

## NOTICE OF INTENT

### DEPARTMENT OF INSURANCE OFFICE OF THE COMMISSIONER

#### APPROVED ASSURANCE ORGANIZATIONS

(LAC 37: Part XIII, Regulation 102, Chapter 145)

Under the authority of the Louisiana Insurance Code, R.S. 22:1 et seq., and in accordance with the provisions of the Administrative Procedures Act, R.S. 49:950 et seq., notice is hereby given that the Department of Insurance proposes to promulgate Regulation 102. The purpose of the regulation is to exercise the authority and fulfill the duties and responsibilities of the commissioner with respect to the continued regulation of professional employer organizations. Regulation 102 delineates the qualifications of approved assurance organizations, the duties and responsibilities of approved assurance organizations, the methods by which approved assurance organizations may file electronic submissions on behalf of a professional employer organization with the department, and provides for related matters.

**Title 37**  
**INSURANCE**  
**Part XIII. Regulations**  
**Chapter 145. Regulation Number 102**  
**Approved Assurance Organizations**

#### **§14501. Purpose and Intent**

A. The purpose and intent of Regulation 102 is to exercise the authority and fulfill the duties and responsibilities of the commissioner with respect to the continued regulation of professional employer organizations ("PEOs"). Regulation 102 delineates the qualifications of approved assurance organizations, the duties and responsibilities of approved assurance organizations, the methods by which approved assurance organizations may file electronic submissions on behalf of a professional employer organization with the department, and provides for related matters.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 22:11, R.S. 22:1750, R.S. 22:1751, and the Administrative Procedure Act, R.S. 49:950 et seq.

**HISTORICAL NOTE:** Promulgated by the Department of Insurance, Office of the Commissioner, LR \_\_\_\_\_ (\_\_\_\_\_ 2014).

#### **§14503. Authority**

A. Regulation 102 is promulgated pursuant to the authority of the commissioner under R.S.22:11, R.S. 22:1750, R.S. 22:1751, and pursuant to the authority and powers granted by law to the commissioner and the department.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 22:11, R.S. 22:1750, R.S. 22:1751, R.S. 22:1984, and the Administrative Procedure Act, R.S. 49:950 et seq.

**HISTORICAL NOTE:** Promulgated by the Department of Insurance, Office of the Commissioner, LR \_\_\_\_\_ (\_\_\_\_\_ 2014).

**§14505. Applicability and Scope**

A. Regulation 102 applies to any assurance organization that transacts business on behalf of a professional employer organization authorized to operate in the state of Louisiana. A professional employer organization shall not be required to utilize the services of an approved assurance organization.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 22:11, R.S. 22:1750, R.S. 22:1751, and the Administrative Procedure Act, R.S. 49:950 et seq.

**HISTORICAL NOTE:** Promulgated by the Department of Insurance, Office of the Commissioner, LR \_\_\_\_\_ (\_\_\_\_\_ 2014).

**§14507. Qualifications for Approval of an Assurance Organization**

A. Any assurance organization that intends to be approved by the commissioner for authorization to transact business on behalf of a professional employer organization in the state of Louisiana shall apply for and obtain the approval of the commissioner.

B. To be considered for approval, the assurance organization shall submit a written request for approval to the commissioner which shall include:

1. Evidence that the assurance organization is independent and has an established program for the accreditation and financial assurance of a professional employer organization;

2. Evidence that the assurance organization has documented qualifications, standards, procedures and financial assurance acceptable to the commissioner to certify the qualifications of a professional employer organization;

3. The agreement of the assurance organization to provide the information, compliance monitoring services, and level of financial assurance acceptable to the commissioner and to share with the department in a timely manner the information and supporting documentation provided to the assurance organization by a professional employer organization that equals or exceeds the requirements for registration or renewal of registration under R.S. 22:1741 through R.S. 22:1751; and

4. The agreement of the assurance organization that it will use a comprehensive online application, quarterly compliance reporting, and an ongoing compliance monitoring process for PEO accreditation that ensures that:

a. The PEO is owned and operated by controlling persons with a history of honesty, law abidance, and responsible financial dealings both personally and in business;

b. The PEO and all related entities under common control are financially solvent and have positive working capital sufficient to sustain operations; and

c. The PEO and all related PEO entities meet the assurance organization's ethical, financial, and operational standards, including compliance with applicable state and federal laws.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:11, R.S. 22:1750, R.S. 22:1751, and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR \_\_\_\_\_ (\_\_\_\_\_ 2014).

