

OFFICE OF THE STATE REGISTER INSERTION ORDER

Claiborne Building 1201 North Third Street Suite 3-220 Post Office Box 94095
 Baton Rouge, LA 70804-9095 (225)342-5015 FAX (225)342-0284

(SUBMIT A SEPARATE INSERTION ORDER PER DOCUMENT)

Number of publication pages: _____
 Cost of publication \$ _____
 Copy of this form to DOT Budget with OSK assigned document number: _____

EMERGENCY RULE NOTICE OF INTENT RULE POTPOURRI

REFER TO INSTRUCTIONS ON REVERSE SIDE

This is your authority to publish in the (month) DECEMBER, 2021 *Louisiana Register* the document indicated above.

OFFICE OF THE COMMISSIONER

Office/Board/Commission promulgating this document

JAMES J. DONELON COMMISSIONER

(name) (title)
 Name and title of person whose signature will appear in the publication (at the end of the document)

DEPARTMENT OF INSURANCE

Department under which office/board/commission is classified

PHILIP DOMINIQUE 225-342-6704 225-342-1632

(name) (phone) (fax)
 Name, phone number, and FAX number of person to contact regarding this document

PHILIP.DOMINIQUE@LDI.LA.GOV

E-mail address of contact person

REGULATION 120

ADMINISTRATIVE AND AGENCY PROCEEDINGS INSTITUTED AGAINST A LICENSE

Short descriptive listing for this document to be used in the *Louisiana Register's* TABLE OF CONTENTS/INDEX

NOI TO PROMULGATE REGULATION 120

File name

[Handwritten Signature]

Signature of Agency Head or Designee

Nicholas Lorusso, Chief Deputy Commissioner

Print Name and Title of Agency Head or Designee

Important: If submitting both an Emergency Rule (ER) and a Notice of Intent (NOI) to be published this month, AND if the rule text in the ER is identical to the rule text in the NOI, check here:

CERTIFICATION OF AVAILABLE FUNDS

DOCUMENT # _____

LAGOV AGENCY:

I certify the availability of fiscal year 21/22 appropriated funds for the payment of the above referenced publication and authorize the processing of an Interagency Billing with the following coding on the 30th of the month of the publication. Attach supplemental sheet for additional lines of coding.

<u>165</u>	<u>15950001</u>	<u>1652085032</u>		<u>15000020</u>			
Business Area	General Ledger	Cost Center	Grant	Fund	WBS	Internal Order	Functional

NON-LAGOV AGENCY:

I certify the availability of fiscal year _____ appropriated funds for the payment of the above referenced publication and agree to place corresponding invoice in line for payment upon receipt.

Billing Contact Information:

Dept. of Insurance
 Agency Name

Christopher Bahm
 Agency Contact Person for Billing

Accounts Payable@lci.la.gov
 Agency E-Mail Address for Billing

[Handwritten Signature]
 Signature of Agency Head or Designee

342-5353
 Phone Number

Per Page Charge _____ + Revision Charge \$ _____ = TOTAL \$ _____

NOTICE OF INTENT

Department of Insurance Office of the Commissioner

Regulation 120—Administrative and Agency Proceedings Instituted Against a License (LAC 37:XIII.Chapter 181)

The Department of Insurance, pursuant to the authority of the Louisiana Insurance Code, R.S. 22:1 et seq., and in accordance with the Administrative Procedure Act, R.S. 49:950 et seq., hereby gives notice of its intent to promulgate Regulation 120—Administrative and Agency Proceedings Instituted Against a License. Regulation 120 establishes three types of notice requirements applicable to administrative and agency proceedings instituted against a license, including (1) notice of wrongful conduct, (2) notice of regulatory action, and (3) notice of summary suspension. Regulation 120 also prescribes the time delays for each of the respective notices sent to a licensee. Lastly, Regulation 120 provides a mechanism for requesting a stay, and it further addresses related procedures governing administrative actions against a license in accordance with R.S. 22:2191, et seq.

