Texas Department of Insurance

Rule Transfer Authority

Under Texas Insurance Code §36.001 and §36.002, the commissioner of insurance is authorized to promulgate necessary and appropriate rules to implement the powers and duties of the Texas Department of Insurance under this code and other laws of this state. As part of the Texas Department of Insurance's ongoing rule review process, the commissioner has determined that certain rules are not well organized, and that insurers, insurance companies, issuers, and the public find them difficult to navigate. Therefore, the commissioner finds that a reorganization is needed. Eighteen subchapters in 28 Texas Administrative Code, Part 1, Chapter 3, will be moved to a new Chapter 4 to improve their accessibility.

The rules will be transferred in the Texas Administrative Code effective September 1, 2023.

The following table outlines the rule transfer:

Figure: 28 TAC Chapter 4

Current Rules Title 28. Insurance Part 1. Texas Department of Insurance Chapter 3. Life, Accident, and Health Insurance and Annuities	Move to New Title 28. Insurance Part 1. Texas Department of Insurance Chapter 4. Life and Annuity
Subchapter NN. Consumer Notices for Life Insurance Policy and Annuity Contract Replacements	Subchapter C. Consumer Notices for Life Insurance Policy and Annuity Contract Replacements
28 TAC §§3.9501 - 3.9506	28 TAC §§4.201 - 4.206
§3.9501. Purpose	§4.201. Purpose
§3.9502. Definitions	§4.202. Definitions
§3.9503. Consumer Notice Content and Format Requirements	§4.203. Consumer Notice Content and Format Requirements
§3.9504. Consumer Notice Regarding Replacement for Insurers Using Agents	§4.204. Consumer Notice Regarding Replacement for Insurers Using Agents

\$3.9505. Direct Response Consumer Notices Notices Notices Notices Notices Say506. Filing Procedures for Substantially Similar Consumer Notices Similar Consumer Notices Subchapter B. Individual Life Insurance Policy Form Checklist and Affirmative Requirements 28 TAC \$\$3.101 - 3.128 Say506. Filing Procedures for Substantially Similar Consumer Notices Subchapter F. Individual Life Insurance Policy Form Checklist and Affirmative Requirements 28 TAC \$\$4.601. Payment of Premiums \$3.102. Grace Period \$3.103. Entire Contract \$3.104. Incontestable Clause \$4.602. Grace Period \$3.105. Statements of the Insured \$4.605. Statements of the Insured \$3.106. Misstatement of Age \$3.107. Policy Loans \$3.108. Automatic Nonforfeiture Benefits \$3.109. Automatic Nonforfeiture Benefits \$3.109. Automatic Premium Loans \$4.609. Automatic Premium Loans \$3.110. Cash Value \$4.611. Reinstatement \$3.112. Payment of Claims \$4.613. Family Group Special Requirements \$3.113. Family Group Special Requirements \$3.115. Requirements for a Package Consisting of a Deferred Life Policy with an Accidental Death Rider Attached Riders \$3.117. Preliminary Term Life Insurance \$4.618. Conversion Provision \$4.619. Limitations of Lawsuits \$4.621. Settlement at Maturity \$4.621. Settlement at Maturity \$4.622. Tontine Provisions \$4.622. Tontine Provisions		
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	§3.121. Settlement at Maturity	§4.621. Settlement at Maturity
§3.123. Assignment Provisions §4.623. Assignment Provisions	§3.122. Tontine Provisions	§4.622. Tontine Provisions
	§3.123. Assignment Provisions	§4.623. Assignment Provisions

Subchapter D. Indeterminate Premium Reduction Policies 83.125. Premiums Paid in Advance 83.126. Annuity Contracts 83.127. Certain Prohibited Provisions 84.627. Certain Prohibited Provisions 84.628. Renewal Premium on Term Policies 84.628. Renewal Premium on Term Policies 84.629. Renewal Premium on Term Policies 85.128. Renewal Premium on Term Policies 86.28. Renewal Premium on Term Policies 87. Reduction Policies 88. TAC \$\$4.1001 - 4.1011 89.301. Purpose and Scope 89.302. Policy Form Submission 89.303. Solicitation and Advertising 89.304. Summary of Provisions 89.305. Relation of Initial to Later Premium Pharge 89.306. Premium Redetermination 89.307. Reclassification of Policyholders 89.308. Minimum Nonforfeiture Values 89.309. Minimum Nonforfeiture Values 89.3109. Artificial Maximum Premiums 89.41001. Artificial Maximum Premiums 89.41003. Artificial Maximum Premiums 89.41004. Artificial Maximum Premiums 89.41004. Artificial Maximum Premiums 89.41005. Relation of Policyholders 89.3010. Artificial Maximum Premiums 89.41006. Premium Redetermination 89.41007. Reclassification of Policyholders 89.310. Artificial Maximum Premiums 89.41008. Minimum Nonforfeiture Values 89.3109. Artificial Maximum Premiums 89.41010. Artificial Maximum Premiums 89.41011. General Enforcement 89.41011.	§3.124. Provisions Relating to Dividends,	§4.624. Provisions Relating to Dividends,
Returns 93.125. Premiums Paid in Advance 93.126. Annuity Contracts 94.625. Premiums Paid in Advance 93.127. Certain Prohibited Provisions 93.128. Renewal Premium on Term Policies 93.128. Renewal Premium on Term Policies Subchapter D. Indeterminate Premium Reduction Policies 84.628. Renewal Premium on Term Policies 84.628. Renewal Premium on Term Policies Subchapter J. Indeterminate Premium Reduction Policies 84.1001. Purpose and Scope 93.301. Purpose and Scope 93.302. Policy Form Submission 94.1002. Policy Form Submission 93.303. Solicitation and Advertising 93.304. Summary of Provisions 93.305. Relation of Initial to Later Premium Charge 93.306. Premium Redetermination 94.1005. Relation of Initial to Later Premium Charge 93.307. Reclassification of Policyholders 94.1007. Reclassification of Policyholders 93.308. Minimum Nonforfeiture Values 94.1007. Reclassification of Policyholders 94.1008. Minimum Nonforfeiture Values 94.1010. Artificial Maximum Premiums Prohibited 95.3311. General Enforcement 94.1011. General Enforcement Subchapter K. Standards for Acceleration-of-Life-Insurance Benefits for Individual and Group Policies and Riders 96.102. Acceleration-of-Life-Insurance: 96.103. Acceleration-of-Life-Insurance: 96.104. Acceleration-of-Life-Insurance: 96.105. Returns Premium Premiums Prohibited 97. Acceleration-of-Life-Insurance: 98. Acceleration-of-Life-Insurance: 98. Acceleration-of-Life-Insurance: 98. Acceleration-of-Life-Insurance: 98. Acceleration-of-Life-Insurance: 98. Acceleration-of-Life-Insurance: 98. Acceleration-of-Life-Ins		
\$3.125. Premiums Paid in Advance \$3.126. Annuity Contracts \$3.127. Certain Prohibited Provisions \$3.128. Renewal Premium on Term Policies Subchapter D. Indeterminate Premium Reduction Policies 28 TAC \$\$3.301 - 3.311 \$3.301. Purpose and Scope \$3.302. Policy Form Submission \$3.303. Solicitation and Advertising \$3.304. Summary of Provisions \$3.305. Relation of Initial to Later Premium Charge \$3.306. Premium Redetermination \$3.307. Reclassification of Policyholders \$3.308. Minimum Nonforfeiture Values \$3.309. Artificial Maximum Premiums Prohibited \$3.311. General Enforcement Subchapter CC. Standards for Acceleration-of-Life-Insurance Benefits \$3.4301. Purpose; Severability \$3.4302. Acceleration-of-Life-Insurance: Scope of Benefits \$3.4303. Required Policy Definitions; \$4.1103. Required Policy Definitions; \$4.1104. Standards for Medical Diagnoses \$4.1104. Standards for Medical \$4.1104. Standards for Medical Subchapter CD Standards for Medical	·	· ·
\$3.127. Certain Prohibited Provisions \$3.128. Renewal Premium on Term Policies \$4.628. Renewal Premium on Term Policies Subchapter D. Indeterminate Premium Reduction Policies 8 TAC \$53.301 - 3.311 \$3.301. Purpose and Scope \$3.302. Policy Form Submission \$3.303. Solicitation and Advertising \$3.304. Summary of Provisions \$3.305. Relation of Initial to Later Premium Charge \$3.306. Premium Redetermination \$3.307. Reclassification of Policyholders \$3.308. Minimum Nonforfeiture Values \$3.310. Artificial Maximum Premiums Prohibited \$3.311. General Enforcement Subchapter CC. Standards for Acceleration-of-Life-Insurance Benefits for Individual and Group Policies and Riders 28 TAC \$53.4301 - 3.4317 \$3.4301. Purpose; Severability \$3.4302. Acceleration-of-Life-Insurance: Scope of Benefits \$3.4303. Required Policy Definitions; Evidence of Total and Permanent Disability \$3.4304. Standards for Medical Diagnoses \$4.1104. Standards for Medical		
