

DEPARTMENT OF INSURANCE
OFFICE OF THE COMMISSIONER
GENERAL COUNSEL

Program Records Retention and Disposition Schedule

The Program Records Retention and Disposition Schedule and retention periods governing the records series listed herein are hereby approved. In accordance with the provisions of Chapters 121 and 132 of the General Statutes of North Carolina, it is agreed that the records of the

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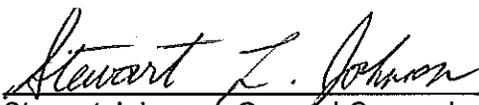
do not and will not have further official use or value for administrative, research, or reference purposes after the respective retention periods specified herein. The N.C. Department of Cultural Resources consents to the destruction or other disposition of these records in accordance with the retention and disposition instructions specified in this schedule. However, records subject to audit or those legally required for ongoing official proceedings must be retained until released from such audits or official proceedings, notwithstanding the instructions of this schedule. **Public records including electronic records not listed in this schedule or in the *General Schedule for State Agency Records* are not authorized to be destroyed. The**

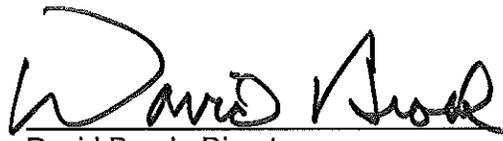
GENERAL COUNSEL

agrees to destroy, transfer or dispose of records in the manner and at the times specified herein. This schedule is to remain in effect until superseded.

APPROVAL RECOMMENDED

Angie Brogden 
Sylvia A. East, Chief Records Officer
Department of Insurance


Stewart Johnson, General Counsel
Department of Insurance


David Brook, Director
Division of Historical Resources

APPROVED


James E. Long, Commissioner
Department of Insurance


Lisbeth C. Evans, Secretary
Department of Cultural Resources

DEPARTMENT OF INSURANCE

PROGRAM RECORDS RETENTION AND DISPOSITION SCHEDULE

ORGANIZATIONAL NAME CHANGE

An organizational name change to this Program Records Retention and Disposition Schedule is hereby approved. The Program Records Retention and Disposition Schedule reflects the following organizational changes:

1. **Administrative Services to Administration**
2. **Office of the Commissioner to Administration**
3. **Ombudsman Services Group to Consumer Assistance Group**
4. **Public Services Group to Producers, Fraud and Products Group**
5. **Public Services Group, Administration to Producers, Fraud and Products Group, Senior Deputy Commissioner**
6. **Technical Services Group, Life and Health Division to Producers, Fraud and Products Group, Life and Health Division**
7. **Technical Services Group, Property and Casualty to Producers, Fraud and Products Group, Property and Casualty**
8. **Technical Services Group, Market Regulations Division to Company Services Group, Market Regulations Division**

No new items have been added, no items have been deleted, and no changes have been made to any existing series descriptions or disposition instructions in the most recent versions of the listed schedules. In accordance with the provisions of Chapters 121 and 132 of the General Statutes of North Carolina, it is agreed that the records of the

Department of Insurance

do not and will not have further official use or value for administrative, research, or reference purposes after the respective retention periods specified herein. The N.C. Department of Natural and Cultural Resources consents to the destruction or other disposition of these records in accordance with the retention and disposition instructions specified in this schedule. The agency agrees to comply with 07 NCAC 04M .0510 when deciding on a method of destruction. Confidential records will be destroyed in such a manner that the records cannot be practicably read or reconstructed. However, records subject to audit or those legally required for ongoing official proceedings must be retained until released from such audits or official proceedings, notwithstanding the instructions of this schedule.

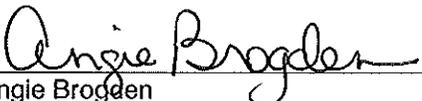
The Department of Insurance and the Department of Natural and Cultural Resources agree that certain records series possess only brief administrative, fiscal, legal, research, and reference value. These records series have been designated by retention periods which allow them to be destroyed when "*administrative/reference value ends.*" The Department of Insurance hereby agrees that it will establish and enforce internal policies setting minimum retention periods for records with this disposition instruction. Without the establishment of internal policies, the agency is not authorized by the Department of Natural and Cultural Resources to destroy these records. For those record series scheduled to be microfilmed, the Department of Insurance will be responsible for cost of microfilm production.

The Department of Insurance and the Department of Natural and Cultural Resources concur that the long-term and/or permanent preservation of electronic records require additional commitment and active management by the agency. The Department of Insurance agrees to comply with all policies, standards, and best practices published by the Department of Natural and Cultural Resources regarding the creation and management of electronic records.

