

DEPARTMENT OF INSURANCE
COMPANY SERVICES GROUP
REGULATORY ACTIONS DIVISION

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.

The Department of Insurance and the Department of Cultural Resources agree that certain records series have minimal administrative, reference, or historical value. When the custodian of any official State records certifies to the Department of Cultural Resources that such records have no further use or value for official and administrative business and when the Department certifies that such records appear to have no further use or value for research or reference, then such records may be destroyed or otherwise disposed of by the agency having custody of them. As part of its program operations the Department of Insurance agrees to establish and enforce internal policies. The policy will specify how long those records must be retained and when they must be destroyed.

E-mail messages sent or received by Executive Branch agencies shall be retained for 10 years pursuant to Executive Order No. 18 (issued July 7, 2009 by Governor Beverly Perdue) and as set forth in G1 of the General Schedule for State Agency Records. Any E-mail messages requiring retention longer than 10 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

REGULATORY ACTIONS DIVISION

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, Chief Records Officer
Department of Insurance



Jeffery A. Trendel, Deputy Commissioner
Regulatory Actions Division
Department of Insurance



Raymond Martinez, Senior Deputy Commissioner
Company Services Group
Department of Insurance

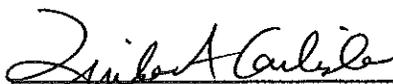


David Brook, Director
Division of Historical Resources
Department of Cultural Resources

APPROVED



Wayne Goodwin, Commissioner and
State Fire Marshal
Department of Insurance



Linda A. Carlisle, Secretary
Department of Cultural Resources

**DEPARTMENT OF INSURANCE
COMPANY SERVICES GROUP
ALTERNATIVE MARKETS DIVISION
REGULATORY ACTIONS SECTION**

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:

REGULATORY ACTIONS DIVISION to ALTERNATIVE MARKETS DIVISION, REGULATORY ACTIONS SECTION

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 schedule. 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 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. Electronic records will be destroyed so that the data and metadata are overwritten, deleted, or unlinked in such a way that the records may not be practicably reconstructed. 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.

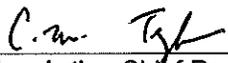
The Department of Insurance and the Department of Natural and Cultural Resources agree that certain records series possess only brief administrative, fiscal, legal, research, and reference value. These records series have been designated by retention periods which allow them to be destroyed when "*administrative/reference 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.

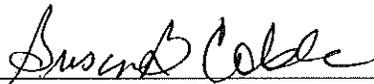
E-mail messages sent or received by Executive Branch agencies shall be retained for 5 years pursuant to Executive Order No. 12 (issued May 21, 2013 by Governor Pat McCrory). Any e-mail messages requiring retention longer than 5 years, including those with permanent historical value, shall be designated 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.

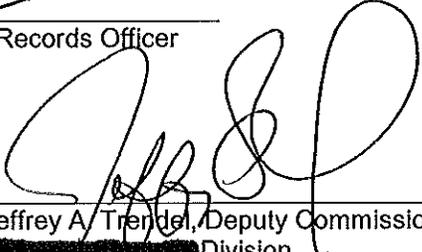
APPROVAL RECOMMENDED



Mark Tyler, Acting Chief Records Officer
Department of Insurance



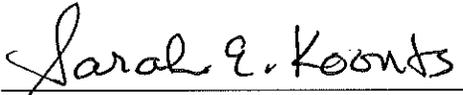
Susan B. Coble, Chief Regulatory Specialist
Regulatory Actions Section



Jeffrey A. Trendel, Deputy Commissioner
[REDACTED] Division
ALTERNATIVE MARKETS

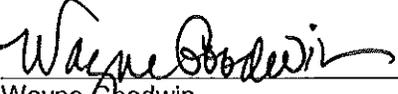


Raymond Martinez,
Senior Deputy Commissioner
Company Services Group



Sarah E. Koonts, Director
Division of Archives and Records

APPROVED



Wayne Goodwin,
Commissioner and State Fire Marshal
Department of Insurance



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

**DEPARTMENT OF INSURANCE
COMPANY SERVICES GROUP
ALTERNATIVE MARKETS DIVISION
REGULATORY ACTIONS SECTION**

**ITEM 49487. DOMESTIC INSURANCE COMPANY/ENTITY CORRESPONDENCE AND ANALYSIS:
TROUBLED INSURANCE COMPANY/ENTITY OR INSURANCE COMPANY/ENTITY IN
SUPERVISION FILE**

Records in paper and electronic formats, including e-mail, concerning the financial analysis of domestic insurance companies/entities, troubled or in supervision, by the Department of Insurance. File includes documents submitted by insurance companies/entities providing notification to or requesting approval of the Department of Insurance for specific transactions; correspondence; memorandums; department and company statistical forms; and other related records. (Comply with applicable provisions of G.S. 58-2-132(f) regarding confidentiality of records in connection with an examination or financial analysis.) (Paper records received from insurance companies may be scanned into an electronic storage facility.) (Emails received or sent by agency may be imported into an electronic storage facility.)