\$3.127. Certain Prohibited Provisions \$3.128. Renewal Premium on Term Policies \$4.628. Renewal Premium on Term Policies Subchapter D. Indeterminate Premium Reduction Policies 8 TAC \$53.301 - 3.311 \$3.301. Purpose and Scope \$3.302. Policy Form Submission \$3.303. Solicitation and Advertising \$3.304. Summary of Provisions \$3.305. Relation of Initial to Later Premium Charge \$3.306. Premium Redetermination \$3.307. Reclassification of Policyholders \$3.308. Minimum Nonforfeiture Values \$3.310. Artificial Maximum Premiums Prohibited \$3.311. General Enforcement Subchapter CC. Standards for Acceleration-of-Life-Insurance Benefits for Individual and Group Policies and Riders 28 TAC \$53.4301 - 3.4317 \$3.4301. Purpose; Severability \$3.4302. Acceleration-of-Life-Insurance: Scope of Benefits \$3.4303. Required Policy Definitions; Evidence of Total and Permanent Disability \$3.4304. Standards for Medical Diagnoses \$4.1104. Standards for Medical	§3.126. Annuity Contracts	§4.626. Annuity Contracts
Subchapter D. Indeterminate Premium Reduction Policies 28 TAC §93.301 - 3.311 §3.301. Purpose and Scope §3.302. Policy Form Submission §3.303. Solicitation and Advertising §3.304. Summary of Provisions §3.305. Relation of Initial to Later Premium Charge §3.306. Premium Redetermination §3.307. Reclassification of Policyholders §3.308. Minimum Nonforfeiture Values §3.310. Artificial Maximum Premiums Prohibited §3.311. General Enforcement Subchapter CC. Standards for Acceleration-of-Life-Insurance Benefits for Individual and Group Policies and Riders 28 TAC §93.4301 - 3.4317 §3.4301. Purpose; Severability §3.4302. Acceleration-of-Life-Insurance: Scope of Benefits §3.4303. Required Policy Definitions; Evidence of Total and Permanent Disability §3.4304. Standards for Medical	-	-
Subchapter D. Indeterminate Premium Reduction Policies 28 TAC \$\$3.301 - 3.311 \$3.301. Purpose and Scope \$3.302. Policy Form Submission \$3.303. Solicitation and Advertising \$3.304. Summary of Provisions \$3.305. Relation of Initial to Later Premium Charge \$3.306. Premium Redetermination \$3.307. Reclassification of Policyholders \$3.308. Minimum Nonforfeiture Values \$3.310. Artificial Maximum Premiums Prohibited \$3.311. General Enforcement Subchapter CC. Standards for Acceleration-of-Life-Insurance Benefits for Individual and Group Policies and Riders 28 TAC \$\$3.4301 - 3.4317 \$3.4301. Purpose; Severability \$3.4302. Acceleration-of-Life-Insurance: Scope of Benefits \$3.4303. Required Policy Definitions; Evidence of Total and Permanent Disability \$3.4304. Standards for Medical	§3.128. Renewal Premium on Term Policies	§4.628. Renewal Premium on Term
Reduction Policies 28 TAC \$\$3.301 - 3.311 \$3.301. Purpose and Scope \$4.1001. Purpose and Scope \$3.302. Policy Form Submission \$4.1002. Policy Form Submission \$3.303. Solicitation and Advertising \$4.1003. Solicitation and Advertising \$3.304. Summary of Provisions \$4.1004. Summary of Provisions \$4.1005. Relation of Initial to Later Premium Charge \$4.1006. Premium Redetermination \$4.1006. Premium Redetermination \$4.1007. Reclassification of Policyholders \$4.1007. Reclassification of Policyholders \$4.1008. Minimum Nonforfeiture Values \$4.1008. Minimum Nonforfeiture Values \$4.1010. Artificial Maximum Premiums Prohibited \$4.1010. Artificial Maximum Premiums Prohibited \$4.1011. General Enforcement Subchapter CC. Standards for Acceleration-of-Life-Insurance Benefits for Individual and Group Policies and Riders 28 TAC \$\$3.4301 - 3.4317 \$4.1010. Purpose; Severability \$4.1101. Purpose; Severability \$4.1101. Purpose; Severability \$4.1101. Purpose; Severability \$4.1102. Acceleration-of-Life-Insurance: Scope of Benefits \$4.1103. Required Policy Definitions; Evidence of Total and Permanent Disability \$4.1104. Standards for Medical		Policies
Reduction Policies 28 TAC \$\$3.301 - 3.311 \$3.301. Purpose and Scope \$4.1001. Purpose and Scope \$3.302. Policy Form Submission \$4.1002. Policy Form Submission \$3.303. Solicitation and Advertising \$4.1003. Solicitation and Advertising \$3.304. Summary of Provisions \$4.1004. Summary of Provisions \$4.1005. Relation of Initial to Later Premium Charge \$4.1006. Premium Redetermination \$4.1006. Premium Redetermination \$4.1007. Reclassification of Policyholders \$4.1007. Reclassification of Policyholders \$4.1008. Minimum Nonforfeiture Values \$4.1010. Artificial Maximum Premiums Prohibited \$4.1010. Artificial Maximum Premiums Prohibited \$4.1011. General Enforcement Subchapter CC. Standards for Acceleration-of-Life-Insurance Benefits for Individual and Group Policies and Riders 28 TAC \$\$3.4301 - 3.4317 \$4.1010. Purpose; Severability \$4.1101. Purpose; Severability \$4.1101. Purpose; Severability \$4.1102. Acceleration-of-Life-Insurance: Scope of Benefits \$4.1103. Required Policy Definitions; Evidence of Total and Permanent Disability \$4.1104. Standards for Medical Sa.4304. Standards for Medical Diagnoses \$4.1104. Standards for Medical		
28 TAC §§3.301 - 3.311 §3.301. Purpose and Scope §3.302. Policy Form Submission §3.303. Solicitation and Advertising §3.304. Summary of Provisions §3.305. Relation of Initial to Later Premium Charge §3.306. Premium Redetermination §3.307. Reclassification of Policyholders §3.308. Minimum Nonforfeiture Values §3.310. Artificial Maximum Premiums Prohibited §3.311. General Enforcement Subchapter CC. Standards for Acceleration-of-Life-Insurance Benefits for Individual and Group Policies and Riders 28 TAC §§3.4301 - 3.4317 §3.4301. Purpose; Severability §3.4302. Acceleration-of-Life-Insurance: Scope of Benefits §3.4303. Required Policy Definitions; Evidence of Total and Permanent Disability §3.4304. Standards for Medical Diagnoses §4.1104. Standards for Medical	-	-
\$3.301. Purpose and Scope \$3.302. Policy Form Submission \$3.303. Solicitation and Advertising \$3.304. Summary of Provisions \$3.305. Relation of Initial to Later Premium Charge \$3.306. Premium Redetermination \$3.307. Reclassification of Policyholders \$3.308. Minimum Nonforfeiture Values \$3.310. Artificial Maximum Premiums Prohibited \$3.311. General Enforcement Subchapter CC. Standards for Acceleration-of-Life-Insurance Benefits for Individual and Group Policies and Riders 28 TAC \$\$3.4301 - 3.4317 \$3.4301. Purpose; Severability \$3.4303. Required Policy Definitions; Evidence of Total and Permanent Disability \$3.4304. Standards for Medical Diagnoses \$4.1001. Purpose and Scope \$4.1004. Summary of Provisions \$4.1005. Relation of Initial to Later Premium Charge \$4.1006. Premium Redetermination \$4.1007. Reclassification of Policyholders \$4.1008. Minimum Nonforfeiture Values \$4.1010. Artificial Maximum Premiums Prohibited \$4.1011. General Enforcement Subchapter K. Standards for Acceleration-of-Life-Insurance Benefits for Individual and Group Policies and Riders 28 TAC \$\$4.1101 - 4.1117 \$4.1101. Purpose; Severability \$4.1102. Acceleration-of-Life-Insurance: Scope of Benefits \$4.1103. Required Policy Definitions; Evidence of Total and Permanent Disability \$4.1104. Standards for Medical		
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\$3.303. Solicitation and Advertising \$3.304. Summary of Provisions \$3.305. Relation of Initial to Later Premium Charge \$3.306. Premium Redetermination \$3.307. Reclassification of Policyholders \$3.308. Minimum Nonforfeiture Values \$3.310. Artificial Maximum Premiums Prohibited \$3.311. General Enforcement Subchapter CC. Standards for Acceleration-of-Life-Insurance Benefits for Individual and Group Policies and Riders 28 TAC \$\$3.4301 - 3.4317 \$3.4301. Purpose; Severability \$3.4303. Required Policy Definitions; Evidence of Total and Permanent Disability \$3.4304. Standards for Medical Diagnoses \$4.1003. Solicitation and Advertising \$4.1004. Summary of Provisions \$4.1005. Relation of Initial to Later Premium Charge \$4.1005. Relation of Initial to Later Premium Charge \$4.1006. Premium Redetermination \$4.1007. Reclassification of Policyholders \$4.1007. Reclassification of Policyholders \$4.1008. Minimum Nonforfeiture Values \$4.1010. Artificial Maximum Premiums Prohibited \$4.1011. General Enforcement Subchapter K. Standards for Acceleration-of-Life-Insurance Benefits for Individual and Group Policies and Riders 28 TAC \$\$3.4301 - 3.4317 \$4.1101. Purpose; Severability \$4.1101. Purpose; Severability \$4.1102. Acceleration-of-Life-Insurance: Scope of Benefits \$4.103. Required Policy Definitions; Evidence of Total and Permanent Disability \$4.1104. Standards for Medical		i · · · · · · · · · · · · · · · · · · ·
