

16251

NOTICE OF PROPOSED RULE ADOPTION

FILED
MAY 29 2009

STATE OF MISSISSIPPI
MISSISSIPPI DEPARTMENT OF INSURANCE

MISSISSIPPI
SECRETARY OF STATE

Mississippi Department of Insurance
c/o Kim Causey, SAAG
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condition" or a similar term is used; and in accordance with the provisions of Mississippi Insurance Department Regulation No. 88-101, said regulation being the Rules of Practice and Procedure before the Mississippi Insurance Department.

Reference to Rules repealed, amended or suspended by the Proposed Rule:

Regulation 91-101 is hereby repealed and replaced by this regulation.

Specific Legal Authority authorizing the promulgation of Rule: Miss. Code Ann. §§ 83-1-29; 83-1-155; 83-5-17; 83-6-37; 83-7-43; 83-19-31; 83-21-13; 83-23-1; 83-30-59; 83-30-61; 83-41-339; 83-41-341; 83-41-343; 83-24-1 et seq., and any other section where the term "hazardous financial

Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule:

The purpose of this regulation is to set forth the standards which the Commissioner may use for identifying insurers found to be in such condition as to render the continuance of their business hazardous to their policyholders, creditors or the general public. This Regulation is being filed under the provisions of Miss. Code Ann. § 25-43-3.113(2)(b).

This rule is proposed as a Final Rule, and/or a Temporary Rule (Check one or both boxers as applicable.)

Persons may present their views on the proposed rule by addressing written comments to the agency at the above address. Persons making comments should include their name and address, as well as other contact information, and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

Oral Proceeding: Check one box below:

An oral proceeding is scheduled on this rule on Date: June 18, 2009 Time: 10:00 a.m
Place: South Conference Room, Tenth Floor, Woolfolk State Office Building

If you wish to be heard and present evidence at the oral proceeding you must make a written request to the agency at the above address by June 16, 2009 by 4:00 p.m. prior to the proceeding to be placed on the agenda. The request should include your name, address, telephone number as well as other contact information; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

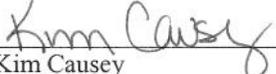
An oral proceeding is not scheduled on this rule. Where an oral proceeding is not scheduled, an oral proceeding will be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address and telephone number of the person(s) making the request; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

Economic Impact Statement: Check one box below:

The agency has determined that an economic impact statement is not required for this rule, or
 The concise summary of the economic impact statement required is attached.

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

Date Rule Proposed: May 29, 2009
Proposed Effective Date of Rule: July 1, 2009



Kim Causey
Special Assistant Attorney General