

**TITLE 4: ECONOMIC RESOURCES**  
**DIVISION 7: INSURANCE**

**§ 7606. Hearings on Rate Filings Pursuant to 4 CMC § 7605; Order; Review.**

(a) The Commissioner may hold a hearing on a filing made pursuant to 4 CMC § 7605 if the Commissioner determines that such a hearing would aid the Commissioner in determining whether to approve or disapprove the filing. A hearing under this section may be held at a place designated by the Commissioner and upon not less than 10 business days' written notice to the insurer or rating organization that made the filing and to any other person the Commissioner decides should be notified. A filing that is the subject of a hearing under this section becomes effective, if approved, as provided in subsection (d) of this section.

(b) A hearing held pursuant to subsection (a) of this section must be conducted by an administrative hearing officer provided for under 1 CMC § 9101 *et seq.* The administrative hearing officer shall report findings, conclusions and recommendations to the Commissioner within 30 calendar days of the close of the hearing. The insurer or rating organization proposing the rate filing shall have the burden of proving that the rate proposal is justified and shall pay to the Commissioner the fair and reasonable costs of the hearing, including actual necessary expenses, within 30 days of the close of the hearing should the Commissioner determine that the rates were not compliant with the applicable laws and regulations.

(c) Within 10 business days of receiving a report from the administrative hearing officer, the Commissioner shall issue an order approving or disapproving the filing. In the event the Commissioner is unable to provide a decision within the said time frame, the Commissioner reserves the right to request additional time as needed. If no request is made and the carrier not informed, then the recommendation of the administrative hearing officer shall be rendered the final decision as of the 11<sup>th</sup> business day after the Commissioner receives the report from the hearing officer.

(d) An order issued under subsection (c) of this section may be reviewed as provided in 1 CMC § 9101 *et seq.* for review of contested cases. A filing approved by the Commissioner under this section shall be effective 10 business days after the order issued under subsection (c) of this section and shall remain effective during any review of the order. A filing disapproved by the Commissioner under this section shall remain effective during any review of the order. Any appeals to the decision rendered by the Commissioner may be filed with the CNMI Superior Court pursuant to the Administrative Procedure Act.

(e) The hearing procedures set forth in this section are to be used solely for the review of rate filings. Nothing in this section shall be construed to diminish the powers and procedures set forth in 1 CMC § 7201 for violations of other provisions of this Division.

**Source:** PL 18-34 § 4(7606) (Feb. 14, 2014), modified.

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**Commission Comment:** The Commission corrected the designation of subsections pursuant to 1 CMC § 3806(a). The Commission corrected the capitalization of the word “carrier” in subsection (c) pursuant to 1 CMC § 3806(f). The Commission corrected the spelling of the words “Administrative Procedure Act” in subsection (d) pursuant to 1 CMC § 3806(g).