

Secretary of the State File Number

6235

Regulation of the

Department of Insurance
Concerning

Appearance and representation

Regulations adopted after July 1, 2013, become effective upon posting to the Connecticut eRegulations System, or at a later date if specified within the regulation.

Posted to the Connecticut eRegulations System on **February 2, 2017**

EFFECTIVE DATE

February 2, 2017

Approved by the Attorney General on

November 21, 2016

Approved by the Legislation Regulation Review Committee on

January 24, 2017

Electronic copy with agency head certification statement electronically submitted to and received by the Office of the Secretary of the State on

January 25, 2017

The text of this approved regulation will be published in the Connecticut Law Journal

Form ICM-ECOPY (NEW 6/2015)
State of Connecticut
Secretary of the State



IMPORTANT NOTICE FOR CONNECTICUT STATE AGENCIES
This form should be used only for regulations first noticed *on and after March 23, 2015*.

Electronic Copy Certification Statement

(Submitted in accordance with the provisions of section 4-172 of the Connecticut General Statutes)

Regulation of the
Insurance Department
Concerning
Appearance and Representation

Approved by the Legislative Regulation Review Committee: **January 24, 2017**

eRegulations System Tracking Number: **PR-2016-052**

I hereby certify that the electronic copy of the above-referenced regulation submitted herewith to the Secretary of the State is a true and accurate copy of the regulation approved in accordance with sections 4-169 and 4-170 of the *Connecticut General Statutes*.

And I further certify that in accordance with the approval of Legislative Regulation Review Committee, all required technical corrections, page substitutions and deletions, if any, have been incorporated into said regulation.

In testimony whereof, I have hereunto
set my hand on **January 25, 2017**.

Katharine L. Wade

Commissioner

Insurance Department

State of Connecticut
Regulation of
Insurance Department
Concerning
Appearance and representation

Subdivision (2) of subsection (b) of section 38a-8-33 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 38a-8-33. Appearance and representation

(a) **Taking appearances.** Parties shall enter their appearance at the beginning of the proceedings or at such time as may be designated by the Commissioner by giving their names and addresses and stating their positions or intentions in the proceedings.

(b) **Representation of parties.**

(1) An individual who is a party to a proceeding may represent himself or herself. A bona fide officer designated by a partnership, corporation, association, or an employee of a governmental subdivision or agency that is a party to a proceeding, may represent that party's interest in the proceeding.

(2) A person may be represented in any proceeding by an attorney at law admitted to practice in this state. [An attorney admitted to practice in the highest court of any other state may also be allowed to represent any person in a proceeding before the Commissioner in the discretion of the Commissioner and upon proper application to the Commissioner.] An attorney who is in good standing at the bar of another state, the District of Columbia, or the commonwealth of Puerto Rico, may also be allowed to represent any person in a proceeding before the Commissioner, provided such attorney is in compliance with the requirements of section 2-16 of the Connecticut Practice Book.

(3) An attorney or other authorized representative of a party shall file a Notice of Appearance with the Commissioner in the following form, except that a Notice of Appearance shall not be required of an attorney representing the insurance department in such proceedings:

STATE OF CONNECTICUT
 INSURANCE DEPARTMENT

In the Matter of:

Docket No. _____

NOTICE OF APPEARANCE

Please enter my appearance in the above-designated matter on behalf of _____.

I am authorized to accept service on behalf of said participation in this matter.

Signature

Name (Printed)

P.O. box/address

City, state and zip code

Telephone number (including area code)

E-mail address

After a notice of appearance has been filed in accordance with this section, copies of all pleadings, notices, rulings, or decisions shall be served on each and every person named in the notices of appearance.

R-39 Rev. 02/2012

Statement of Purpose: The purpose is to amend this regulation to reflect changes to section 2-16 of the Practice Book that require an out-of-state attorney to seek permission of the court to participate in any proceeding before any state agency, commission, board or tribunal in this state.

IMPORTANT NOTICE FOR CONNECTICUT STATE AGENCIES

This form is to be used for proposed permanent and technical amendment regulations only and must be completed in full.

AGENCY CERTIFICATION**Insurance Department**

Proposed Regulation Concerning

Appearance and RepresentationeRegulations System Tracking Number **PR2016-052****I hereby certify the following:**

(1) The above-referenced **regulation** is proposed pursuant to the following statutory authority or authorities: **CGS Sections 38a-8, 4-167 and Practice Book Section 2-16.**

For technical amendment regulations proposed without a comment period, complete #2 below, then skip to #8.

(2) As permitted by Section 4-168(h) of the *Connecticut General Statutes*, the agency elected to proceed without prior notice or hearing and posted the text of the proposed technical amendment regulation on eRegulations System website on _____.

For all other non-emergency proposed regulations, complete #3 - #7 below, then complete #8)

(3) The agency posted notice of intent with a specified comment period of not less than 30 days to the eRegulations System website on **September 28, 2016.**

(4) *(Complete one)* No public hearing held or was required to be held. **OR** One or more public hearings were held on: **<<select and enter dates>>**.

(5) The agency posted notice of decision to move forward with the proposed regulation to the eRegulations System website on **November 1, 2016.**

(6) *(Complete one)* No comments were received. **OR** Comments were received and the agency posted the statements specified in subdivisions (2) and (3) of CGS Section 4-168(e) to the eRegulations System website on **<<select and enter date>>**.

(7) The final wording of the proposed regulation was posted to the eRegulations System website on **September 28, 2016.**

(8) Subsequent to approval for legal sufficiency by the Attorney General and approval by the Legislative Regulation Review Committee, **the final regulation shall be effective**

(Check one and complete as applicable)

When posted to the eRegulations System website by the Secretary of the State.

OR On _____

(Date must be a specific calendar date not less than 11 days after submission to the Secretary of the State)

Katherine L. Wade

Commissioner

11/1/16

SIGNED

*(Head of Board, Agency or Commission,
or duly authorized deputy)*

OFFICIAL TITLE

DATE

**OFFICE OF THE ATTORNEY GENERAL
REGULATION CERTIFICATION**

Agency Insurance Department

REGULATION NUMBER PR2016-52

This Regulation is hereby APPROVED by the Attorney General as to legal sufficiency in accordance with Connecticut General Statutes Section 4-169.

DATE: 11/21/2016

Signed: 
Joseph Rubin, Associate Attorney General
Duly Authorized

The Connecticut General Assembly

Legislative Regulation Review Committee

Senator Paul Doyle
Senate Chair



Representative Christie Carpino
House Chair

Official Record of Committee Action

January 24, 2017

Agency: Insurance Department
Description: APPEARANCE AND REPRESENTATION
LRRC Regulation Number: 2016-030
eRegulation Tracking Number: PR2016-052

The above-referenced regulation has been

Approved with Technical Corrections

by the Legislative Regulation Review Committee in accordance
with CGS Section 4-170.

Richard Eighme
Administrator



State of Connecticut
Office of the Secretary of the State

Confirmation of Electronic Submission

Re: Regulation of the Insurance Department concerning Appearance and representation
eRegulations System Tracking Number PR2016-052
Legislative Regulation Review Committee Docket Number 2016-030

The above-referenced regulation was electronically submitted to the Office of the Secretary of the State in accordance with Connecticut General Statutes Section 4-172 on January 25, 2017.

Said regulation is assigned Secretary of the State File Number 6235.

The effective date of this regulation is February 2, 2017.

A handwritten signature in black ink that reads "Denise W. Merrill".

Denise W. Merrill
Secretary of the State
February 2, 2017

By:

/s/ Kristin M. Karr

Kristin M. Karr
Administrative Law
Information Systems Manager