

**521E.1 Definitions.**

As used in this chapter, unless the context otherwise requires:

1. “*Adjusted risk-based capital report*” means a risk-based capital report adjusted by the commissioner pursuant to section 521E.2, subsection 5.
2. “*Commissioner*” means the commissioner of insurance.
3. “*Corrective order*” means an order issued by the commissioner of insurance specifying corrective actions which the commissioner has determined are required.
4. “*Domestic insurer*” means an insurance company domiciled in this state and licensed to transact the business of insurance under chapter 508, 512B, 515, or 520, except that it shall not include any of the following:
  - a. An agency, authority, or instrumentality of the United States, its possessions and territories, the commonwealth of Puerto Rico, the District of Columbia, or a state or political subdivision of a state.
  - b. A nonprofit medical, hospital, or dental service corporation organized under chapter 514.
  - c. A county mutual insurance association organized under chapter 518.
  - d. A state mutual insurance association organized under chapter 518A.
  - e. A health maintenance organization organized under chapter 514B.
5. “*Filing date*” means March 1 of each year.
6. “*Foreign insurer*” means an insurance company not domiciled in this state which is licensed to transact the business of insurance in this state under chapter 508, 512B, 515, or 520.
7. “*Life and health insurer*” means an insurance company licensed under chapter 508, a fraternal benefit society organized under chapter 512B, or a licensed property and casualty insurer writing only accident and health insurance under chapter 515.
8. “*Negative trend*” means a negative trend over a period of time as determined in accordance with the trend test calculation included in the risk-based capital instructions.
9. “*Property and casualty insurer*” means an insurance company licensed under chapter 515 but does not include monoline mortgage guaranty insurers, financial guaranty insurers, or title insurers.
10. “*Revised risk-based capital plan*” is a risk-based capital plan which has been rejected by the commissioner and has been revised by the insurer, with or without the commissioner’s recommendation.
11. “*Risk-based capital instructions*” means the instructions included in the risk-based capital report as adopted by the national association of insurance commissioners, as such risk-based capital instructions may be amended by the national association of insurance commissioners from time to time in accordance with the procedures adopted by the national association of insurance commissioners.
12. “*Risk-based capital level*” means an insurer’s company-action-level risk-based capital, regulatory-action-level risk-based capital, authorized-control-level risk-based capital, or mandatory-control-level risk-based capital as follows:
  - a. “*Company-action-level risk-based capital*” means, with respect to any insurer, the product of two and the insurer’s authorized-control-level risk-based capital.
  - b. “*Regulatory-action-level risk-based capital*” means the product of one and one-half and the insurer’s authorized-control-level risk-based capital.
  - c. “*Authorized-control-level risk-based capital*” means the number determined under the risk-based capital formula in accordance with the risk-based capital instructions.
  - d. “*Mandatory-control-level risk-based capital*” means the product of seven-tenths and the insurer’s authorized-control-level risk-based capital.
13. “*Risk-based capital plan*” means a comprehensive financial plan containing the elements identified in section 521E.3, subsection 2.
14. “*Risk-based capital report*” means the report required to be prepared and submitted to the commissioner pursuant to section 521E.2.
15. “*Total adjusted capital*” means the sum of the following:
  - a. An insurer’s statutory capital and surplus.

*b.* Such other items, if any, as identified in the risk-based capital instructions.

96 Acts, ch 1046, §9; 2000 Acts, ch 1023, §56; 2013 Acts, ch 124, §25 – 27

[T] Subsection 4, unnumbered paragraph 1 amended

[T] Subsection 4, paragraph b stricken and former paragraphs c – f redesignated as b – e

[T] Subsections 6 and 7 amended