

DEPARTMENT OF INSURANCE  
PRODUCER, FRAUD AND PRODUCTS GROUP  
AGENT SERVICES 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

**AGENT SERVICES DIVISION**

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.

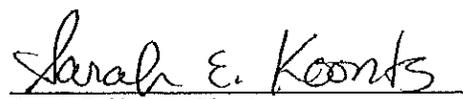
The Department of Insurance agrees to destroy, transfer or dispose of records in the manner and the times specified herein. This schedule is to remain in effect until superseded.

**APPROVAL RECOMMENDED**

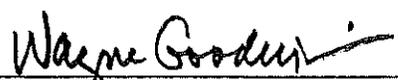
  
Angela Brogden, Chief Records Officer  
Department of Insurance

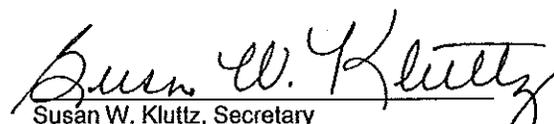
  
Rebecca Shigley, Deputy Commissioner  
Agent Services Division

  
Angela Ford, Senior Deputy Commissioner  
Producer, Fraud, and Products Group

  
Sarah E. Koonts, Director  
Division of Archives and Records

**APPROVED**

  
Wayne Goodwin, State Fire Marshal  
Commissioner, Department of Insurance

  
Susan W. Klutz, Secretary  
Department of Natural and 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.

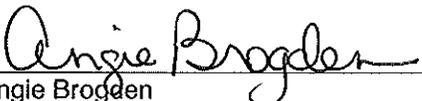
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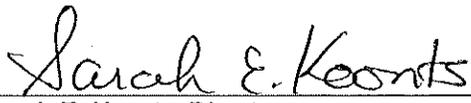
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The Department of Insurance agrees to destroy, transfer or dispose of records in the manner and the times specified herein. This schedule is to remain in effect until superseded.

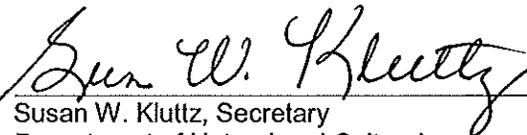
APPROVAL RECOMMENDED

  
\_\_\_\_\_  
Angie Brogden  
Chief Records Officer

  
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Sarah E. Koonts, Director  
Division of Archives and Records

APPROVED

  
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Wayne Goodwin, Commissioner  
Department of Insurance

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

**DEPARTMENT OF INSURANCE  
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**ITEM 2301. PREMIUM FINANCE ANALYSIS OF CONTRACTS**

Reports in paper and electronic formats, concerning analysis of contracts for premium finance companies. File includes reports on the number of contracts written by month, the total premium for written contracts by month, the total down payment on contracts by month, the total principal balance of contracts by month, and the total service charges pertaining to written contracts by month.

DISPOSITION INSTRUCTIONS: Scan in office paper records. Destroy in office paper copies of scanned records after 7 days and when all quality control procedures have been completed. Destroy in office electronic records when reference value ends.

**ITEM 3892. BAIL BOND APPOINTMENT AND TERMINATION FILE**

Records in paper and electronic formats, including e-mail, concerning the appointment and termination of licenses for surety bondsmen. File includes License Surrender Requests, in paper and electronic formats, including e-mail, that terminate the appointments and exception paper appointment. (Comply with applicable provisions of 5 USC 552a regarding records maintained on individuals.)

DISPOSITION INSTRUCTIONS: Scan in office License Surrender Request paper records into Licensee (Electronic) File (Item 31798). Scan in office remaining paper records. Destroy in office paper copies of scanned records after 7 days and when all quality control procedures have been completed. Transfer electronic records to Bail Bond Appointment and Termination (Inactive) File (Item 50565) when license is cancelled.

**ITEM 11857. BONDS FILE**

Bonds required by statute for brokers, collection agencies, premium finance companies, motor club companies and public adjusters

DISPOSITION INSTRUCTIONS: Scan paper records in office when received. Destroy paper records 7 years after bond or license is cancelled. Transfer electronic records to Bonds (Inactive) File (Item 50566) when license or bond is cancelled.

**ITEM 18543. STATE EXAMINATION RESULTS (ELECTRONIC) FILE**

Electronic records concerning state examination results of insurance agents, bail bondsmen and adjusters held by the examination vendor on contract with Agent Services Division. File includes applications, results, reports of individual test administrations, and other related records.

DISPOSITION INSTRUCTIONS: Destroy in office when reference value ends.

