

## Michigan Office of Administrative Hearings and Rules

611 West Ottawa Street; 2nd Floor, Ottawa Building

Lansing, MI 48933

Phone: (517) 335-8658 FAX: (517) 335-9512

### REQUEST FOR RULEMAKING (RFR)

Under the Administrative Procedures Act (APA), 1969 PA 306, the agency that has the statutory authority to promulgate rules must electronically file an RFR with the Michigan Office of Administrative Hearings and Rules (MOAHR) before initiating any changes or additions to the rules. Submit copy to the MOAHR at [orr@michigan.gov](mailto:orr@michigan.gov).

#### 1. Agency Information

Agency name:	Department of Insurance and Financial Services
Division/Bureau/Office:	Office of General Counsel
Name, title, phone number, and e-mail of person completing this form:	Sarah Wohlford, Deputy General Counsel, 517-284-8743, <a href="mailto:wohlfords@michigan.gov">wohlfords@michigan.gov</a>

#### 2. Rule Set Information

Title of proposed rule set:	Mortality Table for Group Annuity Valuation
Rule number(s) or range of numbers:	R 500.1291
Included in agency's annual regulatory plan as rule to be processed in current year?	No.

#### 3. Estimated timetable for completion, or statutory deadline, if applicable:

As soon as possible.
----------------------

#### 4. Describe the general purpose of these rules, including any problem(s) the changes are intended to address:

This rule was originally promulgated to permit the use of certain mortality tables for determining the minimum standard of valuation for group annuity contracts. PA 558 of 2016 amended Section 835 of the Insurance Code of 1956, MCL 500.835, to allow insurers to utilize different mortality tables. Accordingly, the rule is obsolete and should be rescinded.
--

#### 5. Cite the specific rule promulgation authority (i.e. agency director, commission, board, etc., listing all applicable statutory references. If the rule(s) are mandated by any applicable constitutional or statutory provision, please explain.

This rule was promulgated under the permissive authority in MCL 500.835. The rule is being proposed for rescission and is not mandatory under any applicable constitutional or statutory provision.
---

#### 6. Describe the extent to which the rule(s) conflict with, duplicate, or exceed similar regulations, compliance requirements, or other standards adopted at the state, regional, or federal level. Include applicable public act and statutory references.

The rule does not conflict with, duplicate, or exceed similar regulations, compliance requirements, or other standards adopted at the state, regional, or federal level.
--

#### 7. Is the subject matter of the rule(s) currently contained in any guideline, manual, handbook, instructional bulletin, form with instructions, or operational memo?

No.
-----

**8. Explain whether the rule(s) will be promulgated under Sections 44 or 48 of the APA or the full rulemaking process:**

This rule will be rescinded pursuant to Section 44 of the APA, MCL 24.244, because it is now obsolete.

**9. Do the rule(s) incorporate the recommendations of any Advisory Rules Committee formed pursuant to Executive Order 2011-5? If yes, explain.**

No.

**10. Is there an applicable decision record as defined in Section 3(6) and required by Section 39(2) of the APA? If so, please attach the decision record.**

No.

**11. Reviewed by the following Departmental Regulatory Affairs Officer:**

Sarah Wohlford

-----  
↓ To be completed by the MOAHR ↓

Date RFR received:4-17-2019

**Based on the information in this RFR, the MOAHR concludes that there are sufficient policy and legal bases for approving the RFR.**

ORR assigned rule set number:	<b>2019-041 IF</b>
Date of approval:	<b>4/24/19</b>

**Based on the information in this RFR, the MOAHR is not approving the RFR at this time.**

Date of disapproval:	
Explanation:	