

DEPARTMENT OF INSURANCE

Statutory Authority: 18 Delaware Code, Sections 314, 322(a), 324 and 526
(18 Del.C. §§314, 322(a), 324 and 526)
18 DE Admin. Code 301

FINAL

ORDER

Docket No. 2008-810

Proposed changes to Regulation 301 relating to Audited Financial Reports were published in the *Delaware Register of Regulations* on August 1, 2008. The comment period remained open until September 2, 2008. There was no public hearing on the proposed changes to Regulation 301. Public notice of the proposed changes to Regulation 301 in the *Register of Regulations* was in conformity with Delaware law.

Summary of the Evidence and Information Submitted

Comment was received in a joint letter from the American Council of Life Insurers, America's Health Insurance Plans, and the National Association of Mutual Insurance Companies. The comment questioned the need to make effective some provisions of the proposed changes as of January 1, 2008, while other provisions are effective in 2010. Additionally, the comment references certain paragraph numbering errors. The effective dates set forth in the amendment to Regulation 301 were selected to provide uniform implementation in the 50 states. The paragraph numbering errors have been corrected. The purpose of the proposed amendment is to update reporting and auditing requirements in order to better monitor the financial condition of insurance companies. These requirements are in compliance with the requirement of the Sarbanes-Oxley Act and create uniform auditing and reporting requirements in the 50 states.

Findings of Fact

Based on Delaware law and the record in this docket, I make the following findings of fact:

The requirements of the amended Regulation 302, including effective dates, comply with the financial audit and reporting requirements of the Sarbanes-Oxley Act and best serve the interests of the public and of insurers by making such requirements uniform.

Decision and Effective Date

Based on the provisions of 18 Del.C. §§ 314, 322(a), 324, 526 and 29 Del.C. §§ 10113-10118 and the record in this docket, I hereby adopt Regulation 301 as amended and as may more fully and at large appear in the version attached hereto to be effective on October 11, 2008.

Text and Citation

The text of the proposed amendments to Regulation 301 last appeared in the *Register of Regulations* Vol. 12, Issue 2, pages 140-158.

IT IS SO ORDERED this 15th day of September 2008.

Matthew Denn, Insurance Commissioner