**§14509. Requirements for an Approved Assurance Organization to Represent a Professional Employer Organization**

A. For each professional employer organization that chooses to be represented by an approved assurance organization, the approved assurance organization shall submit to the department an application, executed by the professional employer organization, requesting that the assurance organization be permitted to transact business on behalf of the professional employer organization. Such application shall:

1. Authorize the approved assurance organization to share with the department the application and compliance reporting information required under R.S. 22:1741 through R.S. 22:1751 that has been provided to the assurance organization by the professional employer organization;

2. Authorize the department to accept information provided by the professional employer organization to the assurance organization to facilitate the registration or renewal of registration of the professional employer organization;

3. Provide the certification of the professional employer organization, attesting that the information provided by the assurance organization to the department is true and complete and that the professional employer organization is in full and complete compliance with all requirements of R.S. 22:1741 through R.S. 22:1751; and

4. Provide the certification of the assurance organization that the professional employer organization is in compliance with the standards and procedures of the assurance organization, which equals or exceeds the requirements of R.S. 22:1741 through R.S. 22:1751, and that the professional employer organization is qualified for registration or renewal of registration under R.S. 22:1741 through R.S. 22:1751.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:11, R.S. 22:1750, R.S. 22:1751, and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR \_\_\_\_\_ (\_\_\_\_\_ 2014).

**§14511. Duties and Responsibilities of an Approved Assurance Organization**

A. An assurance organization that has been approved by the commissioner shall obtain authorization from the accredited professional employer organization and shall release to the department confidential information in support of each accredited professional employer organization's initial registration and/or renewal registration, including but not limited to the following information:

1. Basic information of the applicant professional employer organization to include:

a. The name(s) of all professional employer organization entities under common control;

b. The address of the domicile, headquarters and principal place of business of the professional employer organization;

c. The physical location of all of the professional employer organization's office(s) or place(s) of business in Louisiana and elsewhere;

d. Current contact information for the professional employer organization's clients that are doing business in Louisiana;

e. Cross guarantees of all relevant entities; and

f. Copy of surety bonds providing coverage to the professional employer organization.

2. Basic information regarding the name, address, telephone number and facsimile number of the controlling person(s) of the applicant professional employer organization;

3. Pursuant to R.S. 22:1984, financial information of the applicant professional employer organization, including, but not limited to:

a. Current fiscal/calendar year end audited financial statements;

b. A spreadsheet demonstrating the prior fiscal/calendar year end audited financial information and year-to-date calendar quarter updates, if available, including current assets and liabilities, net worth, net worth ratio, working capital, and net income for each stated period; and

c. Quarterly certifications by an independent certified professional accountant of the timely payment of state and federal payroll taxes, insurance premiums, and contributions to employee retirement plans for the most recent calendar quarter and prior five calendar quarters.

4. Basic insurance information on the applicant professional employer organization's worker's compensation coverage;

5. Basic insurance information on the applicant professional employer organization's health insurance coverage; and

6. Certification that the applicant professional employer organization is in compliance with the assurance organization's accreditation standards and procedures.

B. An assurance organization that has been approved by the commissioner shall also obtain authorization from the accredited professional employer organization and shall release to the department confidential information on behalf of the applicant with respect to any compliance reporting requirement of the department pursuant to R.S. 22:1984, including without limitation, any reporting initiated at the request of the department. This section shall apply to any and all communications of any nature by the assurance organization, its agents, employees, or other designated representatives, that contain the confidential information transmitted to the department in support of the initial or renewal registration of the applicant professional employer organization as well as any other response provided to satisfy any inquiry made by the department.

C. An assurance organization approved by the commissioner shall provide written notice to the department within 10 business days of a determination by the assurance organization that the professional employer organization:

1. Fails to meet the qualifications for registration under R.S. 22:1741 through R.S. 22:1751; or

2. Fails to meet the qualifications for accreditation or certification by the assurance organization.

D. An assurance organization approved by the commissioner shall submit all required information through secure internet server, or as otherwise directed by the department.

E. An assurance organization approved by the commissioner shall comply with all time periods, application instructions, and other requests or directives made by the department.

F. An approved assurance organization shall provide the department such information that may be necessary and proper for the execution of the powers and duties of the department pursuant to this Regulation 102 and the Louisiana Insurance Code.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 22:11, R.S. 22:1750, R.S. 22:1751, R.S. 22:1984, and the Administrative Procedure Act, R.S. 49:950 et seq.