Title 37

INSURANCE

Part XIII. Regulations

Chapter 181. Regulation Number 120—Administrative and Agency Proceedings Instituted Against a License

§18101. Authority

This regulation is promulgated on behalf of the Department of Insurance by the Commissioner of Insurance pursuant to the authority granted under Title 22.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:2, 22:11, 22:18, 22:2191, et seq., and the Administrative Procedure Act, R.S. 49:950, et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR _____ (Month Year)

§18103. Purpose

The purpose of this regulation is to establish procedures for governing the institution of administrative and agency proceedings resulting in administrative action with respect to a license in accordance with R.S. 22:2191, et seq.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:2, 22:11, 22:18, 22:2191, et seq., and the Administrative Procedure Act, R.S. 49:950, et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR _____ (Month Year)

§18105. Scope and Applicability

Regulation 120 sets forth procedures and time delays that govern the institution of administrative and agency proceedings resulting in administrative action instituted against any licensee.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:2, 22:11, 22:18, 22:2191, et seq., and the Administrative Procedure Act, R.S. 49:950, et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR ____ (Month Year)

§18107. Severability

The provisions of this Subpart are severable. If any provision or item of this Subpart, or application thereof, is held invalid, such invalidity shall not affect other provisions, items, or applications of this Subpart which are to be given effect without the invalid provision, item, or application of the Subpart.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:2, 22:11, 22:18, 22:2191, et seq., and the Administrative Procedure Act, R.S. 49:950, et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 30:2834 (December 2004), repealed LR 45:

§18109. Definitions

Strictly for purposes of Regulation 120, the following terms are defined as follows:

License—any and all authorizations, certificates of authority, licenses, registrations, or other written instruments, acknowledgements, or statutory decrees, establishing that a person or entity is authorized to conduct the business of insurance in accordance with Title 22.

Licensee—all persons and entities issued a “license” by the Department of Insurance or otherwise authorized by statute to conduct the business of insurance in this state. Additionally, the term “licensee,” as used in this regulation, includes approved unauthorized insurers, as defined in Chapter 2 of the Louisiana Insurance Code.

Administrative proceedings—proceedings in an administrative tribunal adjudicated by an administrative law judge and conducted in accordance with Chapter 12 of the Louisiana Insurance Code, R.S. 22:2191, et seq. and the Administrative Procedure Act, R.S. 49:950, et seq.

Agency proceedings—proceedings instituted or conducted by the Commissioner of Insurance.

Commissioner—the Commissioner of Insurance, his deputy, or the Department of Insurance, as appropriate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:2, 22:11, 22:18, 22:2191, et seq., and the Administrative Procedure Act, R.S. 49:950, et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR _____ (Month Year)

§18111. Actions Against License; Notice of Wrongful Conduct; Opportunity to Show Compliance

- A. Prior to the institution of an agency proceeding regarding the revocation, suspension, annulment, or withdrawal of a license, the Commissioner shall give the licensee notice of the wrongful conduct alleged and an opportunity to show compliance with all lawful requirements for the retention of the license in accordance with R.S. 49:950 et seq. The notice of wrongful conduct shall be in writing, mailed or delivered personally to the licensee at the last known address or principal place of business identified in the Department’s database for the licensee, and it must include the particulars set forth under Subpart B. herein.
- B. The notice of wrongful conduct shall include a statement of the legal authority and alleged facts or conduct under which the Department’s enforcement action is based. The notice of wrongful conduct shall also include references to the applicable provisions of Title 22 and regulations promulgated by the Department, and it shall advise the licensee of the opportunity to show compliance with all lawful requirements for retention of the license.
- C. The licensee shall have 20 calendar days from the mailing or personal delivery of the notice of wrongful conduct by the Commissioner to demonstrate compliance with all lawful requirements for retention of the license as specified in the notice of wrongful conduct, unless the Commissioner determines that an extension of time is warranted.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:2, 22:11, 22:18, 22:2191, et seq., and the Administrative Procedure Act, R.S. 49:950, et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR _____ (Month Year)

§18113. Notice of Regulatory Action

If the licensee fails to demonstrate compliance with all lawful requirements of Title 22 for retention of the license to the satisfaction of the Commissioner within 20 calendar days of the mailing or personal service of the notice of wrongful conduct, or within any extension of time approved by the Commissioner, a notice of regulatory action may be issued. The notice shall be in writing and issued via mail or by personal delivery to the last known address or principal place of business identified in the Department’s database for the licensee. The revocation, suspension, annulment, or withdrawal of a license shall take effect 10 calendar days from the date of issuance of the notice of regulatory action, unless otherwise provided in Title 22. The licensee shall have the right to timely demand an administrative hearing to contest the notice of regulatory action in accordance with R.S. 22:2191, et seq.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:2, 22:11, 22:18, 22:2191, et seq., and the Administrative Procedure Act, R.S. 49:950, et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR _____ (Month Year)