DISPOSITION INSTRUCTIONS: Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Scan in office paper records received from insurance companies. Destroy in office remaining paper and electronic records, including scanned images, after 10 years, if no litigation, claim, audit, or other official action involving the records has been initiated. If official action has been initiated, destroy in office after completion of action and resolution of issues involved.

**ITEM 49488. DOMESTIC INSURANCE COMPANY/ENTITY CORRESPONDENCE AND ANALYSIS:
GENERATED FOR BENEFIT OF THE DEPARTMENT OF INSURANCE - COMPANY/ENTITY IN
REHABILITATION FILE**

Records in paper and electronic formats, including e-mail, concerning the financial and operational analysis of domestic insurance companies/entities in rehabilitation by the Department of Insurance. File includes documents submitted by insurance companies/entities providing notification to or requesting approval of the Department of Insurance for specific transactions; correspondence; memorandums; department and company statistical forms; and other related records. Information may be generated at the Department or on site at the insurance company/entity offices. Includes documentation transferred from Financial Evaluation Division. (Comply with applicable provisions of G.S. 58-2-132(f) regarding confidentiality of records in connection with an examination or financial analysis.) (Paper records received from insurance companies may be scanned into an electronic storage facility.) (Emails received or sent by agency may be imported into an electronic storage facility.)

DISPOSITION INSTRUCTIONS: Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Scan in office paper records received from insurance companies. Destroy in office remaining paper and electronic records, including scanned images, after 10 years, if no litigation, claim, audit, or other official action involving the records has been initiated. If official action has been initiated, destroy in office after completion of action and resolution of issues involved.

**DEPARTMENT OF INSURANCE
COMPANY SERVICES GROUP
ALTERNATIVE MARKETS DIVISION
REGULATORY ACTIONS SECTION**

**ITEM 49489. DOMESTIC INSURANCE COMPANY/ENTITY CORRESPONDENCE AND ANALYSIS:
GENERATED FOR BENEFIT OF THE COMPANY/ENTITY - COMPANY/ENTITY IN
REHABILITATION FILE**

Records in paper and electronic formats, including e-mail, concerning financial and operational issues specific to the domestic insurance company/entity in rehabilitation by the Department of Insurance. The documentation may be generated by Department of Insurance personnel or Company personnel under the direction of the Department of Insurance. Such documents include but are not limited to financial records, (accounting records, invoices and checks issued under the direction of the Department of Insurance as management of the Company) and operational records (claim files, agent files, and legal files). Information is generally generated on site at the Company offices. These documents are company records. If company rehabilitation is successful, the records remain with the company. (Comply with applicable provisions of G.S. 58-2-132(f) regarding confidentiality of records in connection with an examination or financial analysis.) (Paper records received from insurance companies may be scanned into an electronic storage facility.) (Emails received or sent by agency may be imported into an electronic storage facility.)

DISPOSITION INSTRUCTIONS: Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Scan in office paper records received from insurance companies. Transfer records to Domestic Insurance Company/Entity Files – Company/Entity in Liquidation File, (Item 49490) after rehabilitation is determined unsuccessful.

**ITEM 49490. DOMESTIC INSURANCE COMPANY/ENTITY FILES - COMPANY/ENTITY IN
LIQUIDATION FILE**

Records in paper and electronic formats, including e-mail, concerning the operations of domestic insurance companies/entities prior to liquidation and the operations and activities of the liquidation of domestic insurance companies/entities by the Department of Insurance. Files include former company documents and documents generated by the Department of Insurance for the benefit of the company/entity during the process of liquidation. Information may be generated at the Department or on site at the insurance company/entity offices but ultimately the records are housed with the Regulatory Actions Section until the liquidation is completed. (Comply with applicable provisions of G.S. 58-2-132(f) regarding confidentiality of records in connection with an examination or financial analysis.)

DISPOSITION INSTRUCTIONS: Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Destroy in office remaining paper and electronic record at the termination of the liquidation proceedings or (tax returns, audits, court reports, and records supporting judgments) 10 years after the liquidation is terminated. Destroy in office only after receiving authorization from Wake County Superior Court.

