

INSURANCE
DEPARTMENT OF BANKING AND INSURANCE
DIVISION OF INSURANCE

Group Self-Insurance

Readoption with Amendments: N.J.A.C. 11:15

Proposed: October 18, 2004

Adopted: March 10, 2005 by Donald Bryan, Acting Commissioner, Department of Banking and Insurance

Filed: March 10, 2005 as R. 2005 d. 112, with a substantive change not requiring additional public written comments (see N.J.A.C. 1:30-6.3)

Authority: N.J.S.A. 17:1-8.1, 17:1-15e, 17:49A-1 et seq., 34:15-77 et seq., 18A:18B-1 et seq., and 40A:10-36 et seq.

Effective Date: March 10, 2005, Readoption
April 4, 2005, Amendments

Expiration Date: March 10, 2010

Summary of Public Comment and Agency Response:

The Department of Banking and Insurance (Department) received one timely written comment from the New Jersey School Boards Association Insurance Group.

COMMENT: The commenter inquired whether county colleges were correctly included in the provision at N.J.A.C. 11:15-4.3(c)5 that provides for the expenses of defending claims.

RESPONSE: There is no statutory authority in N.J.S.A. 18A:18B-1 et seq. or elsewhere for the inclusion of county colleges in the rule. Accordingly, the reference to county colleges in N.J.A.C. 11:15-4.3(c)5 is being deleted upon adoption.

Federal Standards Statement

A Federal standards analysis is not required because the rules readopted with amendments is not subject to any Federal requirements or standards.

Full text of the readopted rules can be found in the New Jersey Administrative Code at N.J.A.C.

11:15

Full text of the adopted amendments follows; deletion from proposal indicated in brackets with asterisks *[thus]*):

11:15-4.3 Agreement to join joint insurance fund; duration

(a) – (b) (No change.)

(c) A joint insurance fund formed pursuant to N.J.S.A. 18A:18B-1 et seq. and this subchapter shall have the power to insure, contract or provide for any insurable interest of the member solely for the following:

1. – 4. (No change from proposal.)

5. Expenses of defending any claim against the school board *[or county college]*, officer, employee or servant arising out of and in the course of performance of their duties, whether or not liability exists on the claim;

6. – 10. (No change from proposal.)