

Arizona Department of Insurance and Financial Institutions

ANNUAL REGULATORY AGENDA FOR 2024

December 1, 2023

The Arizona Department of Insurance and Financial Institutions (the “Department”) has prepared and made this annual regulatory agenda available to the public in accordance with the requirements of A.R.S. § 41-1021.02¹. The Department expects to follow this regulatory agenda; however, the annual regulatory agenda does not prohibit the Department from undertaking any rulemaking action even if that action is not included in this annual regulatory agenda.

Rules of the Department can be found at:

Insurance Division – Title 20, Chapter 6

Financial Institutions
Division – Title 4, Chapter 46 (Real Estate Appraisal); and
Title 20, Chapter 4

NOTE: The Department is not currently engaging in informal or formal rulemaking activities, except where approved by the Governor’s Office, in compliance with A.R.S. § 41-1039(A). The Department will post a notice on the Department’s Web page if the public process on any particular rule package begins or resumes.

Questions about this Agenda should be directed to:

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41-1021.02. [State agencies; annual regulatory agenda](#)

A. On or before December 1 of each year, each agency, except for a self-supporting regulatory board as defined in section 41-1092, shall prepare and make available to the public the regulatory agenda that the agency expects to follow during the next calendar year.

B. The regulatory agenda shall include all of the following:

1. A notice of docket openings.
2. A notice of any proposed rule making, including potential sources of federal funding for each proposed rule making.
3. A review of existing rules.
4. A notice of a final rule making.

C. The regulatory agenda shall also provide for the following information:

1. Any rule making terminated during the current calendar year.
2. Any privatization option and nontraditional regulatory approach being considered by the agency.

D. This section does not prohibit an agency from undertaking any rule making action even if that action has not been included in the agency's annual regulatory agenda.

The following information is provided as required by A.R.S. § 41-1021.02:

ARS 41-1021.02(B)(1): A notice of docket openings. The Department opened the following dockets in 2023:

Insurance Division (Title 20, Chapter 6):

May 2023

- Proxies, Consents, and Authorizations of Domestic Stock Insurers (Section R20-6-401), Health Care Services Organization (Section R20-6-405), and Hospital, Medical, Dental, and Optometric Service Corporations (Section R20-6-409) (29 A.A.R. 1203, May 26, 2023)
- 2023 Housekeeping on Sections R20-6-205 (Local or Regional Retaliatory Tax Information), R20-6-604 (Consumer Credit Insurance; Definitions), R20-6-801 (Unfair Claims Settlement Practices), R20-6-1003 and Appendix B (Long-Term Care Insurance), R20-6-2002 (Captive Insurers), and R20-6-2401 (Out-of-Network Claim Dispute Resolution) (29 A.A.R. 1204, May 26, 2023)

October 2023

- Holding Company (Sections R20-6-1407 through R20-6-1409, and Appendices A through G) (29 A.A.R. 2492, October 13, 2023)
- Med Supp Insurance (Section R20-6-1101) (29 A.A.R. 2492, October 13, 2023)

Financial Institutions
Division:

Financial Institutions (Title 20, Chapter 4):

January 2023

- Debt Management (Article 6) (29 A.A.R. 200, January 13, 2023)
- Investigations (Article 14) (29 A.A.R. 201, January 13, 2023)
- Small Loans (Article 5) (29 A.A.R. 249, January 20, 2023)
- Escrow Agents (Article 7) (29 A.A.R. 250, January 20, 2023)

- Collection Agencies (Article 15) (29 A.A.R. 251, January 20, 2023)
- Bank Organization and Regulation (Article 2) (29 A.A.R. 423, January 27, 2023)
- Trust Companies (Article 8) (29 A.A.R. 424, January 27, 2023)
- Credit Unions (Article 4), Safe Deposit and Safekeeping Code (Article 10), Public Depositories for Public Monies (Article 11), Acquiring Control of Financial Institutions (Article 16), and Arizona Interstate Bank and Savings and Loan Association Act (Article 17) (29 A.A.R. 425, January 27, 2023)

ARS 41-1021.02(B)(2): Notice of any proposed rulemaking including potential sources of federal funding for each proposed rulemaking. The Department published the following Notices of Proposed Rulemaking in 2023 (no rulemaking has a potential source of federal funding):

Insurance Division (Title 20, Chapter 6):

