

**TITLE 365. INSURANCE DEPARTMENT
CHAPTER 1. ADMINISTRATIVE OPERATIONS
SUBCHAPTER 1. GENERAL PROVISIONS**

365:1-1-2. ~~Office of the Oklahoma Insurance Commissioner Department~~

~~The office of the Oklahoma Insurance Commissioner Department is composed of the Insurance Commissioner and such employees as are required and provided for by law. The Insurance Commissioner exercises executive and administrative supervision over the Office of the Oklahoma Insurance Commissioner Department.~~

~~(1) **General description of organization.** The office of the Oklahoma Insurance Commissioner Department is divided and organized into divisions as established by law or by the Insurance Commissioner to achieve the mission of the Oklahoma Insurance Department. Information regarding the organization of the Oklahoma Insurance Department and its divisions and services to the State is available on the Department's website.~~

~~(2) **Administrative Services Division.** The Administrative Services Division is responsible for various administrative services as directed by the Insurance Commissioner including personnel, mail, and file maintenance.~~

~~(3) **Licensing Division.** The Licensing Division is responsible for determining whether applicants for bail bond licenses, insurance producers, limited lines producers, insurance adjusters, life, accident and health insurance brokers and insurance consultants licenses meet the qualifications set forth in the statutes of the State of Oklahoma and is also responsible for administering the examinations given as required to applicants and for issuing renewal licenses. The Licensing Division is also responsible for monitoring continuing education requirements.~~

~~(4) **Bail Bond Division.** The Bail Bond Division is responsible for processing of monthly reports for each type of license held by bondsmen, collection of 2/10 of 1% fee of new liability written monthly, enforce statutory deposit requirements of professional bondsmen and initial investigation of complaints regarding possible violation of statutes.~~

~~(5) **Consumer Assistance and Claims Division.** The Consumer Assistance and Claims Division processes and investigates all complaints lodged against insurance companies and other persons/entities by the public. Further, this division answers all routine requests for information concerning insurance companies and insurance policies.~~

~~(6) **Comptroller Division.** The Comptroller Division is composed of the Comptroller and necessary assistants and is responsible for the internal fiscal affairs of the office, including preparation of payroll, purchase of equipment, approval of all travel claims made by staff and keeping of all fiscal records required by law.~~

~~(7) **Communications.** The Communications Division is responsible for maintaining and furthering internal and external communications. Among the duties performed in this division are development and management of the Insurance Department website, writing and facilitating news releases, responding to media inquiries, assembling materials to be distributed during public events, production of consumer assistance and awareness events, designing publications for producers and consumers, and any other communications related duties as needed.~~

~~(8) **Executive Division.** The Executive Division, composed of the Insurance Commissioner and necessary assistants, is charged with general supervision of all activities of the office including personnel and internal organization.~~

~~(9) **Financial and Examination Division.** The Financial and Examination Division is responsible for determining whether insurance companies and other persons/entities applying for admission to do business in the State of Oklahoma meet the qualifications for admittance as set forth in the statutes of the State of Oklahoma. This division, through outside contract examiners, is responsible for conducting the statutory examination of all domestic and foreign insurance companies and other persons/entities and collects all premium taxes and statutory fees due the State. This division is also responsible for the review and analysis of all annual and quarterly financial statements of insurance companies as required by the statutes of the State of Oklahoma.~~

~~(10) **Information Technology Division.** The Information Technology Division is responsible for providing all internal data processing services to the other divisions of the Insurance Department. Further, this division provides the public with both summaries and detailed information on many of the records maintained by the Insurance Department.~~

~~(11) **Legal and Investigation Division.**~~

~~(A) The Legal Division is composed of the General Counsel and Assistant General Counsels who are the chief attorneys for the Insurance Commissioner and the other divisions within the Oklahoma Insurance Department on legal matters. The Legal Division defends and prosecutes all proceedings held before the Insurance Commissioner. The Legal Division is charged with the duty of representing the Insurance Commissioner in the courts in matters which are a part of his/her official duties.~~

