

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER

ADMINISTRATIVE LAW DIVISION

Form #6

FILED

APR 2 4 02 PM '96

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

**NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED
BY THE WEST VIRGINIA LEGISLATURE.**

AGENCY: Insurance Commissioner TITLE NUMBER: 114

AMENDMENT TO AN EXISTING RULE: YES X, NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 15

TITLE OF RULE BEING AMENDED: Examiner's Compensation
Qualifications & Classification

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED:

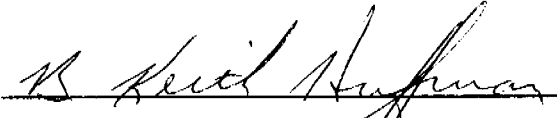
TITLE OF RULE BEING PROPOSED:

THE ABOVE RULE HAS BEEN AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE.

AUTHORIZATION IS CITED IN (house or senate bill number) SB 171

SECTION 64-7-3 (b), PASSED ON March 7, 1996

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON
THE FOLLOWING DATE: April 15, 1996


AUTHORIZED SIGNATURE

PROMULGATION HISTORY

West Virginia Insurance Commission Examiners' Compensation, Qualification and Classification Title 114, Series 15

6/26/95	Notice of Comment Period Filed
7/26/95	Last Date Comments Were Received
7/27/95	Agency Approved Legislative Rule Filed
10/26/95	Date Reviewed by Legislative Rule-Making Review Committee
11/27/95	Date Modified and Approved Rule Filed
4/02/96	Filing Date
4/15/96	Effective Date

114CSR15

**TITLE 114
LEGISLATIVE RULE
INSURANCE COMMISSIONER**

**SERIES 15
EXAMINERS' COMPENSATION, QUALIFICATIONS AND CLASSIFICATION**

Section

- 114-15-1. General.
- 114-15-2. Definitions.
- 114-15-3. Examination, Analysis and Review Activities and Funding.
- 114-15-4. Compensation and Accrued time of Accredited Examiners.
- 114-15-5. Travel and Living Expenses.
- 114-15-6. Examiner Reporting Requirements.

114CSR15

**TITLE 114
LEGISLATIVE RULE
INSURANCE COMMISSIONER**

**SERIES 15
EXAMINERS' COMPENSATION, QUALIFICATIONS AND CLASSIFICATION**

§ 114-15-1. General.

1.1. Scope. -- This legislative rule establishes standards for the compensation, qualifications and classification of persons who conduct or participate in any analysis, review or examination provided for in W. Va. Code § 33-2-9.

1.2. Authority. -- W. Va. Code §§ 33-2-9, 33-2-10

1.3. Filing Date. --

1.4. Effective Date. --

§ 114-15-2. Definitions.

As used in this legislative rule:

2.1. "Commissioner" means the Insurance Commissioner of the State of West Virginia.

2.2. "Deputy" means any individual appointed by the Commissioner as Deputy or Special Deputy Commissioner of Insurance.

2.3. "Other Employee" means any individual who is an employee of the Department of Insurance of the State of West Virginia, excluding the Commissioner's Accredited Examiners.

2.4. "Accredited Examiner" or "Examiner" means a person who is an employee of the ~~Department of Insurance~~ Commissioner and has been classified according to his or her qualifications as either Insurance Company Examiner, Supervising Insurance Company Examiner, Market Conduct Examiner or Supervising Market Conduct Examiner pursuant to the classification plan of the West Virginia Division of Personnel or such other equivalent classification plan as the State of West Virginia may adopt.

**Insurance Commissioner
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2.5. "Other Individual" means any individual who is not an employee of the Department of Insurance, to include but not be limited to independent certified public accountants, independent actuaries, qualified insurance examiners or other individuals with particular skills or areas of expertise. ~~deemed~~ considered competent by the Commissioner to conduct or participate in any examination, analysis or review as allowed by W. Va. Code § 33-2-9 or this ~~regulation~~ rule.

2.6. "Examination Assessment Fee" means the annual fee due on or before July 1 of every year, as specified in W. Va. Code § 33-2-9.

2.7. "Additional Examination Assessment Fee" means any additional or increased examination assessment fee levied by order of the Commissioner in excess of the annual examination assessment fee as allowed by the provisions of W. Va. Code § 33-2-9.

