

**BYLAWS  
OF  
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 shall be the North Carolina Department of Insurance Continuing Care Advisory Committee (“Advisory Committee”).

**Section 2: *Mailing Address***

The mailing address of the Advisory Committee shall be:

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 shall be governed by the terms of 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 shall function solely in an advisory capacity to the North Carolina Commissioner of Insurance (“Commissioner”). Its purpose is to:

1. Act in 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 problems or concerns of providers and residents.
3. Recommend changes in relevant statutes and rules.

#### **ARTICLE IV**

#### **MEMBERSHIP**

Membership shall consist of twelve (12) members appointed in accordance with N.C. Gen. Stat. § 58-64A-370(a), as follows:

1. Six members appointed by the Commissioner:
  - 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 one provider of a continuing care at home program.
  - One person who, on account of his or her vocation, employment, or affiliation, can be classified as a representative of residents of continuing care retirement communities.
  - One person who, on account of his or her vocation, employment, or affiliation, can be classified as a representative of continuing care retirement communities.
2. Three members appointed by the President Pro Tempore of the Senate:
  - One person who, on account of his or her vocation, employment, or affiliation, can be classified as a representative of residents of continuing care retirement communities.
  - One person who, on account of his or her vocation, employment, or affiliation, can be classified as a representative of continuing care retirement communities.
  - One person who is a certified public accountant and is licensed to practice public accountancy in this State.
3. Three members appointed by the Speaker of the House of Representatives:
  - One person who, on account of his or her vocation, employment, or affiliation, can be classified as a representative of residents of continuing care retirement communities.
  - One person who, on account of his or her vocation, employment, or affiliation, can be classified as a representative of continuing care retirement communities.
  - One person who is a certified public accountant and is licensed to practice public accountancy in this State.

**ARTICLE V**  
**TERMS AND APPOINTMENT**

**Section 1: *Terms***

Each Member shall serve a three-year term beginning on the date of the Member's appointment by the appointing authority. Members shall continue to serve until a successor has been duly appointed and qualified.

Members may serve no more than two consecutive terms. Any appointment to fill a vacancy created by resignation, dismissal, death, or disability shall be for the remainder of the unexpired term and shall be made by the appointing authority.

To the extent practicable, terms shall be staggered so that no more than five Member terms expire in any single year.

**Section 2: *Appointment by the Commissioner***

Appointments made by the Commissioner shall follow an application and nomination process administered by the North Carolina Department of Insurance ("Department").

1. Applications shall be made available annually by the Deputy Commissioner of the Financial Analysis and Receivership Division of the North Carolina Department of Insurance ("Deputy Commissioner").
2. Requests for nominations shall be sent to North Carolina licensed continuing care providers, LeadingAge North Carolina, the North Carolina Continuing Care Residents Association, and current Members no later than September 30 of each year.
3. Completed applications and nominations must be submitted by October 31.
4. The application or nomination shall describe the nominee's experience in the continuing care retirement community industry, including any experience with continuing care at home programs.
5. The Deputy Commissioner shall review all applications and make recommendations to the Commissioner by November 15.
6. The Commissioner shall appoint members no later than December 15.

**Section 3: *Appointment by Legislative Leaders***

Appointments made by the President Pro Tempore of the Senate and the Speaker of the House shall be made in accordance with their respective procedures and statutory authority under § 58-64A-370(a)(2) and (3).

**ARTICLE VI**  
**OFFICERS AND ADMINISTRATION**

**Section 1: *Chair***

The Chair shall preside at all meetings, serve as spokesperson, and sign all official documents of the Advisory Committee.

**Section 2: *Vice-Chair***

The Vice-Chair shall have the same powers and duties as the Chair in the latter's absence or disability. When both are absent, a Chair Pro Tempore shall be selected by the Members present.

**Section 3: *Deputy Commissioner***

The Deputy Commissioner shall serve as liaison, advisor, and administrator to the Advisory Committee and shall handle, directly or through staff, the Committee's administrative needs, including maintaining records and preparing minutes of all meetings. Minutes shall be public records and shall reflect all important facts, including votes on resolutions and the names of Members absent or not voting.

**Section 4: *Election of Officers***

The Members shall annually elect a Chair and a Vice-Chair. Officers shall serve one-year terms beginning at the time of election and may be reelected.

**ARTICLE VII**  
**MEETINGS**

**Section 1: *Regular Meetings***

The Advisory Committee shall hold at least two regular meetings per year. A schedule of regular meetings for the next calendar year shall be set at the last meeting of each calendar year.

The order of business at regular meetings shall be:

1. Roll call
2. Approval of minutes
3. Reports of committees
4. Unfinished and new business
5. Adjournment

The order may be altered by the Chair or by majority vote of the Committee.

## **Section 2: *Notice of Meetings***

Written notice of meeting time, date, and place, or method if electronic, shall be provided by the Chair to each Member no later than two weeks before the meeting. In case of emergency, the notice may be shortened with best efforts to notify all Members.

## **Section 3: *Special Meetings***

Special meetings may be called by the Chair or, in the Chair's absence, by the Vice-Chair.

## **Section 4: *Quorum***

A quorum shall consist of a majority of Members.

## **Section 5: *Rules of Order***

Meetings shall follow *Robert's Rules of Order (latest edition)* unless otherwise provided.

## **Section 6: *Public Meeting***

All meetings of the Advisory Committee shall be open to the public.

## **Section 7: *Voting***

Decisions require a majority vote of Members present, provided a quorum exists. The Chair may vote but is not required to do so unless needed to break a tie. No Member shall participate in a matter where the Member has a personal financial interest sufficient to influence their vote.

## **Section 8: *Meeting Held Entirely by Electronic Means***

Meetings may be conducted entirely by telephone, electronic or other communication methods, provided, that all Members can communicate adequately with each other.

## **Section 9: *Participation by Electronic Means***

Any or all Members may participate remotely by communication methods that permit effective interaction. Remote participants shall be deemed present.

## **Section 10: *Reimbursement for Expenses***

Members shall serve without pay but shall be reimbursed for travel expenses by the Department at the rates set out in N.C. Gen. Stat. §138-6.

**ARTICLE VIII**  
**SUBCOMMITTEES**

**Section 1: *Appointments***

The Chair may appoint Subcommittees or work groups as necessary, subject to Advisory Committee approval.

**Section 2: *Membership***

Subcommittee may, at the discretion of the Subcommittee Chair, invite non-Members to participate.

**Section 3: *Leadership***

Each Subcommittee Chair shall be appointed by the Chair and Vice-Chair for a one-year term, renewable once. The Subcommittee Chair must be a Member.

**Section 4: *Voting***

Subcommittee recommendations requiring official action shall be presented to the Advisory Committee for final vote.

**ARTICLE VIX**  
**AMENDMENTS**

These Bylaws may be amended by majority vote of the Advisory Committee, provided that notice of the proposed amendment is included in the meeting notice. Amendments shall not conflict with N.C. Gen. Stat. § 58-64A-370 and shall be reported to the Commissioner.