

Arizona Department of Insurance and Financial Institutions

ANNUAL REGULATORY AGENDA

December 1, 2021

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 are at: Insurance Division - 20 A.A.C. 6

Financial Institutions Division - 20 A.A.C. 4; 4 A.A.C. 46 (Appraisal)

NOTE: The Department is not currently engaging in informal or formal rulemaking activities, except where approved by the Governor’s Office, in compliance with Executive Orders 2015-01, 2016-03, 2017-02, 2018-02, 2019-01, 2020-02, 2021-02 which declare a rule moratorium through December 31, 2021. The Department will post a notice on the Department’s Web page and will send a notice to stakeholders if the public process on any particular rule package begins or resumes.

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 2021:

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| Insurance Division: | Service Companies (27 A.A.R. 1147, July 30, 2021) |
| | Credit for Reinsurance (27 A.A.R. 1497, September 17, 2021) |
| | Military Personnel (27 A.A.R. 1544, September 24, 2021) |
| | Prepaid Dental Plan Organizations (27 A.A.R. 2611, November 5, 2021) |

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.

Financial Institutions Division: None

ARS 41-1021.02(B)(2): Notice of any proposed rulemaking including potential sources of federal funding for each proposed rulemaking.

Insurance Division (no rulemaking has a potential source of federal funding):

Annuity Disclosure (27 A.A.R. 1131, July 30, 2021)
Annuity Disclosure – Supplemental (27 A.A.R. 1625, October 8, 2021)
Service Companies (27 A.A.R. 1140, July 30, 2021)
Credit for Reinsurance (27 A.A.R. 1465, September 17, 2021)
Military Personnel (27 A.A.R. 1523, September 24, 2021)
Prepaid Dental Plan Organizations (27 A.A.R. 2598, November 5, 2021)

Financial Institutions Division: None

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

The Department did not publish a Notice of Final Rulemaking in 2021.

The following is a list of rule makings planned to be completed by the Department in 2022 (no rulemaking has a potential source of federal funding):

Insurance Division:

- Annuity Disclosure (Title 20, Ch. 6, Article 2, R20-6-212, R20-6-212.01, R20-6-212.02 (new)) (Docket opened in 2020)
- Credit for Reinsurance (Title 20, Ch. 6, Article 16, Parts A and B) (Docket opened in 2021)
- Military Personnel (Title 20, Ch. 6, Article 22) (Docket opened in 2021)
- Service Companies (Title 20, Ch. 6, Article 4, Section R20-6-407) (Docket opened in 2021)
- Prepaid Dental Plan Organizations (Title 20, Ch. 6, Article 18) (Docket opened in 2021)
- Mental Health Parity (Title 20, Ch. 6, Article 13 (new Article))
- Hearing Procedures and Rulemaking Petitions (Title 20, Ch. 6, Art. 1)
- R20-6-307(B) (Life and Disability Reinsurance Agreements - Definitions)
- Insurance Holding Company (Title 20, Ch. 6, Article 14)
- R20-6-708 (Licensing Time-frames) Table A
- R20-6-405(P) (Health Care Services Organizations – Application, examination and licensing of agents)

Financial Institutions Division:

- Real Estate Appraisal (Title 4, Ch. 46, Articles 1-6)
- Rules of Practice and Procedure before the Superintendent (Title 20, Ch. 4, Article 12)

- Debt Management Companies (Title 20, Ch. 4, Article 6)
- Omnibus rulemaking to make conforming changes to Title 20, Ch. 4 to reflect the structural changes of the Department and to bring rules in compliance with Arizona and Federal laws
 - Article 1: General
 - Article 2: Bank Organization and Regulation
 - Article 5: Small Loans
 - Article 7: Escrow Agents
 - Article 8: Trust Companies
 - Article 9: Mortgage Brokers
 - Article 10: Safe Deposit and Safekeeping Code
 - Article 13: Loan Originators
 - Article 14: Investigations
 - Article 15: Collection Agencies
 - Article 16: Acquiring Control of Financial Institutions
 - Article 17: Arizona Interstate Bank and Savings and Loan Association Act
 - Article 18: Mortgage Bankers
 - Article 19: Commercial Mortgage Bankers

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

Insurance Division: None

Financial Institutions Division: None

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

Insurance Division: Mental Health Parity (27 A.A.R. 1037, July 9, 2021)

Financial Institutions Division: 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: None