§18115. Notice of Summary Suspension or Order

Notwithstanding any other provision of this regulation, if the Commissioner finds that the public health, safety, or welfare of Louisiana citizens imperatively requires emergency action, the Commissioner may issue a notice of summary suspension or order to the licensee, setting forth the basis for such a finding. The notice of summary suspension or order shall be in writing, mailed or delivered personally to the licensee at the last known address or principal place of business identified in the Department's database for the licensee, and it may be issued while agency proceedings for license revocation or other adverse actions authorized by R.S. 49:961(C) are pending, unless otherwise provided in Title 22. The licensee shall have the right to timely demand an administrative hearing to contest the notice of summary suspension or order in accordance with R.S. 22:2191, et seq.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:2, 22:11, 22:18, 22:2191, et seq., and the Administrative Procedure Act, R.S. 49:950, et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR _____ (Month Year)

§18117. Stay of Action

A demand for an administrative hearing shall not operate as an automatic stay of any order issued by the Commissioner or any action taken or proposed to be taken by the Commissioner unless such relief is granted by the Division of Administrative Law pursuant to R.S. 22:2204 and the Administrative Procedure Act, R.S. 49:950, or as otherwise provided in Title 22. All demands for hearing and requests for a stay of action shall be filed in accordance with Chapter 12 of the Louisiana Insurance Code, R.S. 22:2191, et seq. and held in accordance with the Administrative Procedure Act, R.S. 49:950, et seq.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:2, 22:11, 22:18, 22:2204, and the Administrative Procedure Act, R.S. 49:950, et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR _____ (Month Year)

§18119. Effective Date

This regulation shall become effective upon final publication in the Louisiana Register.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:2, 22:11, 22:18, 22:2191, et seq., and the Administrative Procedure Act, R.S. 49:950, et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR _____ (Month Year)

Family Impact Statement

1. Describe the Effect of the Proposed Regulation on the Stability of the Family. The proposed regulation should have no measurable impact upon the stability of the family.
2. Describe the Effect of the Proposed Regulation on the Authority and Rights of Parents Regarding the Education and Supervision of their Children. The proposed regulation should have no impact upon the rights and authority of children regarding the education and supervision of their children.
3. Describe the Effect of the Proposed Regulation on the Functioning of the Family. The proposed regulation should have no direct impact upon the functioning of the family.
4. Describe the Effect of the Proposed Regulation on Family Earnings and Budget. The proposed regulation should have no direct impact upon family earnings and budget.
5. Describe the Effect of the Proposed Regulation on the Behavior and Personal Responsibility of Children. The proposed regulation should have no impact upon the behavior and personal responsibility of children.
6. Describe the Effect of the Proposed Regulation on the Ability of the Family or a Local Government to Perform the Function as Contained in the Rule. The proposed regulation should have no impact upon the ability of the family or a local governmental unit to perform the function as contained in the rule.

Poverty Impact Statement

1. Describe the Effect on Household Income, Assets, and Financial Security. The proposed regulation should have no effect on household income assets and financial security.
2. Describe the Effect on Early Childhood Development and Preschool through Postsecondary Education Development. The proposed regulation should have no effect on early childhood development and preschool through postsecondary education development.
3. Describe the Effect on Employment and Workforce Development. The proposed regulation should have no effect on employment and workforce development.
4. Describe the Effect on Taxes and Tax Credits. The proposed regulation should have no effect on taxes and tax credits.
5. Describe the Effect on Child and Dependent Care, Housing, Health Care, Nutrition, Transportation and Utilities Assistance. The proposed regulation should have no effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Small Business Analysis

The impact of the proposed regulation on small businesses as defined in the Regulatory Flexibility Act has been considered. It is estimated that the proposed action is not expected to have a significant adverse impact on small businesses. The agency, consistent with health, safety, environmental and economic welfare factors has considered and, where possible, utilized regulatory methods in the drafting of the proposed regulation that will accomplish the objectives of applicable statutes while minimizing the adverse impact of the proposed regulation on small businesses.

1. Identification and Estimate of the Number of the Small Businesses Subject to the Proposed Rule. The proposed regulation should have no measurable impact upon small businesses.
2. The Projected Reporting, Record Keeping, and Other Administrative Costs Required for Compliance with the Proposed Rule, Including the Type of Professional Skills Necessary for Preparation of the Report or Record. The proposed regulation should have no measurable impact upon small businesses.
3. A Statement of the Probable Effect on Impacted Small Businesses. The proposed regulation should have no measurable impact upon small businesses.
4. Describe any Less Intrusive or Less Costly Alternative Methods of Achieving the Purpose of the Proposed Rule. The proposed regulation should have no measurable impact on small businesses; therefore, there is no less intrusive or less costly alternative method of achieving the purpose of the proposed regulation.

