



Mike Kreidler- Insurance commissioner

As required by

The Washington State Administrative Procedures Act

Chapter 34.05 RCW

Matter No. **R2021-11**

**CONCISE EXPLANATORY STATEMENT; RESPONSIVENESS  
SUMMARY; RULE DEVELOPMENT PROCESS; AND  
IMPLEMENTATION PLAN**

Relating to the adoption of

Actuarial Designations

**November 9 2021**

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## **Section 1: Introduction**

Revised Code of Washington (RCW) 34.05.325 (6) requires the Office of Insurance Commissioner (OIC) to prepare a “concise explanatory statement” (CES) prior to filing a rule for permanent adoption. The CES shall:

1. Identify the Commissioner's reason's for adopting the rule;
2. Describe differences between the proposed rule and the final rule (other than editing changes) and the reasons for the differences; and
3. Summarize and respond to all comments received regarding the proposed rule during the official public comment period, indicating whether or not the comment resulted in a change to the final rule, or the Commissioner's reasoning in not incorporating the change requested by the comment; and
4. Be distributed to all persons who commented on the rule during the official public comment period and to any person who requests it.

## **Section 2: Reasons for Adopting the Rule**

The purpose of this proposal is to permit actuaries with other NAIC-accepted actuarial designations to be considered qualified actuaries. The proposal amends a subsection of WAC 284-07-060, Statement of Actuarial Opinion. The proposal amends the subsection pertaining to qualified actuarial designations.

The proposed rule will provide guidance regarding NAIC-Accepted Actuarial Designations. The NAIC has updated the requirements as of 2019 and the proposed rule conforms to these updated requirements. The existing designations require an actuary to be a member of the Casualty Actuarial Society (CAS). The new designations are as follows:

- Fellow of the CAS having passed the US version of Exam 6
- Associate of the CAS having passed Exam 7 and the US version of Exam 6
- Fellow of the Society of Actuaries (SOA) including completion of the general insurance track and these exams: the US version of the Financial and Regulatory Environment Exam and the Advanced Topics in General Insurance Exam

### **Section 3: Rule Development Process**

On July 2, 2021, the Commissioner filed a CR-101 pre-proposal public notice of intent to adopt rules. The comment period was open through July 28, 2021. One comment in support was received.

On July 8, 2021, the Commissioner issued a stakeholder draft of rule language, notified stakeholders and requested comment. The comment period was open through July 30, 2021. No comments were received.

On September 21, 2021, the Commissioner filed a CR-102 proposed rulemaking. The comment period was open through November 8, 2021. No comment was received.

On November 9, 2021, the Commissioner held a public hearing and was available to hear testimony on the proposed rule. Several people attended the public hearing and no testimony was provided. The hearing summary is in Appendix A.

The responsive summary chart included in Section 5 addresses the comments received.

### **Section 4: Differences Between Proposed and Final Rule**

None

### **Section 5: Responsiveness Summary**

Stakeholder Comment	Response
Comment of support	We appreciate the review of the proposal and the submitter's effort to provide supporting comments.

### **Section 6: Implementation Plan**

#### **A. Implementation and enforcement of the rule.**

After the permanent rule is filed and adopted with the Office of the Code Reviser:

- Policy staff will distribute copies of the final rule and the Concise Explanatory Statement to all interested parties through the State's Govdelivery email system.
- The CR 103 documents and adopted rule will be posted on the Office of the Insurance Commissioner's website.

Questions will be addressed by the Office of the Insurance Commissioner's staff as follows:

<b>Type of Inquiry</b>	<b>Division</b>
<b>Consumer assistance</b>	Consumer Advocacy
<b>Rule content</b>	Policy
<b>Authority for rules</b>	Policy
<b>Enforcement of rule</b>	Rates, Forms & Provider Network and Legal Affairs
<b>Market Compliance</b>	Company Supervision

**B. How the Agency intends to inform and educate affected persons about the rule.**

The agency will meet with and provide assistance to insurers, actuaries and any affected consumer.

**C. How the Agency intends to promote and assist voluntary compliance for this rule.**

- The agency will meet with and provide assistance to insurers, actuaries and any affected consumer
- Policy staff will distribute copies of the final rule and the Concise Explanatory Statement to all interested parties through the State's Govdelivery email system.
- The CR 103 documents and adopted rule will be posted on the Office of the Insurance Commissioner's website.

**D. How the Agency intends to evaluate whether the rule achieves the purpose for which it was adopted.**

Actuarial qualifications will be reviewed for compliance by the Office of the Insurance Commissioner upon receipt of change of actuary or appointed actuary notices from companies.

**Appendix A**

**CR-102 Hearing Summary**

**Summarizing Memorandum**

**To: Mike Kreidler  
Insurance Commissioner**

**From: Simon Casson  
Presiding Official, Hearing on Rule-making**

**Matter No. R2021-11**

**Topic of Rule-making:** Actuarial Designations

This memorandum summarizes the hearing on the above-named rule making, held on November 9 2021 at 9:30am on Zoom meeting ID# 899 6805 1348 over which I presided in your stead.

The following agency personnel were present: John Pestinger, Ron Pastuch, Eric Slavich, Ariele Page Landstrom

**In attendance and testifying:**  
No testimonies.

**In attendance:**  
Zachary Steadman

**Contents of the presentations made at hearing:**

**The hearing was adjourned.**

*SIGNED this 9th day of November, 2021*



*Simon Casson, Presiding Official*