\$3.304. Summary of Provisions \$3.305. Relation of Initial to Later Premium Charge \$3.306. Premium Redetermination \$3.307. Reclassification of Policyholders \$3.308. Minimum Nonforfeiture Values \$3.310. Artificial Maximum Premiums Prohibited \$3.311. General Enforcement Subchapter CC. Standards for Acceleration-of-Life-Insurance Benefits for Individual and Group Policies and Riders 28 TAC \$\$3.4301 - 3.4317 \$3.4301. Purpose; Severability \$3.4302. Acceleration-of-Life-Insurance: Scope of Benefits \$3.4303. Required Policy Definitions; Evidence of Total and Permanent Disability \$3.4304. Standards for Medical Diagnoses \$4.1004. Summary of Provisions \$4.1005. Relation of Initial to Later Premium Charge \$4.1006. Premium Redetermination \$4.1007. Reclassification of Policyholders \$4.1008. Minimum Nonforfeiture Values \$4.1010. Artificial Maximum Premiums Prohibited \$4.1011. General Enforcement Subchapter K. Standards for Acceleration-of-Life-Insurance Benefits for Individual and Group Policies and Riders 28 TAC \$\$4.1101 - 4.1117 \$4.1101. Purpose; Severability \$4.1102. Acceleration-of-Life-Insurance: Scope of Benefits \$4.1103. Required Policy Definitions; Evidence of Total and Permanent Disability \$4.1104. Standards for Medical		i -
\$3.305. Relation of Initial to Later Premium Charge \$3.306. Premium Redetermination \$3.307. Reclassification of Policyholders \$3.308. Minimum Nonforfeiture Values \$3.310. Artificial Maximum Premiums Prohibited \$3.311. General Enforcement Subchapter CC. Standards for Acceleration-of-Life-Insurance Benefits for Individual and Group Policies and Riders 28 TAC \$\$3.4301 - 3.4317 \$3.4301. Purpose; Severability \$3.4302. Acceleration-of-Life-Insurance: Scope of Benefits \$3.4303. Required Policy Definitions; Evidence of Total and Permanent Disability \$4.104. Standards for Medical Diagnoses \$4.104. Standards for Medical	§3.303. Solicitation and Advertising	§4.1003. Solicitation and Advertising
Charge §3.306. Premium Redetermination §3.307. Reclassification of Policyholders §3.308. Minimum Nonforfeiture Values §3.310. Artificial Maximum Premiums Prohibited §3.311. General Enforcement Subchapter CC. Standards for Acceleration-of-Life-Insurance Benefits for Individual and Group Policies and Riders 28 TAC §\$3.4301 - 3.4317 §3.4301. Purpose; Severability §3.4302. Acceleration-of-Life-Insurance: Scope of Benefits §3.4303. Required Policy Definitions; Evidence of Total and Permanent Disability §3.4304. Standards for Medical Diagnoses Premium Charge §4.1006. Premium Redetermination §4.1007. Reclassification of Policyholders §4.1008. Minimum Nonforfeiture Values §4.1010. Artificial Maximum Premiums Prohibited §4.1011. General Enforcement Subchapter K. Standards for Acceleration-of-Life-Insurance Benefits for Individual and Group Policies and Riders 28 TAC §\$4.1101 - 4.1117 §4.1102. Acceleration-of-Life-Insurance: Scope of Benefits §4.1103. Required Policy Definitions; Evidence of Total and Permanent Disability §3.4304. Standards for Medical Diagnoses §4.1104. Standards for Medical	§3.304. Summary of Provisions	§4.1004. Summary of Provisions
\$3.306. Premium Redetermination \$3.307. Reclassification of Policyholders \$3.308. Minimum Nonforfeiture Values \$3.310. Artificial Maximum Premiums Prohibited \$3.311. General Enforcement Subchapter CC. Standards for Acceleration-of-Life-Insurance Benefits for Individual and Group Policies and Riders 28 TAC \$\$3.4301 - 3.4317 \$3.4301. Purpose; Severability \$3.4302. Acceleration-of-Life-Insurance: Scope of Benefits \$3.4303. Required Policy Definitions; Evidence of Total and Permanent Disability \$3.4304. Standards for Medical Diagnoses \$4.1007. Reclassification of Policyholders \$4.1008. Minimum Nonforfeiture Values \$4.1010. Artificial Maximum Premiums Prohibited \$4.1011. General Enforcement Subchapter K. Standards for Acceleration-of-Life-Insurance Benefits for Individual and Group Policies and Riders 28 TAC \$\$4.1101 - 4.1117 \$4.1101. Purpose; Severability \$4.1102. Acceleration-of-Life-Insurance: Scope of Benefits \$4.1103. Required Policy Definitions; Evidence of Total and Permanent Disability \$4.1104. Standards for Medical	§3.305. Relation of Initial to Later Premium	§4.1005. Relation of Initial to Later
\$3.307. Reclassification of Policyholders \$3.308. Minimum Nonforfeiture Values \$3.310. Artificial Maximum Premiums Prohibited \$3.311. General Enforcement Subchapter CC. Standards for Acceleration-of-Life-Insurance Benefits for Individual and Group Policies and Riders 28 TAC \$\$3.4301 - 3.4317 \$3.4301. Purpose; Severability \$3.4302. Acceleration-of-Life-Insurance: Scope of Benefits \$3.4303. Required Policy Definitions; Evidence of Total and Permanent Disability \$3.4304. Standards for Medical Diagnoses \$4.1007. Reclassification of Policyholders \$4.1010. Artificial Maximum Premiums Prohibited \$4.1011. General Enforcement Subchapter K. Standards for Acceleration-of-Life-Insurance Benefits for Individual and Group Policies and Riders 28 TAC \$\$4.1101 - 4.1117 \$4.1102. Acceleration-of-Life-Insurance: Scope of Benefits \$4.1103. Required Policy Definitions; Evidence of Total and Permanent Disability \$4.1104. Standards for Medical	Charge	Premium Charge
\$3.308. Minimum Nonforfeiture Values \$3.310. Artificial Maximum Premiums Prohibited \$3.311. General Enforcement Subchapter CC. Standards for Acceleration-of-Life-Insurance Benefits for Individual and Group Policies and Riders 28 TAC \$\$3.4301 - 3.4317 \$3.4301. Purpose; Severability \$3.4302. Acceleration-of-Life-Insurance: Scope of Benefits \$3.4303. Required Policy Definitions; Evidence of Total and Permanent Disability \$3.4304. Standards for Medical Diagnoses \$4.1008. Minimum Nonforfeiture Values \$4.1010. Artificial Maximum Premiums Prohibited \$4.1011. General Enforcement Subchapter K. Standards for Acceleration-of-Life-Insurance Benefits for Individual and Group Policies and Riders 28 TAC \$\$4.1101 - 4.1117 \$4.1102. Acceleration-of-Life-Insurance: Scope of Benefits \$4.1103. Required Policy Definitions; Evidence of Total and Permanent Disability \$4.1104. Standards for Medical	§3.306. Premium Redetermination	§4.1006. Premium Redetermination
\$3.310. Artificial Maximum Premiums Prohibited \$3.311. General Enforcement Subchapter CC. Standards for Acceleration-of-Life-Insurance Benefits for Individual and Group Policies and Riders 28 TAC \$\$3.4301 - 3.4317 \$3.4301. Purpose; Severability \$3.4302. Acceleration-of-Life-Insurance: Scope of Benefits \$3.4303. Required Policy Definitions; Evidence of Total and Permanent Disability \$3.4304. Standards for Medical Diagnoses \$4.1010. Artificial Maximum Premiums Prohibited \$4.1011. General Enforcement Subchapter K. Standards for Acceleration-of-Life-Insurance Benefits for Individual and Group Policies and Riders 28 TAC \$\$4.1101 - 4.1117 \$4.1102. Acceleration-of-Life-Insurance: Scope of Benefits \$4.1103. Required Policy Definitions; Evidence of Total and Permanent Disability \$4.1104. Standards for Medical	§3.307. Reclassification of Policyholders	§4.1007. Reclassification of Policyholders
Prohibited §3.311. General Enforcement §4.1011. General Enforcement Subchapter CC. Standards for Acceleration-of-Life-Insurance Benefits for Individual and Group Policies and Riders 28 TAC §§3.4301 - 3.4317 §3.4301. Purpose; Severability §3.4302. Acceleration-of-Life-Insurance: Scope of Benefits §3.4303. Required Policy Definitions; Evidence of Total and Permanent Disability §3.4304. Standards for Medical Diagnoses §4.1104. Standards for Medical	§3.308. Minimum Nonforfeiture Values	§4.1008. Minimum Nonforfeiture Values
