

Repeal Ins 102.03, effective 2-1-20 (Document # 12983), as follows and re-number subsequent sections:

~~[Ins 102.03 Data Analytics Division.~~

~~(a) In accordance with RSA 400-A:6, VII, the chief life, accident, and health actuary is responsible for:~~

~~(1) Reviewing actuarial aspects of policy form and rate filings to determine that premium rates are not excessive, inadequate, or unfairly discriminatory and that premium rates conform to statutory requirements;~~

~~(2) Assisting the commissioner with setting regulatory policy and providing expertise on life, accident, and health insurance matters as requested by the commissioner; and~~

~~(3) Assisting the financial examinations section in reviewing insurance company financial statements with emphasis on determining conformance with statutory requirements and assessing financial standing and responsibility.~~

~~(b) In accordance with RSA 400-A:6, VII, the chief property and casualty actuary, with the assistance of the property and casualty actuary and the workers' compensation analyst, is responsible for:~~

~~(1) Reviewing actuarial aspects of policy form, rule, and rate filings to determine that premium rates and rating plans are not excessive, inadequate, or unfairly discriminatory and that premium rates conform to statutory requirements; and~~

~~(2) Assisting the commissioner with setting regulatory policy and providing actuarial expertise on property and casualty matters.~~

~~(c) In accordance with RSA 400-A:6, VII, the director of healthcare analytics is responsible for:~~

~~(1) Supervising the collection and use of data in support of department health care costs and health insurance market transparency efforts; and~~

~~(2) Exploring new methods of empowering consumers through actionable information.~~

~~(d) In accordance with RSA 400-A:6, VII, the director of health economics is responsible for:~~

~~(1) Representing the department with industry, the legislature, and the public on issues related to health insurance policy, transparency, health care costs, health care data, and projects impacting the health care delivery system in New Hampshire; and~~

~~(2) Providing health finance and policy expertise on related matters as requested by the commissioner.]~~

Readopt with amendment and re-number Ins 102.05, effective 2-1-20 (Document # 12983), as Ins 102.04 to read as follows:

Ins 102.04 Life and Health Division.

(a) The life and health division is comprised of the life and health market conduct examinations unit, the life and health form examinations unit, the life and health rates unit, and the health data analytics unit.

(b) The life and health market conduct examinations unit is described as follows:

- (1) The market conduct examinations unit performs on-site market conduct examinations, desk reviews, investigations, surveys, market analyses, and other steps to determine whether licensees of the department are performing in the marketplace following the laws and rules of this state;
 - (2) This unit has primary responsibility to regulate and oversee the marketplace operations of insurance department licensees and any other entities regulated by the department;
 - (3) The market conduct examinations unit addresses market conduct problems using a variety of approaches including proactive outreach, department communications, licensee interviews, information gathering, licensee policies and procedures reviews, interrogatories, voluntary compliance programs, investigations, examinations, compliance programs, and enforcement actions; and
 - (4) The market conduct examinations unit shares and coordinates its results and certain activities with other states through participation in resources developed by the National Association of Insurance Commissioners (NAIC).
- (c) The life and health forms examinations unit examines the rates and forms for all life and accident and health policies, riders, endorsements, and applications submitted to the section for approval prior to use to ensure conformity to the laws and rules of the state of New Hampshire.
- (d) The life and health rates unit is responsible for:
- (1) Reviewing actuarial aspects of policy form and rate filings to determine that premium rates are not excessive, inadequate, or unfairly discriminatory and that premium rates conform to statutory requirements; and
 - (2) Assisting the commissioner with setting regulatory policy and providing actuarial expertise on life and health matters.
- (e) The health data analytics unit is responsible for:
- (1) Supervising the collection and use of data in support of department health care costs and health insurance market transparency efforts; and
 - (2) Providing health finance and policy expertise on related matters as requested by the commissioner.

Readopt with amendment and re-number Ins 102.07, effective 2-1-20 (Document #12983), as Ins 102.06 to read as follows:

Ins 102.06 Property and Casualty Division.

- (a) The property and casualty division is comprised of the property and casualty market conduct examinations unit, the property and casualty form examinations unit, and the property and casualty actuarial unit.
- (b) The property and casualty market conduct examinations unit is described as follows:
- (1) The property and casualty market conduct examinations unit performs on-site market conduct examinations, desk reviews, investigations, surveys, market analyses, and other steps to determine whether licensees of the department are performing in the marketplace following the laws and rules of this state;
 - (2) This unit has primary responsibility to regulate and oversee the marketplace operations of

- insurance department licensees and any other entities regulated by the department;
- (3) The unit addresses market conduct problems using a variety of approaches including proactive outreach, department communications, licensee interviews, information gathering, licensee policies and procedures reviews, interrogatories, voluntary compliance programs, investigations, examinations, compliance programs, and enforcement actions; and
- (4) The unit shares and coordinates its results and certain activities with other states through participation in resources developed by the NAIC.
- (c) The property and casualty forms examinations unit examines rates and forms for casualty and property insurance contracts submitted to the division to ensure conformity to the laws and rules of the state of New Hampshire.
- (d) The property and casualty actuarial unit is responsible for:
- (1) Reviewing actuarial aspects of policy form, rule, and rate filings to determine that premium rates and rating plans are not excessive, inadequate, or unfairly discriminatory and that premium rates conform to statutory requirements; and
 - (2) Assisting the commissioner with setting regulatory policy and providing actuarial expertise on property and casualty matters.

Readopt with amendment and re-number Ins 102.08, effective 2-1-20 (Document #12983), as Ins 102.07 to read as follows:

Ins 102.07 Consumer Services Division.

- (a) The consumer services division investigates complaints and responds to inquiries received relating to any entity subject to the regulatory authority of the commissioner in accordance with RSA 400-A:15-e.
- (b) The consumer services division refers matters to other divisions, law enforcement, or other agencies in this state or any other jurisdiction when further investigation or examination is necessary.
- (c) The consumer services division is comprised of 2 functional areas as follows:
- (1) Property and casualty disputes; and
 - (2) Life and health disputes.
- (d) The consumer services division may be contacted directly by calling toll-free 1-800-852-3416, TDD access relay 800-735-2964, by facsimile 603-271-1406, or by email at consumerservices@ins.nh.gov. Written communications shall be addressed to the insurance commissioner, to the attention of the consumer services division, at:

The New Hampshire Insurance Department
21 South Fruit Street, Suite 14
Concord, NH 03301.

Online complaints may be submitted through the department's website at <https://www.nh.gov/insurance/complaints/index.htm>.

APPENDIX

Rule	Specific State Statute the Rule Implements
Ins 102.03 [repealed]	RSA 400-A:15, I; RSA 400-A:9; RSA 400-A:10; RSA 400-A:6, VII; RSA 541-A:16, I(a)
Ins 102.04 (formerly Ins 102.05)	RSA 400-A:15, I; RSA 400-A:9; RSA 400-A:10; RSA 400-A:6, VII; RSA 541-A:16, I(a)
Ins 102.06 (formerly Ins 102.07)	RSA 400-A:15, I; RSA 400-A:9; RSA 400-A:10; RSA 541-A:16, I(a)
Ins 102.07 (formerly Ins 102.08)	RSA 400-A:15, I RSA 400-A:9; RSA 400-A:10; RSA 400-A:15-e; RSA 541-A:16, I(a)