

ARKANSAS REGISTER

Transmittal Sheet

Sharon Priest
Secretary of State
State Capitol Room 01
Little Rock, Arkansas 72201-1094

FILED
AR. REGISTER DIV.
00 APR -6 PM 1:19
SHARON PRIEST
SECRETARY OF STATE
STATE OF ARKANSAS
BY _____

For Office Use Only: Effective Date 4/6/00 Code Number 05A.00.00-00A

Name of Agency Arkansas Insurance Department

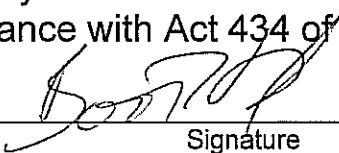
Department Legal Division

Contact Person Booth Rand Phone (501) 371-2820

Statutory Authority for Promulgating Rules Ark. Code Ann. §25-15-204(b), §25-15-204(e), §23-61-108(1987)

	Date
Intended Effective Date	Legal Notice Published _____
<input checked="" type="checkbox"/> Emergency	Final Date for Public comment . . . _____
<input type="checkbox"/> 10 Days After Filing	Filed with Legislative Council <u>April 7, 2000</u>
<input type="checkbox"/> Other	Reviewed by Legislative Council . _____
<u>March 1, 2000</u>	Adopted by State Agency <u>April 5, 2000..</u>

CERTIFICATION OF AUTHORIZED OFFICER
I Hereby Certify That The Attached Rules Were Adopted
In Compliance with Act 434 of 1967 As Amended



Signature

(501) 371-2820

Phone Number

Associate Counsel

Title

April 7, 2000

Date

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EMERGENCY RULE
Rule and Regulation 43

UNFAIR CLAIMS SETTLEMENT PRACTICES

FILED
AR. REGISTER DIV.
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SECRETARY OF STATE
STATE OF ARKANSAS
BY _____

Sections

1. **Purpose.**
2. **Authority.**
3. **Effective Date.**
4. **Suspension of Effective Date of "New" Rule 43**
5. **Severability.**

Section 1. Purpose

The purpose of this Emergency Rule rule is to suspend the effective date of the previously promulgated "new" Rule 43, signed by the Insurance Commissioner on February 7, 2000 and distributed to the licensed insurance carriers in Bulletin 1-00.

Section 2. Authority & Emergency Adoption.

This Emergency Rule is issued pursuant to the authority vested in the Commissioner by Ark. Code Ann. §25-15-204(b), §25-15-204(e), §23-61-108(1987). Immediate adoption of this Rule is necessary to resolve an ambiguity or uncertainty in the definition of a "clean claim" in Section 5.(p)(2) as well as necessary to allow the affected carriers more time to prepare for all technological and administrative requirements actually imposed by the recently promulgated Rule . It is hereby declared that the adoption of this Rule is necessary to prevent imminent peril to the health, safety or welfare of the citizens of this State.

Section 3. Effective date

The effective date of this rule is March 1, 2000 and shall expire 120 days from its effective date, unless sooner replaced with a permanent Rule adopted by the Commissioner after public notice and hearing.

Section 4. Suspension of Effective Date of "New" Rule 43

The previously promulgated Rule 43, signed by the Insurance Commissioner on February 7, 2000 is hereby suspended. The requirements previously imposed under Rule 43 immediately prior to its recent modification on February 7, 2000, shall remain in full force and effect.

Section 5. Severability

1 Any section or provision of this rule held by a court to be invalid or unconstitutional will
2 not affect the validity of any other section or provision of this Rule.
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MIKE PICKENS
INSURANCE COMMISSIONER
(signature on approval)

4/5/2000

DATE

Post-it® Fax Note		7671	Date	6/19/00	# of pages ▶
To	Piera Accymanno		From	Jon Davidson	
Co./Dept.	Prudential Ins.		Co.	Sec. of State	
Phone #			Phone #		
Fax #	973-802-7131		Fax #		