**HISTORICAL NOTE:** Promulgated by the Department of Insurance, Office of the Commissioner, LR \_\_\_\_\_ (\_\_\_\_\_ 2014).

### **§14513. Duration of Approval of an Assurance Organization**

A. Provided the approved assurance organization remains in compliance with Regulation 102, the approval issued by the commissioner to an assurance organization shall remain in effect until the assurance organization withdraws from the state or until approval is suspended or revoked.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 22:11, R.S. 22:1750, R.S. 22:1751, and the Administrative Procedure Act, R.S. 49:950 et seq.

**HISTORICAL NOTE:** Promulgated by the Department of Insurance, Office of the Commissioner, LR \_\_\_\_\_ (\_\_\_\_\_ 2014).

### **§14515. Duties of Commissioner**

A. Upon the approval of an assurance organization, the commissioner shall:

1. Issue a letter to the assurance organization notifying it that it meets the requirements of Regulation 102; and

2. Include the assurance organization on the list of approved assurance organizations that is maintained by the department.

B. In the event that an approved assurance organization no longer meets the requirements of Regulation 102, the commissioner may suspend or revoke such approval and conduct a detailed review of all information provided by the assurance organization on behalf of each professional employer organization that was registered based upon that assurance organization's certification. The commissioner will notify

each such professional employer organization in writing of any deficiencies that have been found, and each such professional employer organization shall be given 60 days to correct any deficiencies as may be required to maintain its registration.

C. Authorization by the department of an assurance organization to act on behalf of the professional employer organization, in complying with the registration requirements of R.S. 22:1748 and R.S. 22:1751, or for any other reason, shall not limit or change the department's authority to register or terminate registration of a professional employer organization, or to investigate, enforce or take any regulatory action pursuant to any applicable, relevant, and appropriate provision of Regulation 102 or the Louisiana Insurance Code.

D. In the event of the failure of any professional employer organization which is registered pursuant to the certification of an approved assurance organization to comply with any provision of R.S. 22:1741 through R.S. 22:1751 or Regulation 102, the department shall provide the assurance organization 30 days written notice prior to taking action against any bond provided by the assurance organization to allow the assurance organization to otherwise cure the default or pay the claim before a claim is filed against any bond.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 22:11, R.S. 22:1750, R.S. 22:1751, and the Administrative Procedure Act, R.S. 49:950 et seq.

**HISTORICAL NOTE:** Promulgated by the Department of Insurance, Office of the Commissioner, LR \_\_\_\_\_ (\_\_\_\_\_ 2014).

#### **§14517. Severability**

A. If any provision of Regulation 102 or its application to any person or entity or any circumstance of its application is held invalid, such invalidity shall not affect other provisions or applications of Regulation 102 which can be given effect without the invalid provision or application, and to that end, the provisions of Regulation 102 are severable.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 22:11, R.S. 22:1750, R.S. 22:1751, and the Administrative Procedure Act, R.S. 49:950 et seq.

**HISTORICAL NOTE:** Promulgated by the Department of Insurance, Office of the Commissioner, LR \_\_\_\_\_ (\_\_\_\_\_ 2014).

#### **§14519. Effective Date**

A. This regulation shall become effective on January 1, 2015 after final publication in the *Louisiana Register*.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 22:11, R.S. 22:1750, R.S. 22:1751, and the Administrative Procedure Act, R.S. 49:950 et seq.

**HISTORICAL NOTE:** Promulgated by the Department of Insurance, Office of the Commissioner, LR \_\_\_\_\_ (\_\_\_\_\_ 2014).

## **FAMILY IMPACT STATEMENT**

### **APPROVED ASSURANCE ORGANIZATIONS**

**I. Describe the effect of the proposed regulation on the stability of the family.**

The proposed regulation should have no measurable impact upon the stability of the family.

**II. Describe the effect of the proposed regulation on the authority and rights of parents regarding the education and supervision of their children**

The proposed regulation should have no impact upon the rights and authority of children regarding the education and supervision of their children.

**III. Describe the effect of the proposed regulation on the functioning of the family.**

The proposed regulation should have no direct impact upon the functioning of the family.

**IV. Describe the effect of the proposed regulation on family earnings and budget.**

The proposed regulation should have no direct impact upon family earnings and budget.

**V. Describe the effect of the proposed regulation on the behavior and personal responsibility of children.**

The proposed regulation should have no impact upon the behavior and personal responsibility of children.

