



Ohio Administrative Code

Rule 3901-11-04 Notification of materially misstated financial condition.

Effective: November 14, 2024

(A) Purpose

The purpose of this rule is to establish the notice requirements of the captive insurance company's independent certified public accountant in the event of the determination that the captive insurance company materially misstated its financial condition in its report to the superintendent of insurance pursuant to section 3964.07 of the Revised Code.

(B) Authority

This rule is promulgated pursuant to the authority vested in the superintendent under section 3964.21 of the Revised Code.

(C) Notification of adverse financial condition

A captive insurance company shall require the independent certified public accountant retained by the captive insurance company to prepare the audited financial report to be filed with the superintendent of insurance to immediately notify in writing an officer and all members of the board of directors of the captive insurance company of any determination by the independent certified public accountant that the captive insurance company has materially misstated its financial condition in its report to the superintendent of insurance as identified in section 3964.07 of the Revised Code or that, since its last financial report the captive has experienced results which lead the certified public accountant to the determination that the captive is in adverse financial condition. The independent certified public accountant shall furnish a copy of such notification to the superintendent of insurance within five business days of notifying the captive insurance company.

(D) Severability

If any portion of this rule or the application thereof to any person or circumstance is held invalid, the



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invalidity does not affect other provisions or applications of the rule or related rules which can be given effect without the invalid portion or application, and to this end the provisions of this rule are severable.