

# **Bylaws of the North Carolina Department of Insurance Continuing Care Advisory Committee**

Adopted November 12, 2024

Amended September 9, 2025

## **Article I. Name and address**

### **Section 1. Name**

The name of this body is the North Carolina Department of Insurance Continuing Care Advisory Committee (“Advisory Committee”).

### **Section 2. Mailing address**

The mailing address of the Advisory Committee is:

Special Entities Section  
Financial Analysis and Receivership Division  
North Carolina Department of Insurance  
1203 Mail Service Center  
Raleigh, NC 27699-1203

## **Article II. Authority and general rules**

The Advisory Committee is established by N.C. Gen. Stat. § 58-64A-370 and is governed by Chapter 58 of the General Statutes of North Carolina and other applicable State laws. The Advisory Committee shall comply with these bylaws for its internal management.

## **Article III. Purpose**

The Advisory Committee is not a policymaking body and functions solely in an advisory capacity to the North Carolina Commissioner of Insurance (“Commissioner”). Its purpose is to:

1. Act in an advisory capacity to the Commissioner on matters pertaining to the operation and regulation of continuing care retirement communities and continuing care at home programs.
2. Report to the Commissioner on developments in the continuing care retirement community industry, including continuing care at home and similar programs, and on problems or concerns of providers and residents.
3. Recommend changes to relevant statutes and rules.

## **Article IV. Membership**

The Advisory Committee consists of twelve (12) members appointed in accordance with N.C. Gen. Stat. § 58-64A-370(a), as follows:

### **1. Appointments by the Commissioner (six members)**

- Two residents of continuing care retirement communities
- One owner of a continuing care retirement community
- One provider of continuing care at a continuing care retirement community or a continuing care at home program
- One representative of residents of continuing care retirement communities
- One representative of continuing care retirement communities

### **2. Appointments by the President Pro Tempore of the Senate (three members)**

- One representative of residents of continuing care retirement communities
- One representative of continuing care retirement communities
- One certified public accountant licensed to practice in North Carolina

### **3. Appointments by the Speaker of the House of Representatives (three members)**

- One representative of residents of continuing care retirement communities
- One representative of continuing care retirement communities
- One certified public accountant licensed to practice in North Carolina

## **Article V. Terms and appointment**

### **Section 1. Terms**

Each member serves a three-year term beginning on the date of appointment and continues to serve until a successor is appointed and qualified. Members may serve no more than two consecutive terms.

Vacancies created by resignation, dismissal, death, or disability shall be filled for the remainder of the unexpired term by the appointing authority. Terms should be staggered so that no more than five terms expire in any one year.

### **Section 2. Appointment by the Commissioner**

Appointments by the Commissioner follow an application and nomination process administered by the Department.

1. Applications are made available annually by the Deputy Commissioner of the Financial Analysis and Receivership Division.

2. Requests for nominations are sent to licensed continuing care providers, LeadingAge North Carolina, the North Carolina Continuing Care Residents Association, and current members by September 30.
3. Completed applications and nominations are due by October 31.
4. Applications must describe the nominee's experience in the continuing care retirement community industry, including continuing care at home programs.
5. The Deputy Commissioner reviews applications and submits recommendations by November 15.
6. Appointments are made by the Commissioner no later than December 15.

### **Section 3. Appointment by legislative leaders**

Appointments by the President Pro Tempore of the Senate and the Speaker of the House are made according to their statutory authority and procedures.

## **Article VI. Officers and administration**

### **Section 1. Chair**

The Chair presides at meetings, serves as spokesperson, and signs official documents.

### **Section 2. Vice-Chair**

The Vice-Chair assumes the Chair's duties when the Chair is absent. If both are absent, a Chair Pro Tempore is selected by members present.

### **Section 3. Deputy Commissioner**

The Deputy Commissioner serves as liaison and administrator and is responsible for records, meeting minutes, and administrative support. Minutes are public records.

### **Section 4. Election of officers**

Members elect a Chair and Vice-Chair annually. Officers serve one-year terms and may be reelected.

## **Article VII. Meetings**

### **Section 1. Regular meetings**

At least two regular meetings are held each year. The schedule for the following year is set at the final meeting of the calendar year.

Order of business:

1. Roll call
2. Approval of minutes
3. Committee reports

4. Unfinished and new business
5. Adjournment

### **Section 2. Notice**

Written notice of meetings is provided at least two weeks in advance. Emergency notice may be shortened.

### **Section 3. Special meetings**

Special meetings may be called by the Chair or Vice-Chair.

### **Section 4. Quorum**

A quorum consists of a majority of members.

### **Section 5. Rules of order**

Meetings follow Robert's Rules of Order unless otherwise specified.

### **Section 6. Public meetings**

All meetings are open to the public.

### **Section 7. Voting**

Actions require a majority vote of members present with a quorum. Members may not vote on matters involving a personal financial interest.

### **Section 8. Electronic meetings**

Meetings may be held entirely by electronic means if all members can communicate effectively.

### **Section 9. Remote participation**

Members participating electronically are considered present.

### **Section 10. Reimbursement**

Members serve without compensation but may receive travel reimbursement as authorized by statute.

## **Article VIII. Subcommittees**

### **Section 1. Appointments**

The Chair may appoint subcommittees with Committee approval.

### **Section 2. Membership**

Subcommittees may include non-members at the discretion of the Subcommittee Chair.

### **Section 3. Leadership**

Subcommittee Chairs are appointed for one-year terms and must be members.

**Section 4. Voting**

Subcommittee recommendations requiring action must be approved by the Advisory Committee.

**Article IX. Amendments**

These bylaws may be amended by majority vote, provided notice is included in the meeting notice. Amendments must comply with N.C. Gen. Stat. § 58-64A-370 and be reported to the Commissioner.