§ 114-15-3. Examination, Analysis and Review Activities and Funding.

3.1. Every entity subject to the provisions of W. Va. Code § 33-2-9 shall remit the examination assessment fee specified by the Code or as increased by the Commissioner on or before July 1 of each year.

3.2. Every entity subject to the provisions of W. Va. Code § 33-2-9 shall remit any additional examination assessment fee ordered by the Commissioner on or before the date specified by ~~such~~ the order.

3.3. The monies collected by the Commissioner from the examination assessment fee and any additional examination assessment fee shall be deposited as specified in W. Va. Code § 33-2-9. ~~Such~~ The monies ~~so~~ deposited into the Commissioner's Examination Revolving Fund may be used for any of the following:

~~3.3.1.a.~~ Salaries and expenses of the Insurance ~~Department~~
Commissioner's Accredited Examiners as specified in this ~~regulation~~ rule for any activities conducted pursuant to W. Va. Code § 33-2-9 or this ~~regulation~~ rule.

~~3.3.2.b.~~ Salaries and/or expenses of the Insurance ~~Department~~
Commissioner's Special Deputies or other employees for activities conducted pursuant to W. Va. Code § 33-2-9 or this ~~regulation~~ rule.

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~~3.3.3.c.~~ Salaries and/or expenses of other individuals for activities conducted pursuant to W. Va. Code § 33-2-9 or this ~~regulation rule~~.

~~3.3.4.d.~~ Equipment, supplies, travel, education, and training and other incidental expenses for the Commissioner, his or her deputies, other employees and accredited examiners as ~~deemed~~ considered necessary by the Commissioner for the performance of the duties and activities conducted pursuant to W. Va. Code § 33-2-9 or this ~~regulation rule~~.

3.4. Examination, analysis and review activities shall include the following as they relate to the operation of entities, individuals or persons subject to the provisions of W. Va. Code § 33-2-9:

~~3.4.1.a.~~ Examination of the financial condition or market conduct practices of ~~any such~~ the entity, individual or person;

~~3.4.2.b.~~ On-site analysis or review of any practice or condition affecting the entity, individual or person; and

~~3.4.3.c.~~ Review of any statements, reports, or reviews of an entity, individual or person's financial condition, performance or market conduct practices including the review or development of any forecasts or projections or any type of filing made or intended to be made with the ~~Department of Insurance Commissioner~~. This review shall include but not be limited to the review or investigation of any audited financial report, compilation or review performed by a certified public accountant, actuarial statement or certification, documents submitted in application for licensure or registration in the State, or other matters or materials deemed necessary by the Commissioner to fulfill his or her statutory obligations.

3.5. Other individuals may, as the Commissioner ~~deems~~ considers necessary, bill and receive payments directly from the entities subject to the provisions of W. Va. Code § 33-2-9 and this ~~regulation rule~~ for their work, travel and living expenses at rates approved by the Commissioner while involved in any of the ~~above mentioned~~ activities set forth in this section.

§ 114-15-4. Compensation and Accrued Time of Accredited Examiners.

4.1. Salary. Subject to the Commissioner's approval, Supervising Insurance Company Examiners and Supervising Market Conduct Examiners shall receive the salary recommended by the Financial Condition Examiners Handbook of the National Association of Insurance Commissioners for Supervising Insurance Examiners. Subject to the Commissioner's approval, Insurance Company Examiners and Market Conduct Examiners shall receive the salary

**Insurance Commissioner
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recommended by the Financial Condition Examiners Handbook of the National Association of Insurance Commissioners for Insurance Company Examiners.

4.2. An Examiner's salary shall be calculated based upon a five-day work week.

4.3. Accrued Time. -- Examiners shall accrue aAnnual leave and sick leave ~~shall~~ accrue at the rates and in the manner established by current West Virginia Division of Personnel ~~regulations~~ rules for state employees or by such other equivalent method as may be adopted by the State of West Virginia.

4.3.1.a. On any West Virginia state or national holiday that a company being examined chooses to remain open and an examiner chooses to work, such examiner ~~shall~~ be properly compensated.

