedure before the Superintendent

ARS 41-1021.02(B)(4): A notice of a final rule making.

Insurance Division: **Eff. April 5, 2022** (28 A.A.R. 454, February 25, 2022)
A.A.C. Title 20, Ch. 6, Annuity Disclosure (R20-6-212, R20-6-212.01, and R20-6-212.02)

Eff. April 9, 2022 (28 A.A.R. 493, March 4, 2022)
A.A.C. Title 20, Ch. 6, Art. 16 – Parts A and B; Credit for Reinsurance

Eff. May 7, 2022 (28 A.A.R. 654, March 25, 2022)
A.A.C. Title 20, Ch. 6, Art. 18 – Prepaid Dental Plan Organizations

Eff. May 7, 2022 (28 A.A.R. 687, April 1, 2022)
A.A.C. Title 20, Ch. 6, Art. 22 – Military Personnel

Eff. September 4, 2022 (28 A.A.R. 1824, July 29, 2022)
A.A.C. Title 20, Ch. 6, Art. 13. Mental Health Parity

Financial Institutions Division: **Eff. June 11, 2022** (28 A.A.R. 893, May 6, 2022)
A.A.C. Title 4, Ch. 46. Real – Estate Appraisal

The following is a list of rule makings planned to be completed by the Department in 2023 (no rulemaking has a potential source of federal funding):

Insurance Division: **Docket Opened in 2021**
Service Companies (Title 20, Ch. 6, Article 4, Section R20-6-407)

Docket Opened in 2022
Hearing Procedures and Rulemaking Petitions (Title 20, Ch. 6, Art. 1)
Life and Disability Reinsurance Agreements) (R20-6-307)
Licensing Timeframes (R20-6-708 and Table A)

Docket to be Opened in 2023
Insurance Holding Company (Title 20, Ch. 6, Article 14) – conform to anticipated statutory amendments
Medicare Supplement Insurance (Title 20, Ch. 6, Article 11) – update incorporated by reference materials
Types of Insurance Companies (Title 20, Ch. 6, Article 4) – various updates
Health Care Services Organizations Oversight (Title 20, Ch. 6, Article 19) – various updates
Captive Insurers (Title 20, Ch. 6, Article 20) – correct statutory reference

Threshold Rate Review – Individual Health Insurance (Title 20, Ch. 6, Article 23) – various updates

Replace “Department of Insurance” with “Department of Insurance and Financial Institutions” in the following rules: R20-6-205(A)(4), R20-6-801, R20-6-2301(B)(1) and R20-6-2401(9)

Replace Title of Section R20-6-604 to “Consumer Credit Insurance”

Financial Institutions Division: **Docket Opened in 2022**

Rules of Practice and Procedure before the Director (Title 4, Ch. 46, Art. 3.1) (Real Estate Appraisal)

Rules of Practice and Procedure before the Superintendent (Title 20, Ch. 4, Article 12)

Docket to be Opened in 2023 (Replace “Superintendent” with “Director” and various updates)

Articles 1 (General) and 14 (Investigations)

Articles 2 (Bank Organization and Regulation), 4 (Credit Unions), 8 (Trust Companies), 10 (Safe Deposit and Safekeeping Code), 11 (Public Depositories for Public Monies), 16 (Acquiring Control of Financial Institutions), 17 (Arizona Interstate Bank and Savings and Loan Association Act)

Articles 5 (Small Loans), 6 (Debt Management Companies), 7 (Escrow Agents), 15 (Collection Agencies)

Articles 9 (Mortgage Brokers), 13 (Loan Originators), 18 (Mortgage Bankers), and 19 (Commercial Mortgage Bankers)

ARS 41-1021.02(B)(3): A review of existing rules.

Insurance Division:

May 2023: Title 20, Ch. 6, Articles 7 (Licensing Provisions and Procedures), 8 (Prohibited Practices, Penalties), 10 (Long-Term Care Insurance), 12 (HIV/AIDS: Prohibited and Required Practices), 14 (Insurance Holding Company), 16 (Credit for Reinsurance), 17 (Examinations), and 22 (Military Personnel)

Financial Institutions Division:

September 2023: Title 4, Ch. 46, Articles 1 (General Provisions), 2 (Registration, Licensure, and Certification as an Appraiser), 3 (Rules of Practice and Procedure before the Director), 4 (Appraisal Management Companies), 5 (Course Approval), and 6 (Property Tax Agents)²

² On October 13, 2022, the Department submitted a letter to the Governor’s Regulatory Review Council pursuant to A.R.S. § 41-1056(H) to request that this review be rescheduled.

November 2023: Title 20, Ch. 4, Articles 1 (General), 2 (Bank Organization and Regulation), 3 (Expired), 4 (Credit Unions), and 5 (Small Loans)

ARS 41-1021.02(C)(1): Any rule making terminated during the current calendar year.

Insurance Division: None

Financial Institutions Division: None

ARS 41-1021.02(C)(2): Any privatization option and nontraditional regulatory approach being considered by the agency.

Insurance Division: None

Financial Institutions Division: None