Provider Impact Statement

1. Describe the Effect on the Staffing Level Requirements or Qualifications Required to Provide the Same Level of Service. The proposed regulation will have no effect.
2. The Total Direct and Indirect Effect on the Cost to the Provider to Provide the Same Level of Service. The proposed regulation will have no effect.
3. The Overall Effect on the Ability of the Provider to Provide the Same Level of Service. The proposed regulation will have no effect.

Public Comments

Interested persons who wish to make comments may do so by writing to Philip Dominique, Staff Attorney, Louisiana Department of Insurance, P.O. Box 94214, Baton Rouge, LA 70804-9214, or by faxing comments to (225) 342-1632. Comments will be accepted through the close of business, 4:30 p.m., January 10, 2022.

James J. Donelon
Commissioner

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Regulation 120— Administrative and Agency Proceedings Instituted Against a License

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule is not anticipated to result in implementation of costs or savings to the state or local governmental units. The proposed rule is promulgated to establish procedures for governing the administrative and agency proceedings instituted against a license. The proposed rule prescribes time delays for notices sent to a licensee, mechanism for requesting a stay, and procedures governing administrative action with respect to a license in accordance with R.S. 22:2191, et seq.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule will have no impact on state or local governmental revenues.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule may have an affect on any insurance license issued in Louisiana. The proposed rule sets forth procedures and time delays that govern the institution of administrative and agency proceedings resulting in administrative action against any licensee.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule will have no impact upon competition and employment in the state.

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES**

Person Preparing Statement: <u>Anita R. Robert</u>	Department: <u>Louisiana Department of Insurance</u>
Phone: <u>(225) 219-0609</u>	Office: <u>Management & Finance</u>
Return Address: <u>P. O. Box 94214</u> <u>Baton Rouge, LA</u> <u>70804-9214</u>	Rule Title: <u>Administrative and Agency Proceedings Instituted Against a License</u>
	Effective Date: <u>Upon Publication</u>

SUMMARY

(Use Complete Sentences)

In accordance with Section 953 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a fiscal and economic impact statement on the rule proposed for adoption, repeal or amendment. THE FOLLOWING STATEMENTS SUMMARIZE ATTACHED WORKSHEETS, I THROUGH IV AND WILL BE PUBLISHED IN THE LOUISIANA REGISTER WITH THE PROPOSED AGENCY RULE.

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS. (Summary)

The proposed rule is not anticipated to result in implementation costs or savings to the state or local governmental units. The proposed rule is promulgated to establish procedures for governing the administrative and agency proceedings instituted against a license. The proposed rule prescribes time delays for notices sent to a licensee, mechanism for requesting a stay, and procedures governing administrative action with respect to a license in accordance with R.S. 22:2191, et seq.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS. (Summary)

The proposed rule will have no impact on state or local governmental revenues.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NON-GOVERNMENTAL GROUPS. (Summary)

The proposed rule may have an affect on any insurance license issued in Louisiana. The proposed rule sets forth procedures and time delays that govern the institution of administrative and agency proceedings resulting in administrative action against any licensee.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT. (Summary)

The proposed rule will have no impact upon competition and employment in the state.



Denise Gardner, Chief of Staff
La. Department of Insurance

12/6/21

Date of Signature



Legislative Fiscal Officer or Designee

12/8/21

Date of Signature

FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES

The following information is required in order to assist the Legislative Fiscal Office in its review of the fiscal and economic impact statement and to assist the appropriated legislative oversight subcommittee in its deliberations on the proposed rule.

- A. Provide a brief summary of the content of the rule (if proposed for adoption or repeal) or a brief summary of the change in the rule (if proposed for amendment). Attach a copy of the notice of intent and a copy of the rule proposed for initial adoption or repeal (or, in the case of a rule change, copies of the current and proposed rules with amended portions indicated).

The proposed rule is not anticipated to result in implementation cost or savings to the state or local governmental units. The proposed rule is promulgated to establish procedures for governing the institution of administrative and agency proceedings resulting in administrative action with respect to a license in accordance with R.S. 22:2191, et seq. The regulation establishes three types of notice requirements applicable to administrative and agency proceedings instituted against a license

- 1.) Notice of wrongful conduct.
- 2.) Notice of regulatory action
- 3.) Notice of summary suspension

The regulation also prescribes the time delays for each of the respective notices sent to a licensee.

- B. Summarize the circumstances which require this action. If the action is required by federal regulations, attach a copy of the applicable regulation.