May 2023

- Proxies, Consents, and Authorizations of Domestic Stock Insurers (Section R20-6-401), Health Care Services Organization (Section R20-6-405), and Hospital, Medical, Dental, and Optometric Service Corporations (Section R20-6-409) (29 A.A.R. 1167 May 26, 2023)
- 2023 Housekeeping on Sections R20-6-205 (Local or Regional Retaliatory Tax Information), R20-6-604 (Consumer Credit Insurance; Definitions), R20-6-801 (Unfair Claims Settlement Practices), R20-6-1003 and Appendix B (Long-Term Care Insurance), R20-6-2002 (Captive Insurers), and R20-6-2401 (Out-of-Network Claim Dispute Resolution) (29 A.A.R. 1173, May 26, 2023)

October 2023

- Holding Company – Sections R20-6-1407 through R20-6-1409, and Appendices A through G (29 A.A.R. 2374, October 13, 2023)
- Med Supp Insurance – Section R20-6-1101 (29 A.A.R. 2371, October 13, 2023)

Financial Institutions
Division:

Financial Institutions (Title 20, Chapter 4):

January 2023

- Debt Management (Article 6) (29 A.A.R. 135, January 13, 2023)
- Investigations (Article 14) (29 A.A.R. 138, January 13, 2023)
- Small Loans (Article 5) (29 A.A.R. 221, January 20, 2023)
- Escrow Agents (Article 7) (29 A.A.R. 224, January 20, 2023)
- Collection Agencies (Article 15) (29 A.A.R. 227, January 20, 2023)
- Bank Organization and Regulation (Article 2) (29 A.A.R. 267, January 27, 2023)
- Trust Companies (Article 8) (29 A.A.R. 285, January 27, 2023)
- Credit Unions (Article 4), Safe Deposit and Safekeeping Code (Article 10), Public Depositories for Public Monies (Article 11), Acquiring Control of Financial Institutions (Article 16), and Arizona Interstate Bank and Savings and Loan Association Act (Article 17) (29 A.A.R. 291, January 27, 2023)

ARS 41-1021.02(B)(4): A notice of a final rule making.

Insurance Division (Title 20, Chapter 6):

Effective January 1, 2023

- Rules of Practice and Procedure before the Director (Article 1); Notice of Final Rulemaking published in 2022 (28 A.A.R. 3626, November 25, 2022)

Effective February 6, 2023

- Service Companies (R20-6-407); Notice of Final Rulemaking published in 2022 (28 A.A.R. 3968, December 30, 2022)

Effective April 10, 2023

- Licensing Time-frames (R20-6-708 and Table A);

Notice of Final Rulemaking published February 24, 2023 (29 A.A.R. 612, February 24, 2023)

Effective May 8, 2023

- L&D Reinsurance Agreements (R20-6-307(B)); Notice of Final Rulemaking published March 17, 2023 (29 A.A.R. 739, March 17, 2023)

Effective January 7, 2024

- Proxies, Consents, and Authorizations of Domestic Stock Insurers (Section R20-6-401), Health Care Services Organization (Section R20-6-405), and Hospital, Medical, Dental, and Optometric Service Corporations (Section R20-6-409); Notice of Final Rulemaking published November 24, 2023 (29 A.A.R. 3615, November 24, 2023)
- 2023 Housekeeping on Sections R20-6-205 (Local or Regional Retaliatory Tax Information), R20-6-604 (Consumer Credit Insurance; Definitions), R20-6-801 (Unfair Claims Settlement Practices), R20-6-1003 and Appendix B (Long-Term Care Insurance), R20-6-2002 (Captive Insurers), and R20-6-2401 (Out-of-Network Claim Dispute Resolution); Notice of Final Rulemaking published November 24, 2023 (29 A.A.R. 3621, November 24, 2023)

Financial Institutions
Division:

Real Estate Appraisal (Title 4, Chapter 46)

Effective January 1, 2023

- Repeal - Rules of Practice and Procedure before the Director (Article 3.1); Notice of Final Rulemaking published November 25, 2022 (28 A.A.R. 3617, November 25, 2022)

Financial Institutions (Title 20, Chapter 4)

Effective January 1, 2023

- Rules of Practice and Procedure before the Director (Article 12); Notice of Final Rulemaking published November 25, 2022 (28 A.A.R. 3620, November 25, 2022)

Effective October 2, 2023

- Debt Management (Article 6) (29 A.A.R. 1945, September 1, 2023)
- Investigations (Article 14) (29 A.A.R. 1958, September 1, 2023)
- Credit Unions (Article 4), Safe Deposit and Safekeeping Code (Article 10), Public Depositories for Public Monies (Article 11), Acquiring Control of Financial Institutions (Article 16), and Arizona Interstate Bank and Savings and Loan Association Act (Article 17) (29 A.A.R. 1937, September 1, 2023)
- Escrow Agents (Article 7) (29 A.A.R. 1949, September 1, 2023)
- Collection Agencies (Article 15) (29 A.A.R. 1961, September 1, 2023)

