

**PUBLIC NOTICE**

**INSURANCE**

**DEPARTMENT OF BANKING AND INSURANCE**

**DIVISION OF INSURANCE**

**Notice of Public Hearing**

**Life/Health/Annuity Forms Certification Eligibility**

**N.J.A.C. 11:4-40.9**

**Take notice** that on November 6, 1995, the Department of Banking and Insurance (Department) adopted rules at N.J.A.C. 11:4-40 setting forth standards and procedures whereby all life insurance, health insurance and annuity forms are to be submitted to the Commissioner for approval prior to use (see 27 N.J.R. 4317(a)). N.J.A.C. 11:4-40.9 permits certain forms to be used by insurers without obtaining the Commissioner's prior approval, provided the form is set forth in N.J.A.C. 11:4-40.9 as a type eligible for file and use and is filed with the Commissioner pursuant to the procedures set forth at N.J.A.C. 11:4-40.10.

N.J.A.C. 11:4-40.9(g) specifically requires the Department to conduct an annual hearing pursuant to the requirements of the Life and Health Insurance and Health Maintenance Organization Form Approval Reform Act (P.L. 1995, c. 73) for the purpose of determining the specific types of forms eligible for file and use.

**Take further notice** that, pursuant to P.L. 1995, c. 73 and N.J.A.C. 11:4-40.9, the Department will hold a **public hearing** for the purpose of hearing testimony regarding modifications to the current file and use list. The Department is not proposing that any changes be made to the current list at this time. The hearing shall be held by the Department as set forth below:

Date: Wednesday, November 18, 2009

Time: 10:30 A.M.

Location: Department of Banking and Insurance  
Mary G. Roebling Building  
Room #223  
20 West State Street  
Trenton, New Jersey

The hearing shall be conducted by a hearing officer designated by the Commissioner. A verbatim transcript of the hearing shall be prepared by a certified stenographic reporter. Interested parties may obtain a copy of the transcript by ordering it directly from the reporter at the hearing or thereafter. At the hearing, interested parties may present oral comment about the proposed eligibility of certain life, health and annuity forms for file and use. **Interested parties** intending to speak at the hearing should so advise the Department, in writing, no later than noon, November 17, 2009 by providing a statement of their intent to speak, a brief summary of the subject matter of their testimony, and their name and the name of the organization they represent, if any, to:

Office of Legislative and Regulatory Affairs  
New Jersey Department of Banking and Insurance  
20 West State Street  
PO Box 325  
Trenton, NJ 08625-0325  
FAX: (609) 292-0896  
Email: [legsregs@dobi.state.nj.us](mailto:legsregs@dobi.state.nj.us)

Oral testimony may be limited so as to accommodate all individuals intending to speak. Individuals who do not submit a written notification of their intent to speak will be heard as time permits only after the presentation of testimony from those who submitted written notice of their intent to speak as provided above.

**Interested parties** may, pursuant to N.J.A.C. 11:4-40.9, submit written comments to the Department, no later than November 17, 2009 to the address appearing above.