

FILED
JUL - 2 2009

MISSISSIPPI
SECRETARY OF STATE

NOTICE OF FINAL RULE ADOPTION

**STATE OF MISSISSIPPI
MISSISSIPPI DEPARTMENT OF INSURANCE**

Mississippi Department of Insurance
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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

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Reference to Rules repealed, amended or suspended by the Proposed Rule:

Regulation 91-101 is hereby repealed and replaced by this regulation.

Date Rule Proposed: May 29, 2009

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.

The Agency Rule Making Record for this rule including any written comments received during the comment period and the record of any oral proceeding is available for public inspection by contacting the Agency at the above address.

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

An oral proceeding was not held on this rule.

The Agency has considered the written comments and the presentations made in any oral proceedings, and

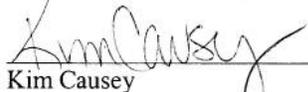
This rule as adopted is without variance from the proposed rule.

This rule as adopted differs from the proposed rule as there are minor editorial changes which affect the form rather than the substance of the rule.

The rule as adopted differs from the proposed rule. The differences however are:
Within the scope of the matters in the Notice of Proposed Rule Adoption, the logical outgrowth of the contents of the Notice of Proposed Rule Adoption and the comments submitted in response thereto, and
The Notice of Proposed Rule Adoption provided fair warning that the outcome of the proposed rule adoption could be the rule in question.

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

Effective Date of Rule: August 1, 2009



Kim Causey
Special Assistant Attorney General