4.3.2.b. ~~Approval.~~ Annual leave may be taken by the Examiner only upon written approval by the Commissioner, Deputy Commissioner or Chief Examiner. The Examiner must request aApproval ~~must be requested~~ at least as far in advance of the leave as the length of leave requested. i.e., for four (4) days leave, the request must be submitted at least four (4) days in advance. In a case of emergency, the requirement periods for advance request may be waived by the Commissioner, Deputy Commissioner or Chief Examiner.

4.3.3.c. Examiners shall not be reimbursed for travel or living expenses for any day authorized as annual leave.

4.3.4.d. On any day that the examiner is absent due to sickness, ~~said the~~ examiner shall telephone and inform the Chief Examiner directly of his or her planned absence before 9:30 a.m. on the day of the absence. In cases in which sick leave extends beyond three (3) working days, the reason for ~~such the~~ absence shall be verified by a physician's statement. An examiner ~~will be~~ is subject to the appropriate disciplinary action for failure to comply with these notification and physician's statement requirements.

4.3.5.e. Examiners shall continue to be reimbursed for living expenses during times of sick leave as long as the examiner does not travel to his or her place of residence as a result of the illness.

§ 114-15-5. Travel and Living Expenses.

5.1. Travel. -- Travel by Examiners in connection with activities conducted pursuant to W. Va. Code § 33-2-9 or this ~~regulation~~ rule shall not be undertaken unless authorized by the

Insurance Commissioner
Legislative Rule
Title 114, Series 15

Commissioner, Deputy Commissioner or Chief Examiner. Travel expenses ~~shall be~~ are subject to the following limitations:

5.1.1.a. All travel shall be by automobile unless otherwise authorized by the Commissioner, Deputy Commissioner or Chief Examiner.

5.1.1.a.A. Examiners shall be compensated for the actual mileage traveled and other incidental expenses as allowed by the Governor's travel ~~regulations~~ rules or an equivalent compensation plan adopted by the State of West Virginia.

5.1.1.b.B. When an automobile is used, and the distance ~~traveled shall be not to an examination or to an assignment is equal to or greater than four hundred (400) miles,~~ the distance traveled per day shall not be less than four hundred (400) miles ~~per day~~ as determined by the Rand McNally road map; Provided, That examiners shall be compensated for actual mileage traveled if the distance to an examination or to an assignment is less than four hundred (400) miles.

5.1.2.b. When air travel is authorized, a maximum of one (1) day's travel time ~~shall be~~ is allowed and the examiner shall be reimbursed for actual travel expenses incurred.

5.2. Examiners shall be reimbursed for living expenses on a basis of seven (7) days per week for the duration of the on-site examination or assignment as follows:

5.2.1.a. Living expenses may be reimbursed by any one of the following three methods as authorized by the Commissioner:

5.2.1.a.A. Actual living expenses, provided that expenditures can be adequately substantiated and are approved by the Commissioner;

5.2.1.b.B. A per diem allowance selected by the Commissioner;

5.2.1.b.1.(a) The street address of the facility housing the examiners during their assignment shall be used in determining the per diem allowance.

5.2.1.b.2.(b) Changes in this per diem allowance due to the examiners performing work in connection with an assignment at a different street address shall only be authorized if the street address of the new facility is in excess of fifty (50) miles from the previous facility and if the examiner shall be housed in the new facility in excess of three (3) days; or

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5.2.1.e.C. The method recommended by the Financial Condition Examiners Handbook of the National Association of Insurance Commissioners.

5.2.2.b. ~~The Commissioner shall not authorize~~ Living expenses ~~shall not be authorized~~ if the examination takes place in a location within fifty (50) miles (one way) of an examiner's residence. However, the examiner shall be compensated for actual mileage traveled and other incidental expenses as allowed by the Governor's travel ~~regulations~~ rules or an equivalent compensation plan adopted by the State of West Virginia.

5.2.3.c. Examiners and other employees may, with the approval of the Commissioner or Deputy Commissioner, be compensated for travel and living expenses in accordance with the Governor's travel ~~regulations~~ rules or an equivalent compensation plan adopted by the State of West Virginia when attending training, educational courses, conferences, seminars or other activities authorized by the Commissioner. Registration fees shall be included as expenses that can be reimbursed to the examiners or other employees.

