

[insurance/managedcare/tpapage.htm](#). The information that shall accompany the application shall include:

1.-2. (No change.)

3. A biographical affidavit on the form provided on the Department's website at [[www.njdobi.org/tpapage.htm](#)] [www.state.nj.us/dobi/division/insurance/managedcare/tpapage.htm](#) or on the NAIC biographical affidavit form, which is incorporated by reference, as amended and supplemented, and which can be found on the NAIC website at [[http://www.naic.org/ucaa/forms/forms.htm](#)] [https://www.naic.org/documents/industry\\_ucaa\\_form11.pdf](#), including the name, address, and official position of each person responsible for conducting the affairs of the applicant, including, but not limited to, if applicable: the members of the board of directors, executive committee, or other governing board or committee; the principal officers or partners; shareholders owning or having the right to acquire 10 percent or more of the voting securities of the corporation or partnership interest of a partnership, or equity interest, in the case of another form of business organization; or any person or entity who has loaned funds to the applicant for the operation of the business;

4.-6. (No change.)

(c) (No change.)

#### SUBCHAPTER 5. [THIRD PARTY] THIRD-PARTY BILLING SERVICES

##### 11:23-5.2 Application filing requirements

(a) Application for certification shall be made to the Commissioner on a form provided by the Commissioner that can be found on the Department's website at [[www.dobi.nj.gov/tpapage.htm](#)] [www.state.nj.us/dobi/division/insurance/managedcare/tpapage.htm](#).

(b) (No change.)

(a)

## DEPARTMENT OF BANKING AND INSURANCE DIVISION OF INSURANCE

### Notice of Readoption

### Office of the Insurance Claims Ombudsman

### Readoption with Technical Changes: N.J.A.C. 11:25

Authority: N.J.S.A. 17:1-8.1, 17:1-15.e, and 17:29E-1 et seq.

Authorized By: Marlene Caride, Commissioner, Department of Banking and Insurance.

Effective Dates: November 23, 2021, Readoption;  
December 20, 2021, Technical Changes.

New Expiration Date: November 23, 2028.

**Take notice** that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 11:25 were scheduled to expire on October 10, 2021. Pursuant to Executive Order Nos. 127 (2020) and 244 (2021) and P.L. 2021, c. 103, any chapter of the New Jersey Administrative Code that would otherwise have expired during the Public Health Emergency originally declared in Executive Order No. 103 (2020) is extended through January 1, 2022. Therefore, this chapter has not yet expired and the 30-day filing date pursuant to N.J.S.A. 52:14B-5.1.c has not yet occurred, therefore, pursuant to Executive Order No. 244 (2021), and P.L. 2021, c. 103, this notice of readoption is timely filed.

The rules operate to establish procedures for the Insurance Claim Ombudsman to exercise his or her statutory authority; and to implement the provisions at N.J.S.A. 17:29E-9, that requires life and property and casualty insurers to establish an internal appeals procedure for consumers seeking review of disputed claims. The Department of Banking and Insurance has reviewed N.J.A.C. 11:25 and has determined that the chapter remains necessary, proper, reasonable, efficient, understandable, and responsive to the purposes for which it was originally promulgated, as amended and supplemented over time, and should be readopted with technical changes. Therefore, pursuant to N.J.S.A. 52:14B-5.1.c(1),

N.J.A.C. 11:25 is readopted and shall continue in effect for a seven-year period, with technical changes to update certain contact information.

N.J.A.C. 11:25-1 establishes procedures for the Insurance Claims Ombudsman to exercise his or her statutory authority to:

- Investigate consumer complaints regarding policies of insurance, including the payment of claims;
- Monitor the implementation of N.J.S.A. 17:23A-1 et seq. (disclosure practices of policyholders' personal information); N.J.S.A. 17:29B-1 et seq., and 17B:30-1 et seq. (unfair methods of competition; unfair, deceptive, and discriminatory acts or practices); and N.J.S.A. 17:35C-1 et seq. (regulation of contract provisions; and required disclosure to consumers in Medicare supplement health insurance policies);
- Monitor and investigate violations of N.J.S.A. 17:35C-11 (use of false, misleading, or fraudulent statements in advertising to sell Medicare supplement insurance);
- Respond to consumer inquiries, including, but not limited to, those regarding policy terms and availability of coverage;
- Ensure that accurate and understandable buyers' guides and rate comparisons are published and disseminated to consumers;
- Review consumer complaints regarding the conduct of arbitrators appointed under the terms of a policy of insurance (except policies issued pursuant to N.J.S.A. 39:6A-1 et seq.);
- Review disputes that are appealed by consumers after an internal appeals procedure (N.J.A.C. 11:25-2) is conducted by life, property, and casualty insurers; and
- Investigate such other improper patterns or practices as are deemed necessary and appropriate to the Office of the Insurance Claims Ombudsman.

