

**Title 20—DEPARTMENT OF
COMMERCE AND INSURANCE
Division 100—Insurer Conduct
Chapter 8—Market Conduct Examination**

PROPOSED AMENDMENT

20 CSR 100-8.040 Insurer Record Retention. The department is amending section (6).

PURPOSE: This amendment updates the rule so it is consistent with section 374.192.1, RSMo Supp. 2024, streamlines the rule to consolidate repetitive language, codifies an insurer's right to seek an extension of time, and notifies insurers of a procedure for obtaining an extension of time.

(6) Time Limits to Provide Records and to Respond to Examiners.

(A) *[Pursuant to section 374.205.2(2), RSMo, an]* **An insurer shall provide any record or material requested by any examiner or written response to any inquiry submitted by any examiner within [ten (10)] the number of calendar days specified in the request. Pursuant to section 374.192.1, RSMo. Supp. 2024, the specified timeframe for an insurer to respond shall not be less than thirty (30) calendar days. However, to facilitate more efficient and expeditious completion of examinations, insurers are encouraged to respond to inquiries and requests from examiners as soon as a response is available. When the requested record, material, or written response is not [or cannot be] produced by the insurer within [ten (10) calendar days] the specified timeframe, this nonproduction is deemed a violation of section 374.205.2(2), RSMo, and this rule, unless the insurer can demonstrate, within the specified timeframe, to the satisfaction of the director that the requested record, material, or written response cannot reasonably be provided, [within ten (10) calendar days of the request] or the insurer requests and the director grants an extension of time for good cause shown.**

[(B) As a means to facilitate the examination and to aid in the examination in accordance with section 374.205.2(2), RSMo, an insurer shall provide a written response to any inquiry submitted by any examiner within ten (10) calendar days. When the requested information is not provided by the insurer within ten (10) calendar days, a violation is deemed to have occurred, unless the insurer can demonstrate to the satisfaction of the director that the requested response cannot reasonably be provided within ten (10) calendar days of the inquiry.]

AUTHORITY: sections 374.045, 374.205, 374.207, and 375.948, RSMo 2016.* *Original rule filed Nov. 1, 2007, effective July 30, 2008. Emergency amendment filed June 23, 2008, effective July 30, 2008, expired Feb. 26, 2009. Amended: Filed June 23, 2008, effective Jan. 30, 2009. Amended: Filed May 13, 2019, effective Nov. 30, 2019. Amended: Filed September 23, 2025*

**Original authority: 374.045, RSMo 1967, amended 1993, 1995, 2008; 374.205, RSMo 1992, amended 1997, 1999, 2016; 374.207, RSMo 1992; and 375.948, RSMo 1959, amended 1978, 1991.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Commerce and Insurance, Attention: Katherine Walsh, PO Box 690, Jefferson City, Missouri 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. A public hearing is scheduled for November 12, 2025 at the Missouri Department of Commerce and Insurance, Room 530, 301 West High Street, Jefferson City, Missouri 65101.