Effective October 7, 2023

- Consumer Lenders (Article 5) (29 A.A.R. 1942, September 1, 2023)

Effective October 8, 2023

- Bank Organization and Regulation (Article 2) (29 A.A.R. 1919, September 1, 2023)
- Trust Companies (Article 8) (29 A.A.R. 1952, September 1, 2023)

The following is a list of rule makings planned to be completed by the Department in 2024 (no rulemaking has a potential source of federal funding):

Insurance Division (Title 20, Chapter 6):

Docket Opened in 2023

- Insurance Holding Company (Title 20, Ch. 6, Article 14) – conform to statutory amendments; Accreditation Standard (Docket: 29 A.A.R. 2492, October 13, 2023; Notice of Proposed Rulemaking: 29 A.A.R. 2374, October 13, 2023) (request to submit Notice of Final Rulemaking to GRRC pending pursuant to A.R.S. 41-1039(B).)
- Medicare Supplement Insurance (Title 20, Ch. 6, Article 11) – update incorporated by reference materials (Docket: 29 A.A.R. 2492, October 13, 2023; Notice of Proposed Rulemaking: 29 A.A.R. 2371, October 13, 2023) (request to submit Notice of Final

Rulemaking to GRRC pending pursuant to A.R.S. § 41-1039(B).)

Docket to be Opened in 2024

- Threshold Rate Review (Article 23) – update name of agency, include proposed changes from 2021 5-Year Review Report to Sections R20-6-2301, R20-6-2302 and R20-6-2305 (Request to open Docket and publish Notice of Proposed Rulemaking pending pursuant to A.R.S. § 41-1039(A).)
- HCSO (Article 19) – Include proposed changes from 2020 5-Year Review Report to Sections R20-6-1902, R20-6-1906 and R20-6-1912 (Request to open Docket and publish Notice of Proposed Rulemaking pending pursuant to A.R.S. § 41-1039(A).)
- Rules of Practice and Procedure Before the Director (Article 1) – correct statutory reference at R20-6-101(B)(5)(j) and make Director’s Hearings discretionary unless required by law
- Pharmacy Benefit Managers (New Article)

Financial Institutions
Division:

Docket to be opened in 2024

Real Estate Appraisal (Title 4, Chapter 46):

- Procedures for Processing Applications (Section R4-46-107) - repeal as redundant; Application for Designation as a Supervisory Appraiser; Supervision of a Registered Trainee Appraiser (R4-46-201.01(C)(5)(b) (allow discretion to Director); Appraisal Management Companies (Sections R4-46-403 and R4-46-406 (comply with Federal Regulation) (Request to open Docket and publish Notice of Proposed Rulemaking pending pursuant to A.R.S. § 41-1039(A).)

Financial Institutions (Title 20, Chapter 4):

- General (Article 1) (Request to open Docket and publish Notice of Proposed Rulemaking pending pursuant to A.R.S. § 41-1039(A).)

- Mortgage Brokers (Article 9), Loan Originators (Article 13), Mortgage Bankers (Article 18), and Commercial Mortgage Bankers (Article 19) – replace “Superintendent” with “Director,” update rules

ARS 41-1021.02(B)(3): A review of existing rules.

Insurance Division (Title 20, Chapter 6):

January 2024:

Out-of-Network Claim Dispute Resolution (Article 24) (Request for one-year extension to January 31, 2025 pending before the Council as of this date pursuant to A.R.S. § 41-1056(F)).

May 2024:

Medicare Supplement Insurance (Article 11) and Customer Information Security Program (Article 21)

Financial Institutions Division (Title 20, Chapter 4):

June 2024:

Mortgage Brokers (Article 9), Mortgage Bankers (Article 18), and Commercial Mortgage Bankers (Article 19)

September 2024:

Debt Management Companies (Article 6), Escrow Agents (Article 7), Trust Companies (Article 8), Safe Deposit and Safekeeping Code (Article 10), and Public Depositories for Public Monies (Article 11)

ARS 41-1021.02(C)(1): Any rule making terminated during the current calendar year.

Insurance Division: None

Financial Institutions Division: Real Estate Appraisal: None
Financial Institutions: None

ARS 41-1021.02(C)(2): Any privatization option and nontraditional regulatory approach being considered by the agency.

Insurance Division: None

Financial Institutions

Division:

Real Estate Appraisal: None
Financial Institutions: None