

**Title 23. Public Utilities and Regulated Industries**  
**Chapter I. State Insurance Department, Department of Commerce**  
**Subchapter A. Generally**  
**Part 16. Complaint Registers**

**Codification Notes.** This part as promulgated prior to codification in the Code of Arkansas Rules provided as follows:

"Section 2. Authority.

This Rule is issued pursuant to the authority vested in the Commissioner by Ark. Code Ann. §§23-61-108 (1987), 23-66-207 (1987), 23-76-125 (1987), 23-94-107 (Supp. 1987), 25-15-202 (1987), et seq., and other applicable provisions of Arkansas law."

"Section 4. Effective Date.

The effective date of this Rule is March 1, 1989."

**Subpart 1. Generally**

**23 CAR § 16-101. Purpose.**

The purpose of this part is to establish minimum standards for complaint registers to be maintained by insurers, health maintenance organizations, and risk retention groups pursuant to provisions of the Trade Practices Act, Arkansas Code § 23-66-206(4).

**Authority.** Arkansas Code §§ 23-61-108, 23-66-207, 23-76-125.

**23 CAR § 16-102. Applicability and scope.**

This part applies to all:

- (1) Persons;
- (2) Insurance policies and insurance contracts; and

(3) Contracts, certificates, subscriber agreements, or other evidences of coverage issued by insurers, health maintenance organizations, and risk retention groups where applicable.

**Authority.** Arkansas Code §§ 23-61-108, 23-66-207, 23-76-125.

**23 CAR § 16-103. Definitions.**

As used in this part:

- (1) "Complaint" means a written communication primarily expressing a grievance;
- (2) "Insurance Department Complaint" means a written communication regarding a complaint transmitted by the State Insurance Department; and
- (3) "Person" shall have the meaning as set forth in Arkansas Code § 23-66-203.

**Authority.** Arkansas Code §§ 23-61-108, 23-66-207, 23-76-125.

**23 CAR § 16-104. Content of complaint registers.**

(a)(1) Exhibit A of this part sets forth the minimum information required to be maintained in a person's complaint register in order for it to comply with Arkansas law.

(2) Refinements and additions to the information specified therein may, of course, be maintained in such complaint register.

(b)(1) Exhibit B of this part contains an explanation of the various headings, codes, and other notations contained in Exhibit A.

(2) The codes are used in order to simplify both the:

- (A) Identification of the action underlying the complaint; and
- (B) Keeping of the records.

**Authority.** Arkansas Code §§ 23-61-108, 23-66-207, 23-76-125.

**23 CAR § 16-105. Format of complaint registers.**

(a) Exhibit A is the suggested format for the complaint register required to be maintained by Arkansas law and this part.

(b) Refinements, deviations from, or additions to this suggested format are permitted so long as the minimum information contemplated by such format can be obtained for State Insurance Department review within a reasonable time following a request therefor by an authorized representative of the department.

**Authority.** Arkansas Code §§ 23-61-108, 23-66-207, 23-76-125.

**23 CAR § 16-106. Maintenance of complaint registers.**

(a) The complaint register shall be kept on a calendar year basis, and the number of complaints by line of insurance, function, reason, disposition, and states of origin shall be compiled not less frequently than annually.

(b) The complaint register required by this part shall be maintained commencing on and after sixty (60) days from the effective date of this part.

**Authority.** Arkansas Code §§ 23-61-108, 23-66-207, 23-76-125.

**23 CAR § 16-107. Severability.**

Any section or provision of this part held by a court to be invalid or unconstitutional will not affect the validity of any other section or provision of this part.

**Authority.** Arkansas Code §§ 23-61-108, 23-66-207, 23-76-125.

**Appendix A. Complaint Register**

**Link:**

<https://CodeOfARRules.arkansas.gov/docs/CARCodeAppendices/Appendices/124/23CARpt.16ExhibitA.pdf>

## **Appendix B. Explanation**

**Link:**

<https://CodeOfARRules.arkansas.gov/docs/CARCodeAppendices/Appendices/125/23CARpt.16ExhibitB.pdf>