DEPARTMENT OF INSURANCE
TECHNICAL SERVICES GROUP
MARKET REGULATION 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**

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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

Tracy M. Biehn, Deputy Commissioner
Market Regulation Division
Department of Insurance

David Brook, Director
Division of Historical Resources

APPROVED

Wayne Goodwin, Commissioner and
State Fire Marshal
Department of Insurance

Linda A. Carlisle, Secretary
Department of Cultural Resources

May 15, 2011

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PROGRAM RECORDS RETENTION AND DISPOSITION SCHEDULE AMENDMENT

DEPARTMENT OF INSURANCE
TECHNICAL SERVICES GROUP
MARKET REGULATION DIVISION

Amend the program records retention and disposition schedule approved May 15, 2011 by changing the description and disposition instructions for the following item 37887 as shown on the included schedule. No other items on this schedule have been amended, added, or removed.

APPROVAL RECOMMENDED

Angie Brogden, Chief Records Officer
Department of Insurance

Tracy N. Biehn, Deputy Commissioner
Market Regulation Division

David Brook, Director
Division of Historical Resources

APPROVED

Wayne Goodwin, Commissioner and State Fire Marshal

Linda A. Carlisle, Secretary
Department of Cultural Resources

January 25, 2012

RLL

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.

November 9, 2015 Rashida Felder

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
COMPANY SERVICES GROUP
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ITEM 37887. DOMESTIC AND FOREIGN INSURANCE WORK PAPERS FILE

Reference copies in paper and electronic formats of examination work papers collected during the course of examinations for all North Carolina insurance companies and selected foreign insurance companies. File includes paper and electronic formats of expense forms for individual examiners and other related records. File includes e-mail sent or received regarding examination work papers, expense forms, or any other related records. (Comply with applicable provisions of G.S. 58-2-132 regarding confidentiality of examination work papers.) (Paper records received from insurance companies are scanned into an electronic storage facility.) (E-mails received or sent by agency are imported into an electronic storage facility.) Amended 01-25-2012

DISPOSITION INSTRUCTIONS: Scan in office paper records received from insurance companies. Retention of the electronic version 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 records related to exceptions or violations after 7 years. Destroy in office remaining paper and electronic records after the closure of the examination.

ITEM 37888. DOMESTIC REPORTS MAILED TO OTHER STATES FILE

Acknowledgment receipts for reports mailed to other states concerning domestic insurance companies.

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

ITEM 37890. MARKET EXAMINATIONS ANALYST EXAMINATION ACCOUNTING FILE

Reference copies in paper and electronic formats, including e-mail, of accounting records concerning Market Conduct examinations used to determine an insurance entity's compliance with G.S. 58-2-133. File includes financial statements, cover sheets listing the amounts deposited, summaries of expenses incurred by examiners, coding sheets, e-mail sent or received regarding account records, 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 records after 7 years and when released from all audits, whichever occurs later.

ITEM 37895. SUSPENSE DOMESTIC INSURANCE COMPANY EXAMINATION REPORTS IN PROGRESS FILE

Reference copies in paper and electronic formats of handwritten or typed drafts of insurance companies' examination reports. File also includes e-mail sent and received regarding examination report in progress. (Comply with applicable provisions of G.S. 58-2-132 regarding confidentiality of examination work papers and examination reports.)

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. Transfer remaining paper, electronic records, including email, to Domestic and Foreign Insurance Administrative File (Item 37991) immediately after certification by insurance companies.

DEPARTMENT OF INSURANCE
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ITEM 37896. SUSPENSE FOREIGN INSURANCE COMPANY EXAMINATION REPORTS IN PROGRESS FILE

Reference copies in paper and electronic formats of drafts of foreign insurance companies' examination reports. File includes e-mail sent or received regarding examination reports in progress. (Comply with applicable provisions of G.S. 58-2-132 regarding confidentiality of examination work papers and examination reports.)

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. Transfer remaining paper, electronic records, including email, to Domestic and Foreign Insurance Administrative File (Item 37991) immediately after certification by insurance companies.

ITEM 37991. DOMESTIC AND FOREIGN INSURANCE ADMINISTRATIVE FILE

Records in paper and electronic formats concerning preparatory work collected for the review of a company's operations in the areas of policyholder treatment, marketing, underwriting and rating, terminations, and claims (requests for listings of consumer complaints, listings of active, appointed, and terminated agents, annual statements referencing the examination periods, and other related information). File includes drafts of the examination reports, correspondence from the companies listed on the examination reports, and other related records associated with the closure of the examination reports. File also includes e-mail sent or received regarding examination preparatory work, drafts of the examination reports, and the closure of examination reports. (Paper records received from insurance companies are scanned into an electronic facility.) (E-mails received or sent by the agency are imported into an electronic storage facility.)

DISPOSITION INSTRUCTIONS: Scan in office paper records received from insurance companies. Retention of the electronic version 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 7 years.

ITEM 41181. ACCEPTED EXAMINATION REPORTS FILE

Records in paper and electronic formats concerning examinations of domestic and foreign insurance companies operating in the state. File includes final version of the examination report which has been accepted by the concerned insurance company. File also includes e-mail sent or received regarding the final version of an examination report. (Paper records received from insurance companies are scanned into an electronic into an electronic storage facility.) (E-mails received or sent by agency are imported or scanned into an electronic storage facility.)

DISPOSITION INSTRUCTIONS: Scan in office paper records received from insurance companies. Retention of the electronic version 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 48178. DOMESTIC AND FOREIGN MANAGED CARE ANNUAL FILING FILE

Reference copies in paper and electronic formats, of managed care annual filings collected during the course of annual market analysis reviews for required reporting of operational information for each calendar year for all domestic and foreign insurance companies and health maintenance organizations pursuant to G.S. 58-3-191. Files include data records, policies and procedures, certifications and attestations, and Department correspondence, including e-mail, applicable to the review. (All records dated after 2005 are in electronic format.)

DISPOSITION INSTRUCTIONS: Retention of the electronic version 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 records in office after 5 years.

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ITEM 48179. MARKET ANALYSIS WORK PAPERS FILE

Records in paper and electronic formats, including e-mail, relevant to a Market Analysis or Market Conduct Actions. File includes data, materials, findings, ratios, surveys, reports, correspondence, and other records (Comply with applicable provisions of G.S. 58-2-240 regarding the confidentiality and restriction from public inspection, discovery, and admissibility of Market Conduct Analysis and related information.)

DISPOSITION INSTRUCTIONS: Retention of the electronic version 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 records in office after 7 years.

ITEM 49684. BOARDS, COMMISSIONS AND ASSOCIATIONS FILE

Records in paper and electronic formats, including e-mail, concerning working groups, committees, and task forces of which the Deputy Commissioner is an active member representing the agency. File includes correspondence, conferences, meeting notes, reports, working papers and workshop conducted by or attended.

DISPOSITION INSTRUCTIONS: Retention of the electronic version 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. Print and interfile e-mail records with related records. Transfer records concerning groups chaired or led by the Deputy Commissioner to the State Records Center 2 years after end of term as chairperson. Records will be held in the State Records Center 5 additional years, and then transferred to the custody of the State Archives. Destroy in office remaining paper and electronic records when reference value ends.