The Department is updating the contact information for the Office of the Insurance Claims Ombudsman listed at N.J.A.C. 11:25-1.3(b) and 1.7(d). The changed text includes an updated facsimile number, as well as a current mailing and email address for the Office of the Insurance Claims Ombudsman; and also adds a website address for the electronic submission of consumer complaints and publication of this information by insurers.

N.J.A.C. 11:25-2 implements the provisions at N.J.S.A. 17:29E-9, that requires life, property, and casualty insurers to establish an internal appeals procedure for consumers seeking review of disputed claims. More specifically, this subchapter sets forth the general requirements for insurer internal appeals systems, including the composition of an internal appeals panel; requirements related to notice to insureds and maintenance of data and records; and penalties for noncompliance.

**Full text** of the technical changes follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

#### SUBCHAPTER 1. GENERAL POWERS AND DUTIES

##### 11:25-1.3 General provisions; disputed claims

(a) (No change.)

(b) Consumers seeking review in accordance with (a) above shall file a complaint with the Ombudsman in any form, which indicates that the complainant is seeking review of a disputed claim. All complaints shall be sent to:

[The Office of Insurance Claims Ombudsman]

**New Jersey Department of Banking and Insurance**

**Consumer Assistance**

20 West State Street

PO Box [472] **329**

Trenton, NJ 08625-[0472]**0329**

Telephone: [(800) 446-7467] **(609) 292-7272**

Telefax: (609) 292-2431 or **(609) 777-0508**

**Automated Hotline: 1-800-446-7467**

E-mail: [[ombudsman@dobi.state.nj.us](#)] [ombudsman@dobi.nj.gov](#)

**Electronic complaint submissions:** [https://www.state.nj.us/dobi/consumer.htm](#)

11:25-1.7 Publication of information

(a)-(c) (No change.)

(d) Any document described [in] at (a), (b), and (c) above shall list the following information for contacting the Ombudsman:

[Office of Insurance Claims Ombudsman  
Department of Banking and Insurance]

**New Jersey Department of Banking and Insurance**

**Consumer Assistance**

20 West State Street

PO Box [472] 329

Trenton, NJ 08625-[0472]0329

Telephone: [(800) 446-7467] (609) 292-7272

Telefax: (609) 292-2431 or (609) 777-0508

**Automated Hotline: 1-800-446-7467**

E-mail: [ombudsman@dobi.state.nj.us](mailto:ombudsman@dobi.state.nj.us)

**Electronic complaint submissions:** <https://www.state.nj.us/dobi/consumer.htm>

## LABOR AND WORKFORCE DEVELOPMENT

(a)

### INCOME SECURITY

#### 2022 Maximum Weekly Benefit Rates

#### 2022 Taxable Wage Base Under the Unemployment Compensation Law

#### 2022 Contribution Rate of Governmental Entities and Instrumentalities

#### 2022 Base Week

#### 2022 Alternative Earnings Test

#### Adopted Amendments: N.J.A.C. 12:15-1.2, 1.3, 1.4, 1.5, and 1.6

Proposed: September 7, 2021, at 53 N.J.R. 1465(a).

Adopted: November 22, 2021, by Robert Asaro-Angelo, Commissioner, Department of Labor and Workforce Development.

Filed: November 22, 2021, as R.2021 d.149, **without change**.

Authority: N.J.S.A. 34:1-5, 34:1-20, 34:1A-3(e), 43:21-3(c), 43:21-4(e), 43:21-7(b)(3), 43:21-7.3(e), 43:21-19(t), 43:21-27, 43:21-40, and 43:21-41.

Effective Date: December 20, 2021.

Expiration Date: March 14, 2025.