\$3.311. General Enforcement Subchapter CC. Standards for Acceleration-of-Life-Insurance Benefits for Individual and Group Policies and Riders 28 TAC §§3.4301 - 3.4317 §3.4301. Purpose; Severability §3.4302. Acceleration-of-Life-Insurance: Scope of Benefits §3.4303. Required Policy Definitions; Evidence of Total and Permanent Disability §3.4304. Standards for Medical Diagnoses §4.1101. General Enforcement Subchapter K. Standards for Acceleration-of-Life-Insurance Benefits for Individual and Group Policies and Riders 28 TAC §§4.1101 - 4.1117 §4.1101. Purpose; Severability §4.1102. Acceleration-of-Life-Insurance: Scope of Benefits §4.1103. Required Policy Definitions; Evidence of Total and Permanent Disability §3.4304. Standards for Medical Diagnoses	§3.310. Artificial Maximum Premiums	§4.1010. Artificial Maximum Premiums
Subchapter CC. Standards for Acceleration-of-Life-Insurance Benefits for Individual and Group Policies and Riders 28 TAC §§3.4301 - 3.4317 §3.4301. Purpose; Severability §3.4302. Acceleration-of-Life-Insurance: Scope of Benefits §3.4303. Required Policy Definitions; Evidence of Total and Permanent Disability §3.4304. Standards for Medical Diagnoses Subchapter K. Standards for Acceleration-of-Life-Insurance Benefits for Individual and Group Policies and Riders 28 TAC §§4.1101 - 4.1117 §4.1101. Purpose; Severability §4.1102. Acceleration-of-Life-Insurance: Scope of Benefits Scope of Benefits §4.1103. Required Policy Definitions; Evidence of Total and Permanent Disability §3.4304. Standards for Medical Diagnoses	Prohibited	Prohibited
Acceleration-of-Life-Insurance Benefits for Individual and Group Policies and Riders 28 TAC §§3.4301 - 3.4317 §3.4301. Purpose; Severability §3.4302. Acceleration-of-Life-Insurance: Scope of Benefits §3.4303. Required Policy Definitions; Evidence of Total and Permanent Disability §3.4304. Standards for Medical Diagnoses Acceleration-of-Life-Insurance Benefits for Individual and Group Policies and Riders 28 TAC §§4.1101 - 4.1117 §4.1102. Acceleration-of-Life-Insurance: Scope of Benefits §4.1103. Required Policy Definitions; Evidence of Total and Permanent Disability §3.4304. Standards for Medical Diagnoses	§3.311. General Enforcement	§4.1011. General Enforcement
Acceleration-of-Life-Insurance Benefits for Individual and Group Policies and Riders 28 TAC §§3.4301 - 3.4317 §3.4301. Purpose; Severability §3.4302. Acceleration-of-Life-Insurance: Scope of Benefits §3.4303. Required Policy Definitions; Evidence of Total and Permanent Disability §3.4304. Standards for Medical Diagnoses Acceleration-of-Life-Insurance Benefits for Individual and Group Policies and Riders 28 TAC §§4.1101 - 4.1117 §4.1101. Purpose; Severability §4.1102. Acceleration-of-Life-Insurance: Scope of Benefits §4.1103. Required Policy Definitions; Evidence of Total and Permanent Disability §3.4304. Standards for Medical Diagnoses	Subabantas CC Standards for	Subshantar V Standards for
for Individual and Group Policies and Riders 28 TAC §§3.4301 - 3.4317 §3.4301. Purpose; Severability §3.4302. Acceleration-of-Life-Insurance: Scope of Benefits §3.4303. Required Policy Definitions; Evidence of Total and Permanent Disability §3.4304. Standards for Medical Diagnoses Benefits for Individual and Group Policies and Riders 28 TAC §§4.1101 - 4.1117 §4.1101. Purpose; Severability §4.1102. Acceleration-of-Life-Insurance: Scope of Benefits §4.1103. Required Policy Definitions; Evidence of Total and Permanent Disability §4.1104. Standards for Medical	-	<u>-</u>
Riders 28 TAC §§3.4301 - 3.4317 §3.4301. Purpose; Severability §3.4302. Acceleration-of-Life-Insurance: Scope of Benefits §3.4303. Required Policy Definitions; Evidence of Total and Permanent Disability §3.4304. Standards for Medical Diagnoses Policies and Riders 28 TAC §§4.1101 - 4.1117 §4.1101. Purpose; Severability §4.1102. Acceleration-of-Life-Insurance: Scope of Benefits §4.1103. Required Policy Definitions; Evidence of Total and Permanent Disability §4.1104. Standards for Medical		
28 TAC §§3.4301 - 3.4317 §3.4301. Purpose; Severability §3.4302. Acceleration-of-Life-Insurance: Scope of Benefits §3.4303. Required Policy Definitions; Evidence of Total and Permanent Disability §3.4304. Standards for Medical Diagnoses 28 TAC §§4.1101 - 4.1117 §4.1101. Purpose; Severability §4.1102. Acceleration-of-Life-Insurance: Scope of Benefits §4.1103. Required Policy Definitions; Evidence of Total and Permanent Disability §4.1104. Standards for Medical	-	-
§3.4301. Purpose; Severability §3.4302. Acceleration-of-Life-Insurance: Scope of Benefits §3.4303. Required Policy Definitions; Evidence of Total and Permanent Disability §3.4304. Standards for Medical Diagnoses §4.1101. Purpose; Severability §4.1102. Acceleration-of-Life-Insurance: Scope of Benefits §4.1103. Required Policy Definitions; Evidence of Total and Permanent Disability §4.1104. Standards for Medical		
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Scope of Benefits §3.4303. Required Policy Definitions; Evidence of Total and Permanent Disability §3.4304. Standards for Medical Diagnoses Scope of Benefits §4.1103. Required Policy Definitions; Evidence of Total and Permanent Disability §4.1104. Standards for Medical	·	
§3.4303. Required Policy Definitions; Evidence of Total and Permanent Disability Evidence of Total and Permanent Disability §3.4304. Standards for Medical Diagnoses §4.1104. Standards for Medical		
Evidence of Total and Permanent Disability Evidence of Total and Permanent Disability §3.4304. Standards for Medical Diagnoses §4.1104. Standards for Medical	•	i
§3.4304. Standards for Medical Diagnoses §4.1104. Standards for Medical	· · · · · · · · · · · · · · · · · · ·	
§3.4304. Standards for Medical Diagnoses §4.1104. Standards for Medical		
	§3.4304. Standards for Medical Diagnoses	
		Diagnoses

Exercise of Nonforfeiture Option §3.4306. Methods for Determining Benefits and Allowable Charges and Fees §3.4307. Limitations on Reduction of Cash Values §3.4308. Pro Rata Reduction of Loan upon Acceleration of Benefits §3.4309. Effect of Acceleration of Benefits on Nonforfeiture Calculations §3.4310. Calculation of Reserves §3.4311. Unfair, Discriminatory or Deceptive Practices Prohibited §3.4312. Notice and Disclosure Requirements for Life Insurance Contracts Containing Acceleration-of-life-insurance Benefits That Fund Long-Term Care Expenses §3.4314. Requirements for Benefits Represented To Be Qualified for Favorable Federal Tax Treatment §3.4316. Disclosures Related to Tax Qualification of Benefits and Allowable Charges and Fees §4.1106. Methods for Determining Benefits and Allowable Charges and Fees §4.1107. Limitations on Reduction of Cash Values §4.1108. Pro Rata Reduction of Loan upon Acceleration of Benefits §4.1109. Effect of Acceleration of Benefits on Nonforfeiture Calculations §4.1110. Calculation of Reserves §4.1111. Unfair, Discriminatory or Deceptive Practices Prohibited §4.1112. Notice and Disclosure Requirements for Life Insurance Contracts Containing Acceleration-of-life-insurance Benefits §4.1113. Notice and Disclosure Requirements for Marketing Materials §4.1113. Notice and Disclosure Requirements for Marketing Materials §4.1114. Requirements for Acceleration-of-life-insurance Benefits That Fund Long-Term Care Expenses §4.1115. Requirements for Benefits Represented To Be Qualified for Favorable Federal Tax Treatment §4.1116. Disclosures Related to Tax Qualification of Benefits and Benefits' Effect on Public Assistance §4.1117. Effective Date Subchapter II. Insurance Sold in Connection with Prepaid Funeral Contracts 28 TAC §4.1201 and §4.1202	\$2.420F Tarmination of Danafit upon	\$4.110F Tamaination of Donofit upon