5.2.4.d. Examiners may, with the Commissioner's approval, be reimbursed for examination fees incurred as a consequence of examination for designation as a Certified Financial Examiner, provided that a passing score is achieved on the examinations. Other expenses incurred in connection with the examination, including travel, lodging and meals, shall not be reimbursed.

5.2.5.e. Other individuals involved in activities conducted pursuant to W. Va. Code § 33-2-9 or this ~~regulation~~ rule who are billing directly as authorized in Section 3.4 of this ~~regulation~~ rule shall file a schedule of their fees and charges with the Commissioner prior to incurring any charges. ~~Such other~~ These individuals shall submit copies of their billings to the Commissioner simultaneously with their submission to the billed entity, individual or person.

5.2.6.f. ~~The Commissioner shall authorize a~~ An examiner shall be authorized to return to his or her place of residence ~~twice~~ six times in any one fiscal year. Provided, however, that the Commissioner shall not authorize an examiner to return to his or her place of residence more than three times in any one quarterly period. The examiner shall be reimbursed the lesser of air fare or mileage in lieu of living expenses. An examiner shall utilize his or her accrued leave time for ~~such~~ the travel. It is understood that ~~such~~ the travel will be done with a minimum amount of work time lost. For purposes of this subsection of this ~~regulation~~ rule, "place of residence" ~~shall~~ refers to an examiner's place of legal residence as on file with the ~~Department of Insurance Commissioner.~~ An examiner shall immediately inform the department of any change in legal residence.

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§ 114-15-6. Examiner Reporting Requirements.

6.1. Each examiner shall prepare an "Examiner's Semimonthly Days Worked Report" to be submitted on a form prescribed by the Commissioner. ~~Said~~ The form shall be submitted to the Commissioner within three (3) days of the end of each semimonthly pay period. ~~Such~~ The report shall contain the following information:

6.1.1.a. The pPeriod of time the report covers;

6.1.2.b. The nName of entity, individual or person that examiner has been examining and their normal hours of operation;

6.1.3.c. The mMailing address and street address, including county, of the facility housing the examiner;

6.1.4.d. The tTelephone number and extension where the examiner can be reached at all times;

6.1.5.e. The domiciliary state, if the examination is being performed on a non-domestic entity;

6.1.6.f. The examiner in charge if other than the reporting examiner;

6.1.7.g. A listing of any other examiners participating in the assignment and their domicile or zone representation;

6.1.8.h. A description of the phases of the examination or assignment that the examiner worked on during the reporting period;

6.1.9.i. Comments on any unusual or controversial items;

6.1.10.j. The tentative closing date of the assignment;

6.1.11.k. A schedule of each of the days in the reporting period and the examiners status on that day, to include the following work status categories:

6.1.11.a.A. Work day, annual day, sick day, expense day;

**Insurance Commissioner
Legislative Rule
Title 114, Series 15**

~~6.1.11.b.B.~~ Each category shall be totalled at the bottom of the schedule;

~~6.1.12.1.~~ The examiners name, signature and a statement that the information provided is true and correct; and

~~6.1.13.m.~~ The name and signature of the examiner in charge, if other than the reporting examiner, verifying the information.

6.2. The information identified in Subsection 6.1 of this ~~regulation~~ rule is necessary to satisfy the substantiation of business expenses requirement of the Internal Revenue Service placed upon the Insurance ~~Department~~ Commissioner as an employer. Failure on the part of the examiner to provide any of the information could require the Insurance Department to report expense amounts as income of the examiner to the Internal Revenue Service.

6.3. An examiner shall report changes to his or her telephone number and extension to the Commissioner between reporting periods. Failure to report ~~such~~ the changes could affect the Insurance ~~Department~~ Commissioner's ability to consider an examiners business expenses as substantiated.



STATE OF WEST VIRGINIA
Offices of the Insurance Commissioner

Legal Division

GASTON CAPERTON
Governor

HANLEY C. CLARK
Insurance Commissioner

April 2, 1996

HAND DELIVERED

Ms. Judy Cooper, Director
Administrative Law Division
Office of Secretary of State
State Capitol
Charleston, West Virginia 25305

Dear Ms. Cooper:

Attached for filing with your office is the "final filing" form for the rule Series 15 titled "Examiners' Compensation, Qualifications & Classifications." This rule was authorized in Senate Bill 171 and passed by the Legislature on March 7, 1996.

