BYLAWS
OF
NORTH CAROLINA DEPARTMENT OF INSURANCE
CONTINUING CARE ADVISORY COMMITTEE

Adopted November 12, 2024
Amended September 9, 2025
Amended April 7, 2026
Amended September 15, 2026

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:

North Carolina Department of Insurance
Special Entities Division
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 Article 64A of Chapter 58 of the General Statutes of North Carolina, Chapter 58 generally, 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.

Section 2. Appointment by the Commissioner

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

1. Applications shall be made available annually by the Department.
2. Requests for applications 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 must be submitted by October 31.
4. The application shall describe the applicant's experience in the continuing care retirement community industry, including any experience with continuing care at home programs.
5. The Department shall review all applications and make recommendations to the Commissioner by November 15.
6. The Commissioner generally shall appoint members by 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. Officers

The officers of the Advisory Committee shall consist of a Chair and a Vice-Chair.

Section 2. Chair

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

Section 3. 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 4. Department Administration

The Commissioner shall designate an appropriate Department official to serve as liaison, staff advisor, and administrator to the Advisory Committee. The designated Department official 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

constitute a true and accurate record of proceedings, including motions made, actions taken, votes recorded, and the names of Members absent or not voting.

Section 5. Election and Terms in Office

At the first regular meeting of each calendar year, the Members shall elect a Vice-Chair by majority vote. The term of office for the Vice-Chair shall begin immediately upon election.

(a) The Vice-Chair so elected shall serve a one-year term as Vice-Chair and, upon expiration of that term, shall automatically succeed to the office of Chair for the following one-year term.

(b) Upon the Vice-Chair's succession to Chair, the Advisory Committee shall elect a new Vice-Chair at the same meeting in accordance with this Section.

(c) Officers may be reelected to successive terms, subject to the leadership representation requirements set forth in Section 6.

(d) In the event of a vacancy in the office of Chair, the Vice-Chair shall immediately assume the office of Chair for the remainder of the unexpired term. If the Vice-Chair so assumes the office of Chair with fewer than six (6) months remaining in the term, that partial service shall not constitute a full term for purposes of succession or term limits, and such person shall remain eligible to serve a full subsequent term as Chair. In the event of a vacancy in the office of Vice-Chair, the Members shall elect a successor to serve for the remainder of the unexpired term.

(e) Transitional Provision. The Chair and Vice-Chair elected at the inaugural meeting of the Advisory Committee shall serve their respective terms under the succession framework established in this Section. The current Vice-Chair shall succeed to the office of Chair at the commencement of the 2027 term, at which time the Advisory Committee shall elect a new Vice-Chair pursuant to subsection (b). This provision governs the transition from the founding election to the ongoing annual election cycle and shall have no further effect thereafter.

Section 6. Leadership Rotation and Representation

(a) At all times, one of the two leadership positions, Chair or Vice-Chair, shall be held by a resident of a continuing care retirement community, and the other shall be held by a Member who is not a resident of a continuing care retirement community.

(b) Elections shall be conducted in a manner that ensures compliance with this representation requirement.

(c) If an election results in both leadership positions being held by residents or both by non-residents, the election shall be reopened immediately and conducted again until the representation requirement is satisfied.

(d) Nothing in this Section prohibits a sitting Chair from being elected to the office of Vice-Chair, provided that the resident and non-resident leadership requirements are maintained.

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, or the Department on behalf of 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

A 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 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 IX

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.