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and Allowable Charges and Fees §3.4307. Limitations on Reduction of Cash Values §3.4308. Pro Rata Reduction of Loan upon Acceleration of Benefits §3.4309. Effect of Acceleration of Benefits on Nonforfeiture Calculations §3.4310. Calculation of Reserves §3.4311. Unfair, Discriminatory or Deceptive Practices Prohibited §3.4312. Notice and Disclosure Requirements for Life Insurance Contracts Containing Acceleration-of-life-insurance Benefits §3.4313. Notice and Disclosure Requirements for Marketing Materials §3.4314. Requirements for Acceleration-of-life-insurance Benefits That Fund Long- Term Care Expenses §3.4315. Requirements for Benefits §3.4316. Disclosures Related to Tax Qualification of Benefits and Benefits' Effect on Public Assistance §3.4317. Effective Date Benefits and Allowable Charges and Fees §4.1107. Limitations on Reduction of Loan Values §4.1108. Pro Rata Reduction of Loan upon Acceleration of Benefits §4.1109. Effect of Acceleration of Benefits §4.1110. Calculation of Benefits §4.1111. Unfair, Discriminatory or Deceptive Practices Prohibited §4.1112. Notice and Disclosure Requirements for Life Insurance Contracts Containing Acceleration-of-life-insurance Benefits §4.1113. Notice and Disclosure Requirements for Marketing Materials §4.1114. Requirements for Acceleration-of-life-insurance Benefits That Fund Long- Term Care Expenses §4.1115. Requirements for Benefits §4.1116. Disclosures Related to Tax Qualification of Benefits and Benefits' Effect on Public Assistance §4.1117. Effective Date Subchapter II. Insurance Sold in Connection with Prepaid Funeral Contracts 28 TAC §4.1201 and §4.1202	•	
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§3.4316. Disclosures Related to Tax Qualification of Benefits and Benefits' Effect on Public Assistance §3.4317. Effective Date Subchapter II. Insurance Sold in Connection with Prepaid Funeral Contracts 28 TAC §3.9001 and §3.9002 §4.1116. Disclosures Related to Tax Qualification of Benefits and Benefits' Effect on Public Assistance §4.1117. Effective Date Subchapter L. Insurance Sold in Connection with Prepaid Funeral Contracts 28 TAC §4.1201 and §4.1202	Represented To Be Qualified for Favorable	Represented To Be Qualified for
Qualification of Benefits and Benefits' Effect on Public Assistance §3.4317. Effective Date Subchapter II. Insurance Sold in Connection with Prepaid Funeral Contracts 28 TAC §3.9001 and §3.9002 Qualification of Benefits and Benefits' Effect on Public Assistance §4.1117. Effective Date Subchapter L. Insurance Sold in Connection with Prepaid Funeral Contracts 28 TAC §4.1201 and §4.1202	Federal Tax Treatment	Favorable Federal Tax Treatment
Effect on Public Assistance §3.4317. Effective Date Subchapter II. Insurance Sold in Connection with Prepaid Funeral Contracts 28 TAC §3.9001 and §3.9002 Effect on Public Assistance §4.1117. Effective Date Subchapter L. Insurance Sold in Connection with Prepaid Funeral Contracts 28 TAC §4.1201 and §4.1202	§3.4316. Disclosures Related to Tax	§4.1116. Disclosures Related to Tax
\$3.4317. Effective Date Subchapter II. Insurance Sold in Connection with Prepaid Funeral Contracts 28 TAC §3.9001 and §3.9002 \$4.1117. Effective Date Subchapter L. Insurance Sold in Connection with Prepaid Funeral Contracts 28 TAC §4.1201 and §4.1202	Qualification of Benefits and Benefits'	Qualification of Benefits and Benefits'
Subchapter II. Insurance Sold in Connection with Prepaid Funeral Contracts 28 TAC §3.9001 and §3.9002 Subchapter L. Insurance Sold in Connection with Prepaid Funeral Contracts 28 TAC §4.1201 and §4.1202	Effect on Public Assistance	Effect on Public Assistance
Connection with Prepaid Funeral Contracts Contracts Contracts 28 TAC §3.9001 and §3.9002 Connection with Prepaid Funeral Contracts 28 TAC §4.1201 and §4.1202	§3.4317. Effective Date	§4.1117. Effective Date
Connection with Prepaid Funeral Contracts Contracts Contracts 28 TAC §3.9001 and §3.9002 Connection with Prepaid Funeral Contracts 28 TAC §4.1201 and §4.1202		
Contracts	Subchapter II. Insurance Sold in	Subchapter L. Insurance Sold in
28 TAC §3.9001 and §3.9002 28 TAC §4.1201 and §4.1202	Connection with Prepaid Funeral	Connection with Prepaid Funeral
	Contracts	Contracts
§3.9001. Introduction to Joint §4.1201. Introduction to Joint	28 TAC §3.9001 and §3.9002	28 TAC §4.1201 and §4.1202
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Memorandum of Understanding Memorandum of Understanding	Memorandum of Understanding	Memorandum of Understanding
§3.9002. Joint Memorandum of §4.1202. Joint Memorandum of	_	_
Understanding Understanding	Understanding	Understanding
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Variable Life Insurance §3.804. Insurance Contract and Filing Requirements §3.805. Reserve Liabilities for Variable Life Insurance §3.806. Separate Accounts §3.807. Information Furnished to Applicants §3.808. Application §3.809. Reports to Contractholders §3.811. Savings Clause Subchapter J. Required Reinstatement Relating to Mental Incapacity of the Insured for Individual Life Policies Without Nonforfeiture Benefits 28 TAC §3.901 - 3.913 §3.902. Applicability §3.903. Severability §3.905. Eligibility Requirements §3.906. Payment of Past Due Premiums Variable Life Insurance §4.1504. Insurance Contract and Filing Requirements §4.1505. Reserve Liabilities for Variable Life Insurance §4.1506. Separate Accounts §4.1507. Information Furnished to Applicants §4.1508. Application §4.1509. Reports to Contractholders §4.1509. Reports to Contractholders §4.1511. Savings Clause Subchapter P. Required Reinstatement Relating to Mental Incapacity of the Insured for Individual Life Policies Without Nonforfeiture Benefits 28 TAC §4.1601 - 4.1613 §4.1606. Payment of Past Due Premiums	Subchapter I. Variable Life Insurance 28 TAC §§3.801 - 3.811	Subchapter O. Variable Life Insurance 28 TAC §§4.1501 - 4.1511
\$3.803. Qualifications of Insurer to Issue Variable Life Insurance \$3.804. Insurance Contract and Filing Requirements \$3.805. Reserve Liabilities for Variable Life Insurance \$3.806. Separate Accounts \$3.807. Information Furnished to Applicants \$3.808. Application \$3.809. Reports to Contractholders \$3.810. Separability \$3.811. Savings Clause Subchapter J. Required Reinstatement Relating to Mental Incapacity of the Insured for Individual Life Policies Without Nonforfeiture Benefits 28 TAC \$53.901 - 3.913 \$3.902. Applicability \$3.903. Severability \$3.904. Definitions \$3.907. Coverage Dates Back to Date of Lapse \$4.1503. Qualifications of Insurer to Is Variable Life Insurance \$4.1504. Insurance Contract and Filing Requirements \$4.1505. Reserve Liabilities for Variable Life Insurance \$4.1506. Separate Accounts \$4.1507. Information Furnished to Applicants \$4.1508. Application \$4.1509. Reports to Contractholders \$4.1510. Separability \$4.1511. Savings Clause Subchapter P. Required Reinstatement Relating to Mental Incapacity of the Insured for Individual Life Policies Without Nonforfeiture Benefits Without Nonforfeiture Benefits \$4.1602. Applicability \$4.1603. Severability \$4.1606. Payment of Past Due Premiums \$4.1607. Coverage Dates Back to Date of Lapse	§3.801. Purpose and Scope	§4.1501. Purpose and Scope
Variable Life Insurance §3.804. Insurance Contract and Filing Requirements §3.805. Reserve Liabilities for Variable Life Insurance §3.806. Separate Accounts §3.807. Information Furnished to Applicants §3.808. Application §3.809. Reports to Contractholders §3.810. Separability §3.811. Savings Clause Subchapter J. Required Reinstatement Relating to Mental Incapacity of the Insured for Individual Life Policies Without Nonforfeiture Benefits 28 TAC §§3.901 - 3.913 §3.901. Purpose and Scope §3.902. Applicability §3.903. Severability §3.905. Eligibility Requirements §3.906. Payment of Past Due Premiums §3.907. Coverage Dates Back to Date of Lapse	§3.802. Definitions	§4.1502. Definitions