~~(B) The Investigation Division is responsible for investigating complaints against licensed insurance entities and if evidence is found of wrongdoing or non-compliance with the insurance laws of the State of Oklahoma forwarding its findings to the Legal Division.~~

~~(C) The Anti-Fraud Unit is within the Legal and Investigation Division. Its investigators are commissioned by the Insurance Commissioner to serve as peace officers who are responsible for investigating violations of statute or administrative rules of this state pertaining to insurance fraud.~~

~~(12) **Rate and Form Compliance Division.** The Rate and Form Compliance Division is responsible for the receipt of life, annuity, accident and health policy forms and property and casualty policy forms, manual rules and rates. The Division determines whether such documents conform to the statutes of the State of Oklahoma. The Division is also responsible for determining whether advisory organizations applying for admission to do business in the State of Oklahoma meet the qualifications for admittance as set forth in the statutes of the State of Oklahoma. All references to Life, Accident and Health Division or Property and Casualty Division shall mean Rate and Form Compliance Division.~~

~~(13) **Real Estate Appraisers Division.** The Real Estate Appraisers Division is responsible for determining whether applicants for real estate appraiser licensure/certification meet the qualifications set forth in the statutes of the State of Oklahoma and for administering the examinations given to all real estate appraisers.~~

~~(14) **Senior Health Care Programs Division.** The Senior Health Care Programs Division is composed of two federal grant programs, SHICP and SUMMIT. The Senior Health Insurance Counseling Program (SHICP) is responsible for providing information, counseling and assistance to Medicare and Medicaid beneficiaries so they may understand and access their health care benefits. SUMMIT Medicare/Medicaid Fraud, Abuse and Waste Program focuses on reducing Medicare/Medicaid fraud, abuse and waste by enhancing public awareness through community presentations and public education. Both programs train volunteers to assist with the programs' mission.~~

~~(15) Utilization Review Division. The Utilization Review Division is responsible for determining whether applicants for Utilization Review Certificates of Registration meet the qualifications set forth in the statutes of the State of Oklahoma.~~

365:1-1-3. Duties of Insurance Commissioner

The Insurance Commissioner, as chief officer of the Insurance Department, is charged with the duty of administering and enforcing all provisions of the Oklahoma Insurance Code (Title 36, Oklahoma Statutes), the Oklahoma Bail Bond Code (59 O.S. §§1301 et seq.), ~~and~~ the Certified Real Estate Appraisers Act (59 O.S. §§858-700 et seq.), the Pharmacy Benefit Plans (59 O.S., §§ 357-360 et seq.), and the Service Warranty Act (15 O.S. §§ 141.2-150 et seq.).

365:1-1-4. Requests for information

(a) ~~The public may obtain information relating to insurance and regulation thereof by completing and submitting the Oklahoma Insurance Department Open Records Request form writing to oidopenrecords@oid.ok.gov, by fax to (405) 522-0125, or by mail to the The Insurance Commissioner, 400 N.E. 50th Street, Oklahoma City, Oklahoma 73105 or by calling (405) 521-2828. Physical copies of the form are available at the Insurance Department at the address provided above.~~

(b) Where the request is for materials of which copies are not available and photocopying or reproduction by other means is required, such service will be provided upon payment of the costs involved.

~~(c) Annually, subsequent to the end of the fiscal year, the Commissioner makes a report to the Governor summarizing his/her work during the year. Such reports are available for inspection and copies thereof may be obtained from the Commissioner. The Commissioner's rules of practice and procedure and a description of its organization and policy are published in the Oklahoma Register. Copies thereof may be obtained from the Commissioner upon request. The decisions of the Commissioner in adjudicative proceedings may be obtained upon request. Requests submitted to the agency will not be deemed to have been received unless and until the request has been properly submitted in accordance with these rules.~~

~~(d) A request shall be deemed abandoned if the requester fails to pay any fees lawfully assessed within thirty (30) days of notice by the Insurance Department of the fee amount or if requester fails to respond within thirty (30) days to any request by the Department for additional information the Department has determined is reasonably necessary to identify the records sought or to accurately process the request.~~