We are also providing your office with a computer disk containing the aforementioned rule and a hard copy of the promulgation history of that rule. The filing date and effective date have already been inserted onto the computer disk.

If you have any questions about the enclosed forms or the computer disk, please do not hesitate to call me.

Sincerely,

A handwritten signature in cursive script that reads "B. Keith Huffman".

B. Keith Huffman
General Counsel

BKH/sar
Attachment

8576

H. B. 4258

(By Delegates Douglas, Gallagher, Faircloth, Compton,
Linch and Riggs)

(Introduced January 29, 1996; referred to the
Committee on ~~Banking and Insurance then the Judiciary~~.)

114-15

A BILL to amend and reenact section four, article seven, chapter sixty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to authorizing the insurance commissioner to promulgate legislative rules relating to examiners' compensation, qualifications and classification.

Be it enacted by the Legislature of West Virginia:

That section four, article seven, chapter sixty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted, to read as follows:

ARTICLE 7. AUTHORIZATION FOR DEPARTMENT OF TAX AND REVENUE

TO PROMULGATE LEGISLATIVE RULES.

§64-7-4. Insurance commissioner.

(a) The legislative rules filed in the state register

4258

1 on the seventeenth day of August, one thousand nine hundred
2 ninety-three, authorized under the authority of sections
3 four and five, article twenty-eight, chapter thirty-three,
4 of this code, modified by the insurance commissioner to
5 meet the objections of the legislative rule-making review
6 committee and refiled in the state register on the
7 seventeenth day of June, one thousand nine hundred
8 ninety-four, relating to the insurance commissioner
9 (individual accident and sickness insurance minimum
10 standards, 114 CSR 12), are authorized.

11 (b) The legislative rules filed in the state register
12 on the fifteenth day of August, one thousand nine hundred
13 ninety-four, authorized under the authority of section ten,
14 article two, chapter thirty-three, of this code, modified
15 by the insurance commissioner to meet the objections of the
16 legislative rule-making review committee and refiled in the
17 state register on the twenty-eighth day of November, one
18 thousand nine hundred ninety-four, relating to the
19 insurance commissioner (regulation of credit life insurance
20 and credit accident and sickness insurance, 114 CSR 6), are
21 authorized.

22 (c) The legislative rules filed in the state register
23 on the twelfth day of August, one thousand nine hundred
24 ninety-four, authorized under the authority of section ten,

1 article two, chapter thirty-three, of this code, modified
2 by the insurance commissioner to meet the objections of the
3 legislative rule-making review committee and refiled in the
4 state register on the twenty-third day of November, one
5 thousand nine hundred ninety-four, relating to the
6 insurance commissioner (credit for reinsurance, 114 CSR
7 40), are authorized.

8 (d) The legislative rules filed in the state register
9 on the twenty-seventh day of July, one thousand nine
10 hundred ninety-five, authorized under the authority of
11 section ten, article two, chapter thirty-three, of this
12 code, modified by the insurance commissioner to meet the
13 objections of the legislative rule-making review committee
14 and refiled in the state register on the twenty-seventh day
15 of November, one thousand nine hundred ninety-five,
16 relating to the insurance commissioner (examiners'
17 compensation, qualifications and classification, 114 CSR
18 15), are authorized.

19

20 NOTE: The purpose of this bill is to authorize the
21 Insurance Commissioner to promulgate legislative rules
22 relating to examiners' compensation, qualifications and
23 classification.

24

25 Strike-throughs indicate language that would be
26 stricken from the present law, and underscoring indicates
27 new language that would be added.

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SENATE BILL NO. 188

(By Senators Ross, Anderson, Boley,
Buckalew, Grubb and Macnaughtan)

[Introduced January 29, 1996; referred
to the Committee on

BANKING AND INSURANCE
FINANCE
THE JUDICIARY

114-15

A BILL to amend and reenact section four, article seven,
chapter sixty-four of the code of West Virginia, one
thousand nine hundred thirty-one, as amended, relating
to authorizing the insurance commissioner to
promulgate legislative rules relating to examiners'
compensation, qualifications and classification.