\$3.804. Insurance Contract and Filing Requirements \$3.805. Reserve Liabilities for Variable Life Insurance \$3.806. Separate Accounts \$3.807. Information Furnished to Applicants \$3.808. Application \$3.809. Reports to Contractholders \$3.810. Separability \$3.811. Savings Clause Subchapter J. Required Reinstatement Relating to Mental Incapacity of the Insured for Individual Life Policies Without Nonforfeiture Benefits 28 TAC \$\$3.901 - 3.913 \$3.901. Purpose and Scope \$3.902. Applicability \$3.903. Severability \$3.905. Eligibility Requirements \$3.906. Payment of Past Due Premiums \$3.907. Coverage Dates Back to Date of Lapse	§3.803. Qualifications of Insurer to Issue	§4.1503. Qualifications of Insurer to Issue
Requirements §3.805. Reserve Liabilities for Variable Life Insurance §3.806. Separate Accounts §3.807. Information Furnished to Applicants §3.808. Application §3.809. Reports to Contractholders §3.810. Separability §3.811. Savings Clause Subchapter J. Required Reinstatement Relating to Mental Incapacity of the Insured for Individual Life Policies Without Nonforfeiture Benefits 28 TAC §\$3.901 - 3.913 §3.902. Applicability §3.903. Severability §3.905. Eligibility Requirements §3.907. Coverage Dates Back to Date Lapse Requirements §4.1505. Reserve Liabilities for Variable Life Insurance §4.1506. Separate Accounts §4.1507. Information Furnished to Applicants §4.1508. Application §4.1509. Reports to Contractholders §4.1509. Reports to Contractholders §4.1510. Separability §4.1511. Savings Clause Subchapter P. Required Reinstatement Relating to Mental Incapacity of the Insured for Individual Life Policies Without Nonforfeiture Benefits Without Nonforfeiture Benefits 28 TAC §\$4.1601 - 4.1613 §4.1603. Severability §4.1606. Payment of Past Due Premiums §4.1606. Payment of Past Due Premiums §4.1607. Coverage Dates Back to Date Lapse	Variable Life Insurance	Variable Life Insurance
\$3.805. Reserve Liabilities for Variable Life Insurance \$3.806. Separate Accounts \$3.807. Information Furnished to Applicants \$3.808. Application \$3.809. Reports to Contractholders \$3.810. Separability \$3.811. Savings Clause Subchapter J. Required Reinstatement Relating to Mental Incapacity of the Insured for Individual Life Policies Without Nonforfeiture Benefits 28 TAC \$\$3.901 - 3.913 \$3.902. Applicability \$3.903. Severability \$3.905. Eligibility Requirements \$3.907. Coverage Dates Back to Date displace.	§3.804. Insurance Contract and Filing	§4.1504. Insurance Contract and Filing
Insurance \$3.806. Separate Accounts \$3.807. Information Furnished to Applicants \$3.808. Application \$3.809. Reports to Contractholders \$3.810. Separability \$3.811. Savings Clause Subchapter J. Required Reinstatement Relating to Mental Incapacity of the Insured for Individual Life Policies Without Nonforfeiture Benefits 28 TAC \$\$3.901 - 3.913 \$3.901. Purpose and Scope \$3.902. Applicability \$3.903. Severability \$3.905. Eligibility Requirements \$3.907. Coverage Dates Back to Date of Lapse	Requirements	Requirements
\$3.806. Separate Accounts \$3.807. Information Furnished to Applicants \$3.808. Application \$3.808. Application \$3.809. Reports to Contractholders \$3.810. Separability \$3.811. Savings Clause Subchapter J. Required Reinstatement Relating to Mental Incapacity of the Insured for Individual Life Policies Without Nonforfeiture Benefits 28 TAC \$\$3.901 - 3.913 \$3.901. Purpose and Scope \$3.902. Applicability \$3.903. Severability \$3.904. Definitions \$3.905. Eligibility Requirements \$3.907. Coverage Dates Back to Date of Lapse	§3.805. Reserve Liabilities for Variable Life	§4.1505. Reserve Liabilities for Variable
\$3.807. Information Furnished to Applicants \$3.808. Application \$3.809. Reports to Contractholders \$3.810. Separability \$3.811. Savings Clause Subchapter J. Required Reinstatement Relating to Mental Incapacity of the Insured for Individual Life Policies Without Nonforfeiture Benefits 28 TAC \$\$3.901 - 3.913 \$3.901. Purpose and Scope \$3.902. Applicability \$3.903. Severability \$3.904. Definitions \$3.905. Eligibility Requirements \$3.907. Coverage Dates Back to Date of Lapse	Insurance	Life Insurance
Applicants §3.808. Application §3.809. Reports to Contractholders §3.810. Separability §3.811. Savings Clause Subchapter J. Required Reinstatement Relating to Mental Incapacity of the Insured for Individual Life Policies Without Nonforfeiture Benefits 28 TAC §\$3.901 - 3.913 §3.901. Purpose and Scope §3.902. Applicability §3.903. Severability §3.904. Definitions §3.905. Eligibility Requirements §3.907. Coverage Dates Back to Date of Lapse	§3.806. Separate Accounts	§4.1506. Separate Accounts
\$3.808. Application \$3.809. Reports to Contractholders \$3.810. Separability \$3.811. Savings Clause Subchapter J. Required Reinstatement Relating to Mental Incapacity of the Insured for Individual Life Policies Without Nonforfeiture Benefits 28 TAC \$\$3.901 - 3.913 \$3.901. Purpose and Scope \$3.902. Applicability \$3.903. Severability \$3.904. Definitions \$3.905. Eligibility Requirements \$3.906. Payment of Past Due Premiums \$3.907. Coverage Dates Back to Date of Lapse	§3.807. Information Furnished to	§4.1507. Information Furnished to
\$3.809. Reports to Contractholders \$3.810. Separability \$3.811. Savings Clause Subchapter J. Required Reinstatement Relating to Mental Incapacity of the Insured for Individual Life Policies Without Nonforfeiture Benefits 28 TAC \$\$3.901 - 3.913 \$3.901. Purpose and Scope \$3.902. Applicability \$3.903. Severability \$3.904. Definitions \$3.905. Eligibility Requirements \$4.1606. Payment of Past Due Premiums \$3.907. Coverage Dates Back to Date of Lapse	Applicants	Applicants
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\$3.811. Savings Clause Subchapter J. Required Reinstatement Relating to Mental Incapacity of the Insured for Individual Life Policies Without Nonforfeiture Benefits 28 TAC §\$3.901 - 3.913 \$3.901. Purpose and Scope \$3.902. Applicability \$3.903. Severability \$3.904. Definitions \$3.905. Eligibility Requirements \$3.906. Payment of Past Due Premiums \$3.907. Coverage Dates Back to Date of Lapse	§3.809. Reports to Contractholders	§4.1509. Reports to Contractholders
Subchapter J. Required Reinstatement Relating to Mental Incapacity of the Insured for Individual Life Policies Without Nonforfeiture Benefits 28 TAC §§3.901 - 3.913 §3.901. Purpose and Scope §3.902. Applicability §3.903. Severability §3.904. Definitions §3.905. Eligibility Requirements §3.905. Eligibility Requirements §3.906. Payment of Past Due Premiums §3.907. Coverage Dates Back to Date of Lapse	§3.810. Separability	§4.1510. Separability
Relating to Mental Incapacity of the Insured for Individual Life Policies Without Nonforfeiture Benefits 28 TAC §§3.901 - 3.913 §3.901. Purpose and Scope §3.902. Applicability §3.903. Severability §3.904. Definitions §3.905. Eligibility Requirements §3.906. Payment of Past Due Premiums §3.907. Coverage Dates Back to Date of Lapse Relating to Mental Incapacity of the Insured for Individual Life Policies Without Nonforfeiture Benefits Without Nonforfeiture Benefits \$4.1601. Purpose and Scope §4.1602. Applicability §4.1603. Severability §4.1604. Definitions §4.1605. Eligibility Requirements §4.1606. Payment of Past Due Premium §4.1607. Coverage Dates Back to Date Lapse	§3.811. Savings Clause	§4.1511. Savings Clause
\$3.902. Applicability \$3.903. Severability \$3.904. Definitions \$3.905. Eligibility Requirements \$3.906. Payment of Past Due Premiums \$3.907. Coverage Dates Back to Date of Lapse \$4.1602. Applicability \$4.1603. Severability \$4.1604. Definitions \$4.1605. Eligibility Requirements \$4.1606. Payment of Past Due Premium \$4.1607. Coverage Dates Back to Date Lapse	Relating to Mental Incapacity of the	
\$3.903. Severability \$3.904. Definitions \$3.905. Eligibility Requirements \$3.906. Payment of Past Due Premiums \$3.907. Coverage Dates Back to Date of Lapse \$4.1603. Severability \$4.1604. Definitions \$4.1605. Eligibility Requirements \$4.1606. Payment of Past Due Premium \$4.1607. Coverage Dates Back to Date Lapse	Without Nonforfeiture Benefits	Insured for Individual Life Policies Without Nonforfeiture Benefits