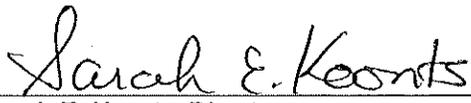
E-mail messages sent or received by Executive Branch agencies shall be retained for 5 years pursuant to Executive Order No. 12 (issued May 21, 2013 by Governor Pat McCrory). Any e-mail messages requiring retention longer than 5 years, including those with permanent historical value, shall be designated with specific retention periods in this program records schedule. Public records including electronic records not listed in this schedule or in the *General Schedule for State Agency Records* are not authorized to be destroyed.

The Department of Insurance agrees to destroy, transfer or dispose of records in the manner and the times specified herein. This schedule is to remain in effect until superseded.

APPROVAL RECOMMENDED



Angie Brogden
Chief Records Officer

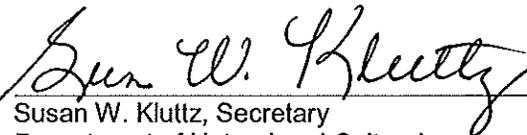


Sarah E. Koonts, Director
Division of Archives and Records

APPROVED



Wayne Goodwin, Commissioner
Department of Insurance



Susan W. Kluttz, Secretary
Department of Natural and Cultural
Resources

**DEPARTMENT OF INSURANCE
ADMINISTRATION
GENERAL COUNSEL**

ITEM 2251. PUBLIC HEARINGS FILE

Transcripts and exhibits of all public hearings recorded by the Department of Insurance.

DISPOSITION INSTRUCTIONS: Transfer to the State Records Center after 2 years. Records will be held for agency in the State Records Center 5 additional years and then transferred to the custody of the Archives.

ITEM 2257. SPECIAL PROJECT FILE

Working papers and documents used in the research and preparation of special projects.

DISPOSITION INSTRUCTIONS: Destroy in office after 1 year.

ITEM 2259. LITIGATION AND DOCKET FILE

Records and materials in paper and electronic formats concerning hearings of the department which may result in litigation. File includes active and inactive court cases. File also includes log of all cases.

DISPOSITION INSTRUCTIONS: Transfer active records to closed court case file in office when case is closed. Transfer log and closed inactive court case records to the State Records Center after 3 years and when reference value ends. Records will be held for agency in the State Records Center 5 additional years and then transferred to the custody of the Archives. Transfer electronic records to the State Records Center after the end of 3 years for immediate transfer to the custody of the Archives. Contact Analyst at the State Records Center prior to transfer of official electronic copies of records.

ITEM 23244. GENERAL (JOURNAL) FILE

Journals used to record general correspondence, complaints, and questions with companies, citizens, inter-departmental and intra-departmental agencies concerning all legal aspects of the insurance law and its interpretation.

DISPOSITION INSTRUCTIONS: Destroy in office when reference value ends.

ITEM 23246. ATTORNEY GENERAL'S OPINIONS FILE

Reference copies of printed and loose-leaf opinions which are primarily related to insurance issues.

DISPOSITION INSTRUCTIONS: Item discontinued. Superseded by the General Schedule for State Agency Records.

ITEM 23247. COURT CASE JOURNAL FILE

Official copies of journals used to record court cases.

DISPOSITION INSTRUCTIONS: Destroy in office when reference value ends.

ITEM 41780. GENERAL CORRESPONDENCE FILE

Official copies of active and inactive general correspondence, complaints, and questions with companies, citizens, inter-departmental and intra-departmental agencies concerning legal aspects of the insurance law and its interpretation.

DISPOSITION INSTRUCTIONS: Item discontinued. Superseded by the General Schedule for State Agency Records.

ITEM 41781. GENERAL COUNSEL OPINION BOOKS FILE

Reference copies of opinions for the Department of Insurance rendered by the General Counsel.

DISPOSITION INSTRUCTIONS: Destroy in office when superseded or obsolete.

**DEPARTMENT OF INSURANCE
ADMINISTRATION
GENERAL COUNSEL**

ITEM 41783. LEGAL CORRESPONDENCE FILE

Correspondence concerning legal matters involving the Department of Insurance. (Comply with applicable provisions of G.S. 132-1.1 regarding confidentiality of legal advice records.)

DISPOSITION INSTRUCTIONS: Transfer to the State Records Center after 5 year(s). Records will be held for agency in the State Records Center 5 additional years and then transferred to the custody of the Archives.

ITEM 47835. CONFLICT OF INTEREST DOCUMENTS FILE

Documents prepared or obtained pursuant to the Department of Insurance's Conflict of Interest Policy. Documents include Department of Insurance Disclosure of Interest Forms, Statement of Economic Interest Forms, documents obtained or prepared as a part of conflict of interest investigations or other related General Counsel investigations and activities, documents concerning the review of conflict of interest issues, and other materials relating to Department of Insurance's Conflict of Interest Policy.

DISPOSITION INSTRUCTIONS: Destroy in office 1 year after creation and/or filing of the documents.