#### Summary of Hearing Officer's Recommendations and Agency's Response:

The period for submission of written comments regarding the proposed amendments ended on November 6, 2021. The Department of Labor and Workforce Development, received a single written comment. David Fish, Executive Director of Legal and Regulatory Services for the Department, reviewed the written comment and recommended that the Department proceed with the proposed amendments without change.

#### Summary of Public Comment and Agency Response:

A written comment was submitted by Jean Public (submitted with information indicating that the commenter may also use the name Barbara Sachau; submitted by email with no mailing address).

COMMENT: The following is the commenter's remarks in their entirety:

The rates as computed are far too high and need to be recomputed under a new system we need to change so that being on UI etc. does not become a known vacation. The rates are very high and enable relatively rich people to profit while those in NJ on the lower end of the scale are dunned for every penny they don't have. I think we need a reevaluation of the way we compute these funds since every year they reach more and more un-scalable heights

which has in fact put our UI fund at tremendous trillion dollars' loss thus far and such high rates make employers leave NJ.

RESPONSE: The Department is required by statute, N.J.S.A. 43:21-3 and 43:21-40, to recompute and promulgate, on an annual basis, the maximum weekly benefit rate for unemployment compensation and the maximum weekly benefit rate for State Plan temporary disability and family leave insurance benefits. The formula for calculating these new rates is also set forth at N.J.S.A. 43:21-3 (unemployment compensation) and 43:21-40 (temporary disability and family leave insurance benefits). Specifically, N.J.S.A. 43:21-3 states that the maximum weekly benefit rate for unemployment compensation shall be 56 and 2/3 percent of the Statewide average weekly remuneration paid to workers by employers who are subject to the Unemployment Compensation Law (N.J.S.A. 43:21-1 et seq.), computed to the next lower multiple of \$1.00 if not already a multiple thereof. N.J.S.A. 43:21-40 states that the maximum weekly benefit rate for State Plan temporary disability and family leave insurance benefits shall be 53 percent of the Statewide average weekly remuneration paid to workers by employers who are subject to the Unemployment Compensation Law (N.J.S.A. 43:21-1 et seq.), computed to the next lower multiple of \$1.00 if not already a multiple thereof. The Department has no discretion under the law to deviate from these calculations.

#### Federal Standards Statement

The adopted amendments do not contain any standards or requirements that exceed standards or requirements imposed by Federal Law. The adopted amendments affect benefit and contribution levels under the Unemployment Compensation and Temporary Disability Benefits Laws. As a result, an explanation or analysis of the adopted amendments pursuant to N.J.S.A. 52:14B-23 is not required.

Full text of the adoption follows:

### SUBCHAPTER 1. GENERAL PROVISIONS

#### 12:15-1.2 Maximum weekly benefit rates

(a) For unemployment compensation claims commencing on or after January 1, 2022, the maximum weekly benefit rate under the Unemployment Compensation Law shall be \$804.00 per week.

(b) For periods of disability or family leave commencing on or after January 1, 2022, the maximum weekly benefit rate for State Plan temporary disability and family leave insurance benefits under the Temporary Disability Benefits Law shall be \$993.00 per week.

#### 12:15-1.3 Taxable wage base under the Unemployment Compensation Law

(a) In accordance with the provisions of N.J.S.A. 43:21-7(b)(3), the "wages" of any individual with respect to any one employer for the purpose of contributions under the Unemployment Compensation Law shall include the first \$39,800 during the calendar year 2022.

(b) In accordance with the provisions of N.J.S.A. 43:21-7(b)(4), the "wages" of any individual with respect to any one employer for the purpose of contributions to the State Disability Benefits Fund, including the "Family Temporary Disability Leave Account," shall include the first \$151,900 during the calendar year 2022.

#### 12:15-1.4 Contribution rate of governmental entities and instrumentalities

(a) (No change.)

(b) This contribution rate shall be effective on taxable wages paid in the calendar year 2022.

#### 12:15-1.5 Base week

In accordance with the provisions of N.J.S.A. 43:21-19(c)(1) and (t)(3) and 43:21-27(h)(4), the base week amount shall be \$240.00 per week for calendar year 2022.

#### 12:15-1.6 Alternative earnings test

In accordance with the provisions of N.J.S.A. 43:21-4(e)(4)(B) and 43:21-41(d)(2), in those instances in which the individual has not established 20 base weeks, the alternative earnings amount for