The Louisiana Department of Insurance (LDI) is tasked with administering the Insurance Code, which regulates the business of insurance in all of its phases. The proposed rule establishes procedures for governing the institution of administrative and agency proceedings resulting in administrative action with respect to a license in accordance with R.S. 22:2191, et seq.

- C. Compliance with Act 11 of the 1986 First Extraordinary Session:

- (1) Will the proposed rule change result in any increase in expenditure of funds? If so, specify the amount and source of funding.

No increase in expenditure of funds is anticipated as a result of the proposed rule.

- (2) If the answer to (1) above is yes, has the Legislature specifically appropriated the funds necessary for the associated expenditure increase?

____ Yes. If yes, provide documentation.

____ No. If no, provide justification as to why this rule change should be published at this time.

FISCAL AND ECONOMIC IMPACT STATEMENT
WORKSHEET

I. A. COSTS OR SAVINGS TO STATE AGENCIES RESULTING FROM ACTION PROPOSED.

1. What is the anticipated increase (decrease) in costs to implement the proposed action?

LDI does not anticipate any implementation costs (savings) as a result of the proposed rule.

COSTS	FY 22	FY 23	FY 24
Personal Services	0	0	0
Operating Expenses	0	0	0
Professional Services	0	0	0
Other Charges	0	0	0
Equipment	0	0	0
Major Repairs & Constr.	0	0	0
TOTAL	0	0	0
POSITIONS (#)			

2. Provide a narrative explanation of the costs or savings shown in "A.1" above, including the increase or reduction in workload or additional paperwork (number of new forms, additional documentation, etc.) anticipated as a result of the implementation of the proposed action. Describe all data, assumptions, and methods used in calculating these costs.

The proposed rule will have no impact on state or local governmental expenditures.

3. Sources of funding for implementing the proposed rule or rule change.

SOURCE	FY 22	FY 23	FY 24
STATE GENERAL FUND	0	0	0
AGENCY SELF-GENERATED	0	0	0
DEDICATED	0	0	0
FEDERAL FUNDS	0	0	0
OTHER (SPECIFY)	0	0	0
TOTAL	0	0	0

4. Does your agency currently have sufficient funds to implement the proposed action? If not, how and when do you anticipate obtaining such funds?

No additional funding is necessary as a result of the proposed rule.

B. COSTS OR SAVINGS TO LOCAL GOVERNMENTAL UNITS RESULTING FROM THE ACTION PROPOSED.

1. Provide an estimate of the anticipated impact of the proposed action on local governmental units, including adjustments in workload and paperwork requirements. Describe all data, assumptions and methods used in calculating this impact.

There is no impact on local governmental units as a result of the proposed rule.

2. Indicate the sources of funding of local governmental unit(s) which will be affected by these cost or savings.

Not applicable.

FISCAL AND ECONOMIC IMPACT STATEMENT
WORKSHEET
(Continued)

II. EFFECT ON REVENUE COLLECTIONS OF STATE AND LOCAL GOVERNMENTAL UNITS

A. What increase (decrease) in revenues can be anticipated from the proposed action?

The proposed rule will have no impact on state or local governmental revenues.

REVENUE INCREASE/DECREASE	FY 22	FY 23	FY 24
STATE GENERAL FUND	0	0	0
AGENCY SELF-GENERATED	0	0	0
DEDICATED FUNDS*	0	0	0
FEDERAL FUNDS	0	0	0
LOCAL FUNDS	0	0	0
TOTAL	0	0	0

*Specify the particular fund being impacted.

B. Provide a narrative explanation of each increase or decrease in revenues shown in "A". Describe all data, assumptions and methods used in calculating these increases or decreases.

III. COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NON-GOVERNMENTAL GROUPS

A. What persons, small businesses, or non-governmental groups would be directly affected by the proposed action? For each, provide an estimate and a narrative description of any effect on costs, including workload adjustments and additional paperwork (number of new forms, additional documentation, etc.) they may have to incur as a result of the proposed action.

The proposed rule may have an affect on any insurance license issued in Louisiana. The proposed rule sets forth procedures and time delays that govern the institution of administrataive and agency proceedings resulting in administrative action against any licensee.

B. Also provide an estimate and a narrative description of any impact on receipts and/or income resulting from this rule or rule change to these groups.

The proposed rule is not anticipated to impact on receipts or income of directly affected persons, small businesses, or non-governmental groups.

IV. EFFECTS ON COMPETITION AND EMPLOYMENT

Identify and provide estimates of the impact of the proposed action on competition and employment in the public and private sectors. Include a summary of any data, assumptions and methods used in making these estimates.

The proposed rule will have no impact upon competition and employment in the state.