

(E) SUBJECT TO THE INSURER'S RIGHT TO A HEARING, WHEN THE COMMISSIONER NOTIFIES AN INSURER THAT THE INSURER'S RBC PLAN OR REVISED RBC PLAN IS UNSATISFACTORY, THE COMMISSIONER MAY SPECIFY IN THE NOTIFICATION THAT THE NOTIFICATION CONSTITUTES A REGULATORY ACTION LEVEL EVENT.

(F) (1) EVERY DOMESTIC INSURER THAT FILES AN RBC PLAN OR REVISED RBC PLAN WITH THE COMMISSIONER SHALL FILE A COPY OF THE RBC PLAN OR REVISED RBC PLAN WITH THE INSURANCE COMMISSIONER OF ANY STATE IN WHICH THE INSURER IS AUTHORIZED TO DO BUSINESS IF:

(I) THE STATE HAS A CONFIDENTIALITY PROVISION SUBSTANTIALLY SIMILAR TO § 747(A) OF THIS SUBTITLE; AND

(II) THE INSURANCE COMMISSIONER OF THAT STATE HAS NOTIFIED THE INSURER IN WRITING OF ITS REQUEST FOR THE FILING.

(2) UPON A REQUEST MADE BY AN INSURANCE COMMISSIONER OF ANOTHER STATE UNDER THIS SUBSECTION, THE INSURER SHALL FILE A COPY OF THE RBC PLAN OR REVISED RBC PLAN WITH THE INSURANCE COMMISSIONER REQUESTING THE PLAN BY THE LATER OF:

(I) 15 DAYS AFTER THE RECEIPT OF NOTICE TO FILE A COPY OF ITS RBC PLAN OR REVISED RBC PLAN WITH THAT STATE; OR

(II) THE DATE ON WHICH THE RBC PLAN OR REVISED RBC PLAN IS FILED UNDER SUBSECTION (C) OR SUBSECTION (D) OF THIS SECTION.

743.

(A) A REGULATORY ACTION LEVEL EVENT OCCURS WHEN:

(1) AN INSURER FILES AN RBC REPORT WHICH INDICATES THAT THE INSURER'S TOTAL ADJUSTED CAPITAL IS:

(I) GREATER THAN OR EQUAL TO ITS AUTHORIZED CONTROL LEVEL RBC; AND

(II) LESS THAN ITS REGULATORY ACTION LEVEL RBC;

(2) THE COMMISSIONER NOTIFIES AN INSURER OF AN ADJUSTED RBC REPORT THAT INDICATES AN EVENT UNDER PARAGRAPH (1) OF THIS SUBSECTION;

(3) IF AN INSURER REQUESTS A HEARING TO CHALLENGE AN ADJUSTED RBC REPORT THAT INDICATES AN EVENT UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE COMMISSIONER NOTIFIES THE INSURER THAT THE COMMISSIONER, AFTER A HEARING, HAS REJECTED THE INSURER'S CHALLENGE;

(4) AN INSURER FAILS TO FILE AN RBC REPORT BY THE FILING DATE, UNLESS THE INSURER:

(I) HAS PROVIDED THE COMMISSIONER WITH A SATISFACTORY EXPLANATION FOR THE FAILURE; AND