**VI. Describe the effect of the proposed regulation on the ability of the family or a local government to perform the function as contained in the rule.**

The proposed regulation should have no impact upon the ability of the family or a local governmental unit to perform the function as contained in the rule.

## **POVERTY IMPACT STATEMENT**

### **APPROVED ASSURANCE ORGANIZATIONS**

**I. Describe the effect on household income, assets, and financial security.**

The proposed regulation should have no effect on household income assets and financial security.

**II. Describe the effect on early childhood development and preschool through postsecondary education development.**

The proposed regulation should have no effect on early childhood development and preschool through postsecondary education development.

**III. Describe the effect on employment and workforce development.**

The proposed regulation should have no effect on employment and workforce development.

**IV. Describe the effect on taxes and tax credits.**

The proposed regulation should have no effect on taxes and tax credits.

**V. Describe the effect on child and dependent care, housing, health care, nutrition, transportation and utilities assistance.**

The proposed regulation should have no effect on child and dependent care, housing, health care, nutrition, transportation and utilities assistance.

## **PROVIDER IMPACT STATEMENT**

### **APPROVED ASSURANCE ORGANIZAITONS**

- I. Describe the effect on the staffing level requirements or qualifications required to provide the same level of service.**

The proposed regulation will have no effect.

- II. The total direct and indirect effect on the cost to the provider to provide the same level of service.**

The proposed regulation will have no effect.

- III. The overall effect on the ability of the provider to provide the same level of service.**

The proposed regulation will have no effect.

### Public Comments

Interested persons may submit written comments on the proposed Regulation 102 until 5:00 p.m., Wednesday October 29, 2014, to Walter Corey, Division of Legal Services, Department of Insurance, P.O. Box 94214, Baton Rouge, LA 70804.

### Public Hearing

A public hearing on the proposed Regulation 102 will be held Wednesday October 29, 2014, at 10 a.m., in the Poydras Hearing Room at the Louisiana Department of Insurance, 1702 N. Third Street, Baton Rouge, LA. At that time all interested persons will be afforded an opportunity to submit data, views or arguments either orally or in writing.

James J. Donelon  
Commissioner of Insurance

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES**

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**Department:** Louisiana Department of Insurance  
**Office:** Management & Finance  
**Rule Title:** Approved Assurance Organizations  
**Effective Date:** January 1, 2015

**SUMMARY  
(Use Complete Sentences)**

**I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS. (Summary)**

The proposed regulation will not result in implementation costs or savings to state or local governmental units. The proposed regulation codifies requirements of Act 387 of the 2012 Regular Session of the Louisiana Legislature. The proposed regulation authorizes the commissioner to delineate the qualifications, duties and responsibilities of approved assurance organizations, which may file electronic submissions on behalf of a Professional Employer Organization (PEO) with the department. Use of such an approved assurance organization shall be optional and not mandatory for any PEO.

**II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS. (Summary)**

The proposed regulation will have no impact on state or local governmental revenues.

**III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS. (Summary)**

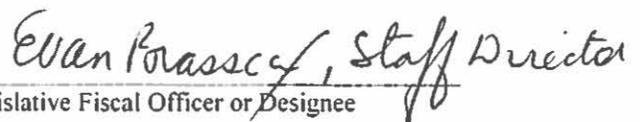
The proposed regulation will have no impact on economic costs or benefits to directly affected persons or non-governmental groups. Assurance organizations are currently required to apply for and obtain approval of the Commissioner of Insurance in order to transact business on behalf of a PEO within the state of Louisiana as per Act 387 of the 2012 Regular Legislative Session.

**IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT. (Summary)**

The proposed regulation will have no impact upon competition and employment in the state.

  
Noble Ellington, Chief Deputy Commissioner  
La. Department of Insurance

9/9/14  
Date of Signature

  
Evan Brasscy, Staff Director  
Legislative Fiscal Officer or Designee

9/9/14  
Date of Signature

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES**

The following information is required in order to assist the Legislative Fiscal Office in its review of the fiscal and economic impact statement and to assist the appropriated legislative oversight subcommittee in its deliberations on the proposed rule.

- A. Provide a brief summary of the content of the rule (if proposed for adoption or repeal) or a brief summary of the change in the rule (if proposed for amendment). Attach a copy of the Notice of Intent and a copy of the rule proposed for initial adoption or repeal (or, in the case of a rule change, copies of the current and proposed rules with amended portions indicated).**

The purpose of the regulation is to implement the qualifications of approved assurance organizations and the duties and responsibilities to file electronic submissions on behalf of a professional employer organization with the LDI as promulgated in accordance with La. R.S. 22:1751. Use of such an approved assurance organization shall be optional and not mandatory for any PEO.

