



Department of Insurance

Mike DeWine, Governor
Jon Husted, Lt. Governor

Judith L. French, Director

IN THE MATTER OF PUBLIC HEARING	:	
FOR THE RESCISSION OF	:	NOTICE OF
OHIO ADMINISTRATIVE CODE	:	PUBLIC HEARING
SECTIONS 3901-2-02, 3901-2-03, 3901-2-06,	:	
3901-2-07, 3901-2-09, 3901-2-10, 3901-2-11,	:	
3901-5-02, and 3901-5-04	:	
IN THE MATTER OF PUBLIC HEARING	:	
FOR THE PROMULGATION OF	:	NOTICE OF
OHIO ADMINISTRATIVE CODE	:	PUBLIC HEARING
SECTIONS 3901-2-02, 3901-2-03, 3901-2-06,	:	
3901-2-07, 3901-2-09, 3901-2-10, 3901-2-11,	:	
3901-5-02, and 3901-5-04	:	

Pursuant to section 119.03 of the Ohio Revised Code, the Superintendent of Insurance, State of Ohio, will hold a public hearing at 10:00 a.m., on Monday, September 30, 2024, at the Ohio Department of Insurance, Public Hearing Room, 50 West Town Street, 3rd Floor, Suite 300, Columbus, Ohio, to consider the rescission and promulgation of Ohio Administrative Code sections:

3901-2-02	Definitions.
3901-2-03	Solicitations to which Chapter 3901-2 of the Administrative Code applies.
3901-2-06	Presentation of information in proxy statement.
3901-2-07	Materials required to be filed.
3901-2-09	Proposals of security holders.
3901-2-10	False or misleading statements.
3901-2-11	Prohibition of certain solicitations.
3901-5-02	Continuing education provider
3901-5-04	Continuing education market practices/audit.

The public hearing will also be conducted remotely by video conferencing coordinated by the Ohio Department of Insurance (“Department”). Instructions and a web link and/or telephone number for accessing the hearing will be provided on the Department’s web site, www.insurance.ohio.gov. Alternatively, a request for the web link and/or telephone number may be submitted to ecomment@Insurance.ohio.gov.

The Department is committed to providing access and inclusion and reasonable accommodation in accordance with the Americans with Disabilities Act (ADA) and other applicable laws. To request a reasonable accommodation due to a disability please contact the Department’s ADA Coordinator, Andrew Skel, by emailing Andrew.Skel@insurance.ohio.gov or calling 1-614-644-3264 or for TTY 711 (then dial) 614-644-3264. Requests made 14 days prior to an event will generally allow us to provide seamless access, but we will make every effort to meet requests made after this date.

The purpose of rule 3901-2-02 is to define certain terms as used in Chapter 3901-2 of the Administrative Code.

Rule 3901-2-02 is being reviewed as part of the agency five-year rule review. Rule is being rescinded to new per the fifty per cent filing guidelines. The proposed amendments will add purpose, authority and severability paragraphs to bring the rule into compliance with standard department rule formatting.

The purpose of rule 3901-2-03 is to identify specific rules that apply to solicitations subject to Chapter 3901-2 of the Administrative Code.

Rule 3901-2-03 is being reviewed as part of the agency five-year rule review. Rule is being rescinded to new per the fifty per cent filing guidelines. The proposed amendments will add purpose, authority and severability paragraphs to bring the rule into compliance with standard department rule formatting.

The purpose of rule 3901-2-06 is to set forth the manner in which information should be presented in a form of proxy, proxy statement, or solicitation subject to Chapter 3901-2 of the Administrative Code.

Rule 3901-2-06 is being reviewed as part of the agency five-year rule review. Rule is being rescinded to new per the fifty per cent filing guidelines. The proposed amendments will add purpose, authority and severability sections to bring the rule into compliance with standard department rule formatting; as well as make technical amendments and remove regulatory restrictions.

The purpose of rule 3901-2-07 is to identify the form of proxy, proxy statement, or solicitation material that should be filed with the superintendent of insurance when such form of proxy, proxy statement, or solicitation material is subject to Chapter 3901-2 of the Administrative Code.

Rule 3901-2-07 is being reviewed as part of the agency five-year rule review. Rule is being rescinded to new per the fifty per cent filing guidelines. The proposed amendments will add purpose, authority and severability sections to bring the rule into compliance with standard department rule formatting, as well as make technical amendments.

The purpose of rule 3901-2-09 is to identify the manner in which a proponent may present to security holders a proposal in a form of proxy or proxy statement that is subject to Chapter 3901-2 of the Administrative Code.

Rule 3901-2-09 is being reviewed as part of the agency five-year rule review. Rule is being rescinded to new per the fifty per cent filing guidelines. The proposed amendments will add purpose, authority and severability sections to bring the rule into compliance with standard department rule formatting; as well as make technical amendments and remove regulatory restrictions.

The purpose of rule 3901-2-10 is to prohibit false or misleading statements from a proxy statement, form of proxy, notice of meeting, information statement, or other communication subject to Chapter 3901-2 of the Administrative Code.

Rule 3901-2-10 is being reviewed as part of the agency five-year rule review. Rule is being rescinded to new per the fifty per cent filing guidelines. The proposed amendments will add purpose, authority and severability sections to bring the rule into compliance with standard department rule formatting, as well as make technical amendments and remove a regulatory restriction.

The purpose of rule 3901-2-11 is to prohibit any person from soliciting an undated or postdated proxy statement that is subject to Chapter 3901-2 of the Administrative Code.

Rule 3901-2-11 is being reviewed as part of the agency five-year rule review. Rule is being rescinded to new per the fifty per cent filing guidelines. The proposed amendments are technical for department rule formatting purposes and will reduce regulatory restrictions.

The purpose of rule 3901-5-02 is to establish the procedure to review insurance continuing education provider applications.

Rule 3901-5-02 is being reviewed as part of the agency five-year rule review. Rule is being rescinded to new per the fifty per cent filing guidelines. The proposed amendments are technical and will reduce regulatory restrictions as well as improve understanding of the rule requirements.

The purpose of rule 3901-5-04 is to establish criteria, standards and procedures for providers of continuing education (CE) programs.

Rule 3901-5-04 is being reviewed as part of the agency five-year rule review. Rule is being rescinded to new per the fifty per cent filing guidelines. The proposed amendments are technical and will reduce regulatory restrictions as well as improve understanding of the rule requirements.

Requests for copies of these rules should be addressed to Tina Chubb, Ohio Department of Insurance, 50 West Town Street, 3rd Floor, Suite 300, Columbus, Ohio 43215, or proposed rules can be viewed online at www.insurance.ohio.gov.

Matthew Walsh, Staff Attorney