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INDEPENDENT REGULATORY REVIEW COMMISSION
333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

March 21, 2002

Honorable M. Diane Koken, Commissioner
Insurance Department
1326 Strawberry Square
Harrisburg, PA 17120

Re: Regulation #11-213 (IRRC #2256)
Insurance Department
Requirements for All Policies and Forms, Preparation of Forms

Dear Commissioner Koken:

The Independent Regulatory Review Commission approved your regulation on March 21, 2002. Our Order is enclosed and is available on our website at www.irrc.state.pa.us.

We appreciate the joint effort that went into producing a regulation that meets the criteria and intent of the Regulatory Review Act.

Sincerely,

A handwritten signature in black ink, appearing to read "Alvin C. Bush".

Alvin C. Bush
Vice Chairman
sfh
Enclosure

cc: Honorable Nicholas A. Micozzie, Majority Chairman, House Insurance Committee
Honorable Anthony DeLuca, Democratic Chairman, House Insurance Committee
Honorable Edwin G. Holl, Chairman, Senate Banking and Insurance Committee
Honorable Jack Wagner, Minority Chairman, Senate Banking and Insurance Committee

**INDEPENDENT REGULATORY REVIEW COMMISSION
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held March 21, 2002

John R. McGinley, Jr., Chairman, by Phone
Alvin C. Bush, Vice Chairman
Arthur Coccodrilli
Robert J. Harbison, III
John F. Mizner

Regulation No. 11-213
Insurance Department
Requirements for All Policies and Forms,
Preparation of Forms

On February 21, 2002, the Independent Regulatory Review Commission (Commission) received this regulation from the Insurance Department. This rulemaking repeals 31 Pa. Code § 89.14(b). Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.


This rulemaking repeals a provision relating to time limits for recovery of accidental death benefits. The repeal is based on the Pennsylvania Supreme Court decision in *Burne v. Franklin Life Insurance Company*, 451 Pa. 218, 301 A.2d 799 (1973). In *Burne*, the Court held that accidental death benefit policies may not be sold or issued in Pennsylvania if the death must occur within a certain time period in order for the death benefit to be paid.

We have determined this regulation is consistent with the statutory authority of the Insurance Department (71 P.S. §§186, 411 and 412) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

BY ORDER OF THE COMMISSION:

This regulation is approved.





Alvin C. Bush, Vice Chairman