**ITEM 31798. LICENSEE FILE**

Records in paper and electronic formats concerning active licensed individuals and entities. (Comply with applicable provisions of 5 USC 552a regarding records maintained on individuals.)

DISPOSITION INSTRUCTIONS: Scan in office paper records and destroy in office paper copies of scanned records after 7 days and when all quality control procedures have been completed. Transfer electronic records to Licensee (Inactive) File (38536) upon license cancellation.

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**ITEM 31799. REGULATORY FILE**

Records in paper and electronic formats concerning regulatory information affecting all applicants and licensees. File includes information regarding license denials, suspensions and revocations, information regarding fines, investigative reports, hearing notices, and other related records. (Comply with applicable provisions of 5 USC 552a regarding records maintained on individuals.)

DISPOSITION INSTRUCTIONS: Scan in office paper records. Destroy in office paper copies of scanned records after 7 days and when all quality control procedures have been completed. Transfer electronic records to Licensee Regulatory (Closed) File (Item 50569) when case is closed, if no litigation, claim, audit, or other official action involving the records has been initiated. If official action has been initiated, transfer after completion of action and resolution of issues involved.

**ITEM 38536. LICENSEE (INACTIVE) FILE**

Records in electronic format concerning inactive licensees. File includes license records such as applications, monthly reports, fingerprint release forms, pre-licensing education records, and continuing education records concerning inactive licensees. (Comply with applicable provisions of G.S. 132-1.4 regarding confidentiality of investigation reports and criminal intelligence information compiled by public law enforcement agencies.)

DISPOSITION INSTRUCTIONS: Destroy in office when reference value ends if no litigation, claim, audit, or other official action involving the records has been initiated. If official action has been initiated, transfer after completion of action and resolution of issues involved.

**ITEM 47580. PROFESSIONAL BAIL BONDSMEN MONTHLY REPORTS (ELECTRONIC) FILE**

Electronic monthly reports showing all bonds the bondsmen are responsible for as of the first of each month as required by G.S. 58-71-165.

DISPOSITION INSTRUCTIONS: Transfer records to Licensee (Inactive) File (Item 38536) upon cancellation of bondsmen's license.

**ITEM 49565. BAIL BONDSMEN, INSURANCE AGENT, PUBLIC ADJUSTER AND KEY PERSON OF PUBLIC ADJUSTER BUSINESS ENTITY- STATE BUREAU OF INVESTIGATION FINGERPRINT RELEASE FORMS FILE.**

Paper release forms required by State Bureau of Investigation before fingerprints will be taken by local law enforcement in NC for license applicants: surety bail bondsmen, professional bail bondsmen, runner, public adjusters, insurance agents and key persons of public business entities.

DISPOSITION INSTRUCTIONS: Scan in office paper records. Destroy in office paper copies of scanned records after 7 days and when all quality control procedures have been completed. Transfer electronic records to Licensee (Inactive) File (Item 38536) upon cancellation of license.

**ITEM 49567. ACCOUNTS RECEIVABLES FORMS/REPORTS FILE**

Records in paper and electronic formats, including e-mail concerning License registration fees, license fees, license renewal fees and continuing education fees for transactions received in the Division for processing and transmittal reports from third party vendors which are contracted with Agent Services Division for specific administrative functions and under such contract collect the statutory fees. Clerical accounting generates back-up documentation for posting, depositing, insufficient funds payments, refunds, returned checks and voluntary settlement agreements.

DISPOSITION INSTRUCTIONS: Scan in office paper records. Destroy in office paper copies of scanned records after 1 year and when all quality control procedures have been completed. Destroy in office when reference value ends if no litigation, claim, audit, or other official action involving the records has been initiated. If official action has been initiated, transfer after completion of action and resolution of issues involved.

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**ITEM 50565. BAIL BOND APPOINTMENT AND TERMINATION (INACTIVE) (ELECTRONIC) FILE**

Electronic records concerning cancelled licenses for surety bondsmen. File includes License Surrender Requests that terminate the appointments and exception paper appointment. (Comply with applicable provisions of 5 USC 552a regarding records maintained on individuals.)

DISPOSITION INSTRUCTIONS: Destroy in office when reference value ends if no litigation, claim, audit, or other official action involving the records has been initiated. If official action has been initiated, transfer after completion of action and resolution of issues involved.

**ITEM 50566. BONDS (INACTIVE) (ELECTRONIC) FILE**

Electronic records concerning cancelled bond required by statute for brokers, collection agencies, premium finance companies, motor club companies and public adjusters. (Comply with applicable provisions of 5 USC 552a regarding records maintained on individuals.)

