

PUBLIC HEARING for ADMISSION of INSURANCE COMPANIES, &
PUBLIC HEARING on the REGULATIONS for the GUAM SAFE ACT, &
THE BANKING AND INSURANCE BOARD MEETING
DIRECTOR'S CONFERENCE ROOM DECEMBER 1, 2011, THURSDAY 2:00 PM

AGENDA

I. Public hearing for the admission of the following insurance companies:

Greenwich Insurance Company	SCOR Reinsurance Company
AXA Insurance Company	Great American Insurance Company
Berkely Insurance Company	Stonebridge Casualty Insurance Company
Odyssey Reinsurance Company	

II. Public hearing for the Regulations of the Guam S.A.F.E. Act

III. Approval of Minutes for meeting held on August 25, 2011.

IV. Old Business

1. The Secure and Fair Enforcement for Mortgage Licensing Act or Safe Act was approved as P.L. No. 30-151 on May 25, 2010.

The first publication notice for the public hearing (which was held on March 17, 2011) on the SAFE Act Regulations was on February 23, 2011, and the second publication notice was done on March 15, 2011. Since the Public Hearing on March 17, 2011, was not valid (lack of quorum) a new publication notice was made on August 18TH & 23RD for the public hearing held on August 25, 2011. The Board voted to continue the discussion and voting for the approval of the Regulations for the Guam SAFE Act on December 1, 2011. The publication notice for this Public Hearing was made on November 22nd & 29th, 2011.

2. Vincent Insurance Services Corporation. The main issue is whether or not the Commissioner has the authority to retroactively allow and approve the renewal of the certificates of authority. The company had not filed audited financial statements during the renewal period for certain years.

An administrative hearing will be held at a later date. The Department of Revenue and Taxation hired an outside counsel, Mr. Robert Cruz, to hear the case. Mr. Cruz will be contacting all parties for a hearing. The hearing is scheduled for December 12, 2011, 9:00am.

3. Status of whether federal credit unions operating in Guam must pay a licensing fee for the establishment and operation of automated teller machines (ATMs). Requested for opinion with the Attorney General's Office.
4. In regards to the letter requiring the Government of Guam autonomous agencies to deposit funds (particularly TCDs) with eligible banks. A request for opinion was submitted to the Attorney General's Office.
5. The Patient Protection Affordable Care Act (PPACA) became law on March 23, 2010. Guam is not included in the Temporary High Risk Pool. However, the Medicaid and Children Health Improvement were increased together with all Territories.

Several grants were applied for and awarded to Guam. In regards to the Exchange Grant Funds that have been awarded, in the event that Guam does not implement an exchange, all funds (that have been expended and not expended) by the Government of Guam must be reimbursed to the federal government. To date, of the \$1 million grant funds for the exchange only \$11,000 have been expended.

Guam does not have a law patterned after the NAIC model act on External Review Process. For this reason, Guam licensed health insurance plans and self-insured plans must either follow the Office of Personnel Management's (OPM) external review process or contract with at least 2 accredited Independent Review Organizations (IRO) by January 1, 2012 and 3 IROs by July 1, 2012. A copy of the HHS Technical Guidance of June 22, 2011 is attached, please see page 9. Also, the appendix shows the forms for external review process to be used by self-insured and the fully insured health insurance plans.

V. Other Matters.

1. Bank of Guam has applied for relocation of their Mangilao Branch to another location, which is across the street from the current location of the Bank of Guam Mangilao Branch. This has received prior approval from the FDIC.