**ITEM 49491. ANNUAL STATEMENTS OF FOREIGN INSURANCE COMPANIES IN RECEIVERSHIP
FILE**

Reference copies of annual statements (and supplements) filed by foreign companies reflecting financial information relative to the company. Statements include statistics of company operations and lines of business. Note that foreign companies are not required to file the hard copy annual statement for years-ended December 31, 2007, and after. However, certain supplements will continue to be filed in hardcopy.

DISPOSITION INSTRUCTIONS: Destroy in office 3 years after estate is closed by the domiciliary liquidator.

**DEPARTMENT OF INSURANCE
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ALTERNATIVE MARKETS DIVISION
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ITEM 49492. FOREIGN INSURANCE COMPANIES IN RECEIVERSHIP CORRESPONDENCE AND ANALYSIS FILE

Records in paper and electronic formats, including e-mail, concerning the financial analysis of foreign insurance companies in receivership by the Department of Insurance. File includes working papers, documents submitted by insurance companies and/or the receiver of insurance companies providing notification to or requesting approval of the Department of Insurance for specific transactions; correspondence; memorandums; department and company statistical forms; and other related records. (Comply with applicable provisions of G.S. 58-2-132(f) regarding confidentiality of records in connection with an examination or financial analysis.) (Paper records received from insurance companies may be scanned into an electronic storage facility.) (Emails received or sent by agency may be imported into an electronic storage facility.)

DISPOSITION INSTRUCTIONS: Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Scan in office paper records received from insurance companies. Work papers generated by the Department of Insurance are sent to the domiciliary receiver at the closing of the insurance company. Destroy in office scanned images and remaining paper and electronic records 3 years after insurance company is closed by the domiciliary receiver.

ITEM 49493. NATIONAL ASSOCIATION OF STATE INSURANCE COMMISSIONERS (NAIC) ACCREDITATION REPORTS FILE

Records in paper and electronic formats, including e-mail, pertaining to reports prepared by the Department of Insurance concerning accreditation by the National Association of State Insurance Commissioners (NAIC) which helps promote financial solvency within the industry. Reports include statistical information regarding company solvency. File also includes Reports on Examination, audited financial statements, and other related information. (Comply with applicable provisions of G.S. 58-2-132(f) regarding confidentiality of records in connection with an examination or financial analysis.)

DISPOSITION INSTRUCTIONS: Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Destroy in office remaining paper and electronic records after 10 years.

ITEM 49494. MEETINGS DATA FILE

Records in paper and electronic formats, including e-mail, concerning public and staff meetings. (File does not include official, approved minutes required by law to be signed.)

DISPOSITION INSTRUCTIONS: Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Destroy in office paper and electronic records after 3 years.

ITEM 49495. NORTH CAROLINA LEGISLATION FILE

Records in paper and electronic formats, including e-mail, concerning legislation affecting the Department of Insurance. File includes proposed bills, reference copies of General Statutes, correspondence regarding proposed or approved legislation, and other related records.

DISPOSITION INSTRUCTIONS: Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Destroy in office remaining paper and electronic research and supporting documentation for legislative changes after 10 years. Destroy in office remaining paper and electronic records immediately after enactment of legislation or after one legislative biennium.

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ITEM 49496. PROFESSIONAL DEVELOPMENT FILE

Records in paper and electronic formats, including e-mail, concerning the professional development of agency personnel. File includes reference copies of certificates of attendance and an electronic listing.

DISPOSITION INSTRUCTIONS: Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Destroy remaining paper and electronic reference copies of certificates of course completion for each employee after 5 years or when the documents are no longer needed for accreditation purposes, whichever occurs later. Destroy remaining electronic records for each employee after the employee is no longer employed by the Company Services Group.

ITEM 49497. CONFERENCES AND WORKSHOPS FILE

Records in paper and electronic formats, including e-mail, concerning conferences and workshops conducted by or attended by agency employees.

DISPOSITION INSTRUCTIONS: Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Destroy in office remaining paper and electronic records after 10 years.

ITEM 49498. RECORDS MANAGEMENT FILE

Records in paper and electronic formats, including e-mail, concerning the management of the office's records.

DISPOSITION INSTRUCTIONS: Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Retain in office remaining paper and electronic transfer forms and destruction logs permanently. Destroy in office remaining paper and electronic program records retention and disposition schedule when superseded. Destroy in office remaining paper and electronic records when superseded.