DISPOSITION INSTRUCTIONS: Destroy in office when reference value ends if no litigation, claim, audit, or other official action involving the records has been initiated. If official action has been initiated, transfer after completion of action and resolution of issues involved.

**ITEM 50567. CONTINUING EDUCATION (CE) PROVIDER RECORDS FILE**

Records concerning CE rosters, approved /denied CE courses, approved CE providers, and approved CE instructors.

DISPOSITION INSTRUCTIONS: Scan in office paper records and destroy in office paper copies of scanned records after 7 days and when all quality control procedures have been completed. Transfer electronic records to Continuing Education (CE) Providers Records File (Inactive) (New Item 6) upon cancellation of CE provider's authority.

**ITEM 50568. CONTINUING EDUCATION (CE) PROVIDER RECORDS (INACTIVE) FILE**

Electronic records concerning CE rosters, approved /denied CE courses, approved CE providers, and approved CE instructors.

DISPOSITION INSTRUCTIONS: Destroy electronic records when reference value ends if no litigation, claim, audit, or other official action involving the records has been initiated. If official action has been initiated, transfer after completion of action and resolution of issues involved.

**ITEM 50569. LICENSEE REGULATORY FILE (CLOSED) (ELECTRONIC) FILE**

Electronic records concerning closed cases regarding regulatory information affecting licensed agents, brokers, and adjusters. (Comply with applicable provisions of 5 USC 552a regarding records maintained on individuals.)

DISPOSITION INSTRUCTIONS: Destroy in office when reference value ends if no litigation, claim, audit, or other official action involving the records has been initiated. If official action has been initiated, transfer after completion of action and resolution of issues involved.

**ITEM 50570. PRE-LICENSING EDUCATION (PLE) PROVIDER RECORDS FILE**

Records concerning approved/denied PLE courses, PLE providers, and PLE instructors.

DISPOSITION INSTRUCTIONS: Scan in office paper records and destroy in office paper copies of scanned records after 7 days and when all quality control procedures have been completed. Transfer electronic records to Pre-licensing Education (PLE) Providers Records File (Inactive) (New Item 7) upon cancellation of PLE provider's authority.

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**ITEM 50571. PRE-LICENSING EDUCATION (PLE) PROVIDER RECORDS (INACTIVE) FILE**

Electronic records concerning, approved /denied PLE courses, approved PLE providers, and approved PLE instructors.

DISPOSITION INSTRUCTIONS: Destroy electronic records when reference value ends if no litigation, claim, audit, or other official action involving the records has been initiated. If official action has been initiated, transfer after completion of action and resolution of issues involved.

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**\*\*\*The following record series have been discontinued\*\*\***

**ITEM 49566. INSURANCE CONTINUING EDUCATION RECORDS (ELECTRONIC) FILE**

Electronic records concerning Continuing Education (CE) records of approved and denied CE courses, CE providers and agent and adjuster CE transcripts. (Vendor transfers the CE results to Division's Licensee (Electronic) File (Item 31798) daily.)

DISPOSITION INSTRUCTIONS: Item discontinued. Function and records transferred to Regulatory File (Item 31799).

**ITEM 49674. APPLICATIONS/TRANSACTIONS RECEIVED WITH PAYMENTS**

Records received with payments. File includes requests received by the division which are accompanied by a statutory fee. The accompanying payment (e.g., check or money order) is scanned with the associated paper transactions in a daily batch file. (Comply with applicable provisions of 5 USC 552a regarding records maintained on individuals.)

DISPOSITION INSTRUCTIONS: Item discontinued. Function and records transferred to Division's Licensee (Electronic) File (Item 31798).

**ITEM 49789. EXTREME CASE LICENSEE REGULATORY FILE**

Records in paper and electronic formats concerning cases or disputes that currently are, or with reasonable certainty, deemed by the division's attorneys as "extreme" cases or disputes. A extreme case has at least one of the following characteristics: a statutory change results from the case or dispute; the state or federal constitution was changed or reinterpreted as a result of the case or dispute; a significant issue in the case was decided on its merits, not simply reviewed by the North Carolina courts; the controversy sustained state-wide or national interest for a prolonged period; or the result was an abrupt department from well-established past policies or practices concerning matters of significant public interest.

DISPOSITION INSTRUCTIONS: Item discontinued. Function and records transferred to Licensee Regulatory File (Item 49789).