\$3.904. Definitions \$3.905. Eligibility Requirements \$3.906. Payment of Past Due Premiums \$3.907. Coverage Dates Back to Date of Lapse \$4.1604. Definitions \$4.1605. Eligibility Requirements \$4.1606. Payment of Past Due Premium \$4.1607. Coverage Dates Back to Date Lapse	Without Nonforfeiture Benefits 28 TAC §§3.901 - 3.913	Insured for Individual Life Policies Without Nonforfeiture Benefits 28 TAC §§4.1601 - 4.1613
\$3.905. Eligibility Requirements \$4.1605. Eligibility Requirements \$3.906. Payment of Past Due Premiums \$3.907. Coverage Dates Back to Date of Lapse \$4.1607. Coverage Dates Back to Date Lapse	Without Nonforfeiture Benefits 28 TAC §§3.901 - 3.913 §3.901. Purpose and Scope	Insured for Individual Life Policies Without Nonforfeiture Benefits 28 TAC §§4.1601 - 4.1613 §4.1601. Purpose and Scope
\$3.906. Payment of Past Due Premiums \$4.1606. Payment of Past Due Premium \$3.907. Coverage Dates Back to Date of Lapse Lapse	Without Nonforfeiture Benefits 28 TAC §§3.901 - 3.913 §3.901. Purpose and Scope §3.902. Applicability	Insured for Individual Life Policies Without Nonforfeiture Benefits 28 TAC §§4.1601 - 4.1613 §4.1601. Purpose and Scope §4.1602. Applicability
§3.907. Coverage Dates Back to Date of Lapse S4.1607. Coverage Dates Back to Date Lapse	Without Nonforfeiture Benefits 28 TAC §§3.901 - 3.913 §3.901. Purpose and Scope §3.902. Applicability §3.903. Severability	Insured for Individual Life Policies Without Nonforfeiture Benefits 28 TAC §§4.1601 - 4.1613 §4.1601. Purpose and Scope §4.1602. Applicability §4.1603. Severability
§3.907. Coverage Dates Back to Date of Lapse S4.1607. Coverage Dates Back to Date Lapse	Without Nonforfeiture Benefits 28 TAC §§3.901 - 3.913 §3.901. Purpose and Scope §3.902. Applicability §3.903. Severability §3.904. Definitions	Insured for Individual Life Policies Without Nonforfeiture Benefits 28 TAC §§4.1601 - 4.1613 §4.1601. Purpose and Scope §4.1602. Applicability §4.1603. Severability §4.1604. Definitions
	Without Nonforfeiture Benefits 28 TAC §§3.901 - 3.913 §3.901. Purpose and Scope §3.902. Applicability §3.903. Severability §3.904. Definitions §3.905. Eligibility Requirements	Insured for Individual Life Policies Without Nonforfeiture Benefits 28 TAC §§4.1601 - 4.1613 §4.1601. Purpose and Scope §4.1602. Applicability §4.1603. Severability §4.1604. Definitions §4.1605. Eligibility Requirements
§3.908. Exceptions to Reinstatement §4.1608. Exceptions to Reinstatement	Without Nonforfeiture Benefits 28 TAC §§3.901 - 3.913 §3.901. Purpose and Scope §3.902. Applicability §3.903. Severability §3.904. Definitions §3.905. Eligibility Requirements §3.906. Payment of Past Due Premiums	Insured for Individual Life Policies Without Nonforfeiture Benefits 28 TAC §§4.1601 - 4.1613 §4.1601. Purpose and Scope §4.1602. Applicability §4.1603. Severability §4.1604. Definitions
	Without Nonforfeiture Benefits 28 TAC §§3.901 - 3.913 §3.901. Purpose and Scope §3.902. Applicability §3.903. Severability §3.904. Definitions §3.905. Eligibility Requirements §3.906. Payment of Past Due Premiums §3.907. Coverage Dates Back to Date of	Insured for Individual Life Policies Without Nonforfeiture Benefits 28 TAC §§4.1601 - 4.1613 §4.1601. Purpose and Scope §4.1602. Applicability §4.1603. Severability §4.1604. Definitions §4.1605. Eligibility Requirements §4.1606. Payment of Past Due Premiums §4.1607. Coverage Dates Back to Date of
§3.909. Notification and Disclosure §4.1609. Notification and Disclosure	Without Nonforfeiture Benefits 28 TAC §§3.901 - 3.913 §3.901. Purpose and Scope §3.902. Applicability §3.903. Severability §3.904. Definitions §3.905. Eligibility Requirements §3.906. Payment of Past Due Premiums §3.907. Coverage Dates Back to Date of Lapse	Insured for Individual Life Policies Without Nonforfeiture Benefits 28 TAC §§4.1601 - 4.1613 §4.1601. Purpose and Scope §4.1602. Applicability §4.1603. Severability §4.1604. Definitions §4.1605. Eligibility Requirements §4.1606. Payment of Past Due Premiums §4.1607. Coverage Dates Back to Date of Lapse
Requirements Requirements	Without Nonforfeiture Benefits 28 TAC §§3.901 - 3.913 §3.901. Purpose and Scope §3.902. Applicability §3.903. Severability §3.904. Definitions §3.905. Eligibility Requirements §3.906. Payment of Past Due Premiums §3.907. Coverage Dates Back to Date of Lapse §3.908. Exceptions to Reinstatement	Insured for Individual Life Policies Without Nonforfeiture Benefits 28 TAC §§4.1601 - 4.1613 §4.1601. Purpose and Scope §4.1602. Applicability §4.1603. Severability §4.1604. Definitions §4.1605. Eligibility Requirements §4.1606. Payment of Past Due Premiums §4.1607. Coverage Dates Back to Date of Lapse §4.1608. Exceptions to Reinstatement
§3.910. Reinstatement Procedures §4.1610. Reinstatement Procedures	Without Nonforfeiture Benefits 28 TAC §§3.901 - 3.913 §3.901. Purpose and Scope §3.902. Applicability §3.903. Severability §3.904. Definitions §3.905. Eligibility Requirements §3.906. Payment of Past Due Premiums §3.907. Coverage Dates Back to Date of Lapse §3.908. Exceptions to Reinstatement §3.909. Notification and Disclosure	Insured for Individual Life Policies Without Nonforfeiture Benefits 28 TAC §§4.1601 - 4.1613 §4.1601. Purpose and Scope §4.1602. Applicability §4.1603. Severability §4.1604. Definitions §4.1605. Eligibility Requirements §4.1606. Payment of Past Due Premiums §4.1607. Coverage Dates Back to Date of Lapse §4.1608. Exceptions to Reinstatement §4.1609. Notification and Disclosure
§3.911. Reduced Benefits §4.1611. Reduced Benefits	Without Nonforfeiture Benefits 28 TAC §§3.901 - 3.913 §3.901. Purpose and Scope §3.902. Applicability §3.903. Severability §3.904. Definitions §3.905. Eligibility Requirements §3.906. Payment of Past Due Premiums §3.907. Coverage Dates Back to Date of Lapse §3.908. Exceptions to Reinstatement §3.909. Notification and Disclosure Requirements	Insured for Individual Life Policies Without Nonforfeiture Benefits 28 TAC §§4.1601 - 4.1613 §4.1601. Purpose and Scope §4.1602. Applicability §4.1603. Severability §4.1604. Definitions §4.1605. Eligibility Requirements §4.1606. Payment of Past Due Premiums §4.1607. Coverage Dates Back to Date of Lapse §4.1608. Exceptions to Reinstatement §4.1609. Notification and Disclosure Requirements
§3.912. Form Filing Procedures §4.1612. Form Filing Procedures	Without Nonforfeiture Benefits 28 TAC §§3.901 - 3.913 §3.901. Purpose and Scope §3.902. Applicability §3.903. Severability §3.904. Definitions §3.905. Eligibility Requirements §3.906. Payment of Past Due Premiums §3.907. Coverage Dates Back to Date of Lapse §3.908. Exceptions to Reinstatement §3.909. Notification and Disclosure Requirements §3.910. Reinstatement Procedures	Insured for Individual Life Policies Without Nonforfeiture Benefits 28 TAC §§4.1601 - 4.1613 §4.1601. Purpose and Scope §4.1602. Applicability §4.1603. Severability §4.1604. Definitions §4.1605. Eligibility Requirements §4.1606. Payment of Past Due Premiums §4.1607. Coverage Dates Back to Date of Lapse §4.1608. Exceptions to Reinstatement §4.1609. Notification and Disclosure Requirements §4.1610. Reinstatement Procedures
§3.913. Notice and Disclosure Form §4.1613. Notice and Disclosure Form	Without Nonforfeiture Benefits 28 TAC §§3.901 - 3.913 §3.901. Purpose and Scope §3.902. Applicability §3.903. Severability §3.904. Definitions §3.905. Eligibility Requirements §3.906. Payment of Past Due Premiums §3.907. Coverage Dates Back to Date of Lapse §3.908. Exceptions to Reinstatement §3.909. Notification and Disclosure Requirements §3.910. Reinstatement Procedures §3.911. Reduced Benefits	Insured for Individual Life Policies Without Nonforfeiture Benefits 28 TAC §§4.1601 - 4.1613 §4.1601. Purpose and Scope §4.1602. Applicability §4.1603. Severability §4.1604. Definitions §4.1605. Eligibility Requirements §4.1606. Payment of Past Due Premiums §4.1607. Coverage Dates Back to Date of Lapse §4.1608. Exceptions to Reinstatement §4.1609. Notification and Disclosure Requirements §4.1610. Reinstatement Procedures §4.1611. Reduced Benefits

Subchapter N. Nonforfeiture Standards	Subchapter Q. Nonforfeiture
for Individual Life Insurance in	Standards for Individual Life Insurance
Employer Pension Plans	in Employer Pension Plans
28 TAC §§3.1301 - 3.1307	28 TAC §§4.1701 - 4.1707
