

Superseded 5/12/2020

31A-17-601 Definitions.

As used in this part:

- (1) "Adjusted RBC report" means an RBC report that has been adjusted by the commissioner in accordance with Subsection 31A-17-602(5).
- (2) "Corrective order" means an order issued by the commissioner specifying corrective action that the commissioner determines is required.
- (3) "Health organization" means:
 - (a) an entity that is authorized under Chapter 7, Nonprofit Health Service Insurance Corporations, or Chapter 8, Health Maintenance Organizations and Limited Health Plans; and
 - (b) that is:
 - (i) a health maintenance organization;
 - (ii) a limited health service organization;
 - (iii) a dental or vision plan;
 - (iv) a hospital, medical, and dental indemnity or service corporation; or
 - (v) other managed care organization.
- (4) "Life or accident and health insurer" means:
 - (a) an insurance company licensed to write life insurance, disability insurance, or both; or
 - (b) a licensed property casualty insurer writing only disability insurance.
- (5) "Property and casualty insurer" means any insurance company licensed to write lines of insurance other than life but does not include a monoline mortgage guaranty insurer, financial guaranty insurer, or title insurer.
- (6) "RBC" means risk-based capital.
- (7) "RBC instructions" means the RBC report including risk-based capital instructions adopted by the department by rule.
- (8) "RBC level" means an insurer's or health organization's authorized control level RBC, company action level RBC, mandatory control level RBC, or regulatory action level RBC.
 - (a) "Authorized control level RBC" means the number determined under the risk-based capital formula in accordance with the RBC instructions;
 - (b) "Company action level RBC" means the product of 2.0 and its authorized control level RBC;
 - (c) "Mandatory control level RBC" means the product of .70 and the authorized control level RBC; and
 - (d) "Regulatory action level RBC" means the product of 1.5 and its authorized control level RBC.
- (9)
 - (a) "RBC plan" means a comprehensive financial plan containing the elements specified in Subsection 31A-17-603(2).
 - (b) Notwithstanding Subsection (9)(a), the plan is a "revised RBC plan" if:
 - (i) the commissioner rejects the RBC plan; and
 - (ii) the plan is revised by the insurer or health organization, with or without the commissioner's recommendation.
- (10) "RBC report" means the report required in Section 31A-17-602.