- B. Summarize the circumstances which require this action. If the action is required by federal regulations, attach a copy of the applicable regulation.**

The Department of Insurance is tasked with administering the Insurance Code, which regulates the business of insurance in all of its phases. The proposed regulation is needed to implement the qualifications of approved assurance organizations and the duties and responsibilities to file electronic submissions on behalf of a professional employer organization with the LDI.

- C. Compliance with Act 11 of the 1986 First Extraordinary Session:**

- (1) Will the proposed rule change result in any increase in expenditure of funds? If so, specify the amount and the source.**

No increase in expenditure of funds is anticipated as a result of proposed regulation.

- (2) If the answer to (1) above is yes, has the Legislature specifically appropriated the funds necessary for the associated expenditure increase?**

\_\_\_\_\_ Yes. If yes, provide documentation.

\_\_\_\_\_ No. If no, provide justification as to why this rule change should be published at this time.

**FISCAL AND ECONOMIC IMPACT STATEMENT  
WORKSHEET**

**I. A. COSTS OR SAVINGS TO STATE AGENCIES RESULTING FROM ACTION PROPOSED.**

**1. What is the anticipated increase (decrease) in costs to implement the proposed action?**

<b>COSTS</b>	<b>FY 14/15</b>	<b>FY 15/16</b>	<b>FY 16/17</b>
<b>OPERATING EXPENSES</b>	0	0	0
<b>PROFESSIONAL SERVICES</b>	0	0	0
<b>OTHER CHARGES</b>	0	0	0
<b>EQUIPMENT</b>	0	0	0
<b>TOTAL</b>	0	0	0
<b>MAJOR REPAIR/CONSTR</b>	0	0	0
<b>POSITIONS (Number)</b>	0	0	0

2. Provide a narrative explanation of the costs or savings shown in "A.1" above, including the increase or reduction in workload or additional paperwork (number of new forms, additional documentation, etc.) anticipated as a result of the implementation of the proposed action. Describe all data, assumptions, and methods used in calculating these costs.

Louisiana Department of Insurance (LDI) does not anticipate any implementation costs (savings) as a result of the proposed regulation.

3. Sources of funding for implementing the proposed rule or rule change.

<b>SOURCE</b>	<b>FY 14/15</b>	<b>FY 15/16</b>	<b>FY 16/17</b>
<b>STATE GENERAL FUND</b>	0	0	0
<b>AGENCY SELF-GENERATED</b>	0	0	0
<b>DEDICATED</b>	0	0	0
<b>FEDERAL FUNDS</b>	0	0	0
<b>OTHER (SPECIFY)</b>	0	0	0
<b>TOTAL</b>	0	0	0

4. Does your agency currently have sufficient funds to implement the proposed action? If not, how and when do you anticipate obtaining such funds?

No additional funding is necessary to implement the proposed regulation.

**B. COSTS OR SAVINGS TO LOCAL GOVERNMENTAL UNITS RESULTING FROM THE ACTION PROPOSED.**

1. Provide an estimate of the anticipated impact of the proposed action on local governmental units, including adjustments in workload and paperwork requirements. Describe all data, assumptions and methods used in calculating this impact.

The proposed regulation will have no impact on local governmental revenues.

2. Indicate the sources of funding of local governmental unit(s) which will be affected by these cost or savings.

No source of funding is necessary; there is no impact on local governmental units as a result of the proposed regulation.

**FISCAL AND ECONOMIC IMPACT STATEMENT  
WORKSHEET  
(Continued)**

**II. A. What increase (decrease) in revenues can be anticipated from the proposed action?**

The proposed regulation will have no impact on state or local governmental revenues.

SOURCE	FY 14/15	FY 15/16	FY 16/17
STATE GENERAL FUND	0	0	0
AGENCY SELF-GENERATED	0	0	0
DEDICATED	0	0	0
FEDERAL FUNDS	0	0	0
OTHER (SPECIFY)	0	0	0
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>

**B. Provide a narrative explanation of each increase or decrease in revenues shown in "A". Describe all data, assumptions and other methods used in calculating these increases or decreases.**

The Louisiana Department of Insurance expects no increase or decrease in revenue as a result of the adoption of the proposed regulation.

**III. COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS