

11 NCAC 12 .1011 DISCRETIONARY POWERS OF COMMISSIONER

The Commissioner may, upon written request and after an administrative hearing, issue an order to modify or suspend a specific provision or provisions of this Section with respect to a specific policy upon a written finding that:

- (1) the modification or suspension would be in the best interest of the insureds; and
- (2) the purposes to be achieved could not be effectively or efficiently achieved without the modification or suspension; and
- (3) the modification or suspension is necessary to the development of an innovative and reasonable approach for insuring long-term care; or
- (4) the policy is to be issued to residents of a continuing care facility or some other residential community for the elderly and the modification or suspension is reasonably related to the special needs or nature of such a community; or
- (5) the modification or suspension is necessary to permit long-term care insurance to be sold as part of, or in conjunction with, another insurance product.

*History Note: Authority G.S. 58-2-40(1); 58-55-30(a);
Eff. September 1, 1990;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1, 2018.*