§3.1301. Purpose	§4.1701. Purpose
§3.1302. Definitions	§4.1702. Definitions
§3.1303. Standard	§4.1703. Standard
§3.1304. Alternate Rule	§4.1704. Alternate Rule
§3.1305. Unfair Discrimination	§4.1705. Unfair Discrimination
§3.1306. Severability	§4.1706. Severability
§3.1307. 2001 CSO Mortality Table	§4.1707. 2001 CSO Mortality Table
,	,
Subchapter H. Variable Annuities	Subchapter U. Variable Annuities
28 TAC §§3.701 - 3.706	28 TAC §§4.2101 - 4.2106
§3.701. Purpose and Scope	§4.2101. Purpose and Scope
§3.702. Definitions	§4.2102. Definitions
§3.703. Qualifications of Insurer To Issue	§4.2103. Qualifications of Insurer To Issue
Variable Annuities	Variable Annuities
§3.704. Separate Accounts	§4.2104. Separate Accounts
§3.705. Contract Requirements	§4.2105. Contract Requirements
§3.706. Separability	§4.2106. Separability
Subchapter PP. Annuity Disclosures	Subchapter W. Annuity Disclosures
Division 1. Annuity Contract Disclosures	Division 1. Annuity Contract
28 TAC §§3.9701 - 3.9712	Disclosures
	28 TAC §§4.2301 - 4.2312
§3.9701. Purpose	§4.2301. Purpose
§3.9702. Applicability and Scope	§4.2302. Applicability and Scope
§3.9703. Effective Date	§4.2303. Effective Date
§3.9704. Definitions	§4.2304. Definitions
§3.9705. Determinable Elements	§4.2305. Determinable Elements
§3.9706. Guaranteed and Non-guaranteed	§4.2306. Guaranteed and Non-
Elements	guaranteed Elements
§3.9707. Effect on Other Law	§4.2307. Effect on Other Law
§3.9708. Required Consumer Notices	§4.2308. Required Consumer Notices
§3.9709. Disclosure Document	§4.2309. Disclosure Document
§3.9710. Buyer's Guide	§4.2310. Buyer's Guide
§3.9711. Free Look Period	§4.2311. Free Look Period
§3.9712. Report to Contract Owners	§4.2312. Report to Contract Owners

Subchapter PP. Annuity Disclosures	Subchapter W. Annuity Disclosures
Division 2. Annuity Suitability	Division 2. Annuity Suitability
Disclosures	Disclosures
28 TAC §3.9721 and §3.9722	28 TAC §4.2321 and §4.2322
§3.9721. Purpose	§4.2321. Purpose
§3.9722. Required Forms	§4.2322. Required Forms
Subchapter P. Annuity Mortality Tables 28 TAC §§3.1501 - 3.1506	Subchapter AA. Mortality Tables Division 1. Annuity Mortality Tables 28 TAC §§4.2701 - 4.2706
§3.1501. Purpose	§4.2701. Purpose
§3.1502. Definitions	§4.2702. Definitions
§3.1503. Individual Annuity or Pure	§4.2703. Individual Annuity or Pure
Endowment Contracts	Endowment Contracts
§3.1504. Group Annuity or Pure	§4.2704. Group Annuity or Pure
Endowment Contracts	Endowment Contracts
§3.1505. Application of the 1994 GAR	§4.2705. Application of the 1994 GAR
Table	Table
§3.1506. Application of the 2012 IAR	§4.2706. Application of the 2012 IAR
Mortality Table	Mortality Table
Subchapter O. Smoker-Nonsmoker	Subchapter AA. Mortality Tables
Composite Mortality Tables	Division 2. Smoker-Nonsmoker
28 TAC §§3.1401 - 3.1406	Composite Mortality Tables
	28 TAC §§4.2711 - 4.2716
§3.1401. Purpose	§4.2711. Purpose
§3.1402. Definitions	§4.2712. Definitions
§3.1403. Alternate Tables	§4.2713. Alternate Tables
§3.1404. Conditions	§4.2714. Conditions
§3.1405. Severability	§4.2715. Severability
§3.1406. 2001 CSO Mortality Table	§4.2716. 2001 CSO Mortality Table
Subchapter JJ. 2001 CSO Mortality	Subchapter AA. Mortality Tables
Table	Division 3. 2001 CSO Mortality Table
28 TAC §§3.9101 - 3.9106	28 TAC §§4.2721 - 4.2726
§3.9101. Purpose	§4.2721. Purpose
§3.9102. Definitions	§4.2722. Definitions
§3.9103. 2001 CSO Mortality Table	§4.2723. 2001 CSO Mortality Table

§3.9104. Conditions	§4.2724. Conditions
§3.9105. Applicability of the 2001 CSO	§4.2725. Applicability of the 2001 CSO
Mortality Table to Chapter 3, Subchapter	Mortality Table to Chapter 3, Subchapter
EE of this Title	EE of this Title
§3.9106. Gender-Blended Tables	§4.2726. Gender-Blended Tables
Subchapter MM. Preferred Mortality	Subchapter AA. Mortality Tables
Tables	Division 4. Preferred Mortality Tables
28 TAC §§3.9401 - 3.9404	28 TAC §§4.2731 - 4.2734
§3.9401. Purpose	§4.2731. Purpose
§3.9402. Definitions	§4.2732. Definitions
§3.9403. 2001 CSO Preferred Class	§4.2733. 2001 CSO Preferred Class
Structure Table	Structure Table
§3.9404. Conditions	§4.2734. Conditions
Subshautar O Astronial Onician and	Cubahantas DD Life and Annuity
Subchapter Q. Actuarial Opinion and	Subchapter BB. Life and Annuity Reserves
Memorandum Regulation	
28 TAC §§3.1601 - 3.1608	Division 1. Actuarial Opinion and
	Memorandum Regulation 28 TAC §§4.2801 - 4.2808
§3.1601. Purpose	§4.2801. Purpose
§3.1602. Scope and Applicability	§4.2802. Scope and Applicability
§3.1603. Commissioner Discretion	§4.2803. Commissioner Discretion
§3.1604. Definitions	§4.2804. Definitions
§3.1605. General Requirements	§4.2805. General Requirements
§3.1606. Statement of Actuarial Opinion	§4.2806. Statement of Actuarial Opinion
Based on an Asset Adequacy Analysis	Based on an Asset Adequacy Analysis
	<u> </u>
§3.1607. Description of Actuarial Memorandum Including an Asset	§4.2807. Description of Actuarial Memorandum Including an Asset
Adequacy Analysis and Regulatory Asset	Adequacy Analysis and Regulatory Asset
Adequacy Issues Summary	Adequacy Issues Summary
§3.1608. Asset Adequacy Analysis	§4.2808. Asset Adequacy Analysis
Exemption	Exemption
Liveriiption	Liempuon
Subchapter L. Strengthened Reserves	Subchapter BB. Life and Annuity
Pursuant to Insurance Code §425.067	Reserves
28 TAC §3.1101	Division 2. Strengthened Reserves
	Pursuant to Insurance Code §425.067
	28 TAC §4.2811

§3.1101. Strengthened Reserves Pursuant	§4.2811. Strengthened Reserves Pursuant
to Insurance Code §425.067	to Insurance Code §425.067
Subchapter EE. Valuation of Life	Subchapter BB. Life and Annuity
Insurance Policies	Reserves
28 TAC §§3.4501 - 3.4509	Division 3. Valuation of Life Insurance
	Policies
	28 TAC §§4.2821 - 4.2829
§3.4501. Purpose	§4.2821. Purpose
§3.4502. Adoption of Tables of Select	§4.2822. Adoption of Tables of Select
Mortality Factors	Mortality Factors
§3.4503. Applicability	§4.2823. Applicability
§3.4504. Definitions	§4.2824. Definitions
§3.4505. General Calculation Requirements	§4.2825. General Calculation
for Basic Reserves and Premium Deficiency	Requirements for Basic Reserves and
Reserves	Premium Deficiency Reserves
§3.4506. Calculation of Minimum Valuation	§4.2826. Calculation of Minimum
Standard for Policies with Guaranteed	Valuation Standard for Policies with
Nonlevel Gross Premiums or Guaranteed	Guaranteed Nonlevel Gross Premiums or
Nonlevel Benefits (Other than Universal	Guaranteed Nonlevel Benefits (Other
Life Policies)	than Universal Life Policies)
§3.4507. Calculation of Minimum Valuation	§4.2827. Calculation of Minimum
Standard for Flexible Premium and Fixed	Valuation Standard for Flexible Premium
Premium Universal Life Insurance Policies	and Fixed Premium Universal Life
That Contain Provisions Resulting in the	Insurance Policies That Contain
Ability of a Policyowner to Keep a Policy in	Provisions Resulting in the Ability of a
Force Over a Secondary Guarantee Period	Policyowner to Keep a Policy in Force
	Over a Secondary Guarantee Period
§3.4508. Effective Date	§4.2828. Effective Date
§3.4509. 2001 CSO Mortality Table	§4.2829. 2001 CSO Mortality Table
Subshantar OO Bransad Life Insurance	Cubehantar DD Life and Annuity
Subchapter OO. Preneed Life Insurance	Subchapter BB. Life and Annuity Reserves
Minimum Mortality Standards for	Division 4. Preneed Life Insurance
Determining Reserve Liabilities and Nonforfeiture Values	
28 TAC §§3.9601 - 3.9606	Minimum Mortality Standards for
20 IAC 333.3001 - 3.3000	Determining Reserve Liabilities and Nonforfeiture Values
	28 TAC §§4.2831 - 4.2836
§3.9601. Purpose and Applicability	§4.2831. Purpose and Applicability
§3.9602. Definitions	§4.2832. Definitions
ชว.ฮงงน. มะเมเนงกร	34.4034. DelimitiONS

§3.9603. Minimum Valuation Mortality	§4.2833. Minimum Valuation Mortality
Standards	Standards
§3.9604. Minimum Valuation Interest Rate	§4.2834. Minimum Valuation Interest
Standards	Rate Standards
§3.9605. Minimum Valuation Method	§4.2835. Minimum Valuation Method
Standards	Standards
§3.9606. Transitional Use of the 2001 CSO	§4.2836. Transitional Use of the 2001
Mortality Table	CSO Mortality Table