Be it enacted by the Legislature of West Virginia:

That section four, article seven, chapter sixty-four
of the code of West Virginia, one thousand nine hundred
thirty-one, as amended, be amended and reenacted, to read
as follows:

**ARTICLE 7. AUTHORIZATION FOR DEPARTMENT OF TAX AND REVENUE
TO PROMULGATE LEGISLATIVE RULES.**

§64-7-4. Insurance commissioner.

(a) The legislative rules filed in the state register

1 on the seventeenth day of August, one thousand nine hundred
2 ninety-three, authorized under the authority of sections
3 four and five, article twenty-eight, chapter thirty-three,
4 of this code, modified by the insurance commissioner to
5 meet the objections of the legislative rule-making review
6 committee and refiled in the state register on the
7 seventeenth day of June, one thousand nine hundred
8 ninety-four, relating to the insurance commissioner
9 (individual accident and sickness insurance minimum
10 standards, 114 CSR 12), are authorized.

11 (b) The legislative rules filed in the state register
12 on the fifteenth day of August, one thousand nine hundred
13 ninety-four, authorized under the authority of section ten,
14 article two, chapter thirty-three, of this code, modified
15 by the insurance commissioner to meet the objections of the
16 legislative rule-making review committee and refiled in the
17 state register on the twenty-eighth day of November, one
18 thousand nine hundred ninety-four, relating to the
19 insurance commissioner (regulation of credit life insurance
20 and credit accident and sickness insurance, 114 CSR 6), are
21 authorized.

22 (c) The legislative rules filed in the state register
23 on the twelfth day of August, one thousand nine hundred
24 ninety-four, authorized under the authority of section ten,

1 article two, chapter thirty-three, of this code, modified
2 by the insurance commissioner to meet the objections of the
3 legislative rule-making review committee and refiled in the
4 state register on the twenty-third day of November, one
5 thousand nine hundred ninety-four, relating to the
6 insurance commissioner (credit for reinsurance, 114 CSR
7 40), are authorized.

8 (d) The legislative rules filed in the state register
9 on the twenty-seventh day of July, one thousand nine
10 hundred ninety-five, authorized under the authority of
11 section ten, article two, chapter thirty-three, of this
12 code, modified by the insurance commissioner to meet the
13 objections of the legislative rule-making review committee
14 and refiled in the state register on the twenty-seventh day
15 of November, one thousand nine hundred ninety-five,
16 relating to the insurance commissioner (examiners'
17 compensation, qualifications and classification, 114 CSR
18 15), are authorized.

19

20 NOTE: The purpose of this bill is to authorize the
21 Insurance Commissioner to promulgate legislative rules
22 relating to examiners' compensation, qualifications and
23 classification.

24
25 Strike-throughs indicate language that would be
26 stricken from the present law, and underscoring indicates
27 new language that would be added.



KEN HECHLER
Secretary of State

MARY P. RATLIFF
Deputy Secretary of State

STEPHEN N. REED
Deputy Secretary of State

CATHERINE FREROTTE
Executive Assistant

WILLIAM H. HARRINGTON
Chief of Staff

JUDY COOPER
Director, Administrative Law

PENNEY BARKER
Supervisor, Corporations

STATE OF WEST VIRGINIA

SECRETARY OF STATE
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(Plus all the volunteer help we can get)

RECEIVED
APR 23 1996
LEGAL DIVISION
W. VA. INS. DEPT.

TO: Donna S. Quensenbery

AGENCY: Insurance Commission

FROM: JUDY COOPER, DIRECTOR, ADMINISTRATIVE LAW DIVISION

DATE: April 19, 1996

THE ATTACHED RULE FILED BY YOUR AGENCY HAS BEEN ENTERED INTO OUR COMPUTER SYSTEM. PLEASE REVIEW, PROOF AND RETURN IT WITH ANY CORRECTIONS. IF THERE ARE NO CORRECTIONS, PLEASE SIGN THIS MEMO AND RETURN IT TO THIS OFFICE. YOU WILL BE SENT A FINAL VERSION OF THE RULE FOR YOUR RECORDS.

PLEASE RETURN EITHER THE CORRECTED RULE OR THIS FORM WITHIN TEN (10) WORKING DAYS OF THE DATE YOU RECEIVED THIS REQUEST. CALL IF YOU HAVE ANY QUESTIONS.

SERIES: 15 TITLE: 114 Insurance Commission

* THE ATTACHED RULE HAS BEEN REVIEWED AND IS CORRECT.

SIGNED: _____
TITLE OF PERSON SIGNING: Associate Counsel
DATE: 5-10-96

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE
MAY 13 2 42 PM '96
FILED

* THE ATTACHED RULE HAS BEEN REVIEWED AND NEEDS CORRECTING. THE CORRECTIONS HAVE BEEN MARKED.

SIGNED: Donna S. Quensenbery
TITLE OF PERSON SIGNING: Associate Counsel
DATE: 5/10/96

NOTE: IF YOU ARE NOT THE PERSON WHO HANDLES THIS RULE, PLEASE FORWARD TO THE CORRECT PERSON.

KEN HECHLER
Secretary of State

MARY P. RATLIFF
Deputy Secretary of State

STEPHEN N. REED
Deputy Secretary of State

CATHERINE FREROTTE
Executive Assistant

Telephone: (304) 558-6000
Corporations: (304) 558-8000
FAX: (304) 558-0900



WILLIAM H. HARRINGTON
Chief of Staff

JUDY COOPER
Director, Administrative Law

PENNEY BARKER
Supervisor, Corporations

STATE OF WEST VIRGINIA

SECRETARY OF STATE

Building 1, Suite 157-K
1900 Kanawha Blvd., East
Charleston, WV 25305-0770

(Plus all the volunteer
help we can get)

March 12, 1996

Donna S Quesenberry
Insurance
PO Box 50540
2019 Washington Street East
Charleston, WV 25305-0540

SB 171 authorizing, **Title 114, Series 15, Examiners Compensation Qualifications & Classification** passed the Legislature on **March 7, 1996**. It is now awaiting the Governor's signature.

You have sixty (60) days after the Governor signs **SB 171** to final file the legislative rule with the Secretary of State's office. To final file your legislative rule, fill in the blanks on the enclosed form #6, the "Final Filing" form and file the form with our office with a promulgation history of the rule. Authorization for your legislative rule is cited in **SB 171 Section 64-7-3(b)**. The agency may set the effective date of the legislative rule up to ninety (90) days from the date the legislative rule is final filed with the Secretary of State's office. Please have an authorized signature on the bottom line.

*****IMPORTANT: IF YOUR AGENCY HAS COMPLETED THE LEGISLATIVE RULE ON A WORD PERFECT OR WORD PERFECT COMPATIBLE COMPUTER SYSTEM THAT USES A 3 1/2" DISK, YOU MUST SUBMIT A CLEAN COPY WITH ALL UNDERLINING AND STRIKE-THROUGHS, HEADERS OR FOOTERS REMOVED, TO OUR OFFICE WHEN FINAL FILING THE RULE. REMEMBER, THE TEXT OF THE COMPUTER FILED RULE MUST BE IDENTICAL - WORD FOR WORD, COMMA FOR COMMA, WITH ALL UNDERLINING, STRIKE-THROUGHS, HEADERS OR FOOTERS REMOVED, AS THE HARD COPY AUTHORIZED BY THE LEGISLATURE. NOTICE: ALL ELECTRONIC FILINGS NOT COMPLYING WITH THIS WILL BE REJECTED AND SENT BACK TO THE AGENCY TO BE RESUBMITTED!**

After the final rule is entered into the data base, the rule will be sent back to the agency for review and proofing. The agency has ten (10) working days to send a confirmation or corrections to the Secretary of States. If the agency fails to return this within ten (10) working days, the rule will be filed in the data base with a disclaimer attached stating that the agency failed to review the rule. Following confirmation, corrections or failure to review, as the case may be, the Secretary of State shall submit to the agency a final version of the rule for their records.

If you have any questions or need any assistance, please do not hesitate to contact our office.

Thank you,
Administrative Law Division