

Secretary of State  
**NOTICE OF PROPOSED RULEMAKING\***  
A Statement of Need and Fiscal Impact accompanies this form.

Oregon Department of Consumer and Business Services	Insurance Division	836
Agency and Division		Administrative Rules Chapter Number
Sue Munson	350 Winter Street NE, Salem, Oregon 97301-3883	(503) 947-7272
Rules Coordinator	Address	Telephone

**RULE CAPTION**

Treatment of reinsurance reserve credits or assets under agreements entered prior to November 9, 1995.

**Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.**

**RULEMAKING ACTION**

Secure approval of new rule numbers (Adopted or Renumbered rules) with the Administrative Rules Unit prior to filing

**ADOPT:** OAR 836-012-0331

**AMEND:** OAR 836-012-0300 and 836-012-0310

**REPEAL:** OAR 836-012-0331(T)

**RENUMBER:**

**AMEND & RENUMBER:**

Stat. Auth.: ORS 731.244 and 731.508

Other Auth.:

Stats. Implemented: ORS 731.508(6)

**RULE SUMMARY**

NAIC accreditation Part A Laws & Regulation standards require states to include in statute or regulation a provision that insurers reduce to zero any reserve credits or assets established with respect to existing reinsurance agreements entered into prior to the effective date of the Life and Health Reinsurance Agreements Model Regulation (OAR 836-012-0300 to 836-012-0330) which would not be recognized under the provisions of this regulation. This requirement was contained in OAR 836-012-0330, repealed September 26, 2006.

Because the NAIC continues to include this transitory provision in its accreditation requirements, Oregon needs to adopt and retain the rule until the NAIC discontinues its requirement.

The agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing the negative economic impact of the rule on business.

December 31, 2009

**Last Day for Public Comment** (Last day to submit written comments to the Rules Coordinator)

(Signed)	Teresa D. Miller, Insurance Administrator	November 10, 2009
Signature	Printed name	Date

\*Rulemaking Notices published in the Oregon Bulletin must be submitted by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a weekend or legal holiday, upon which the deadline is 5:00 pm the preceding workday. A public rulemaking hearing may be requested in writing by 10 or more people, or by an association with 10 or more members, within 21 days following the publication of the Rulemaking Notice in the Oregon Bulletin or 28 days from the date Notice was sent to people on the agency mailing list, whichever is later. If sufficient hearing requests are received, notice of the date and time of the rulemaking hearing must be published in the Oregon Bulletin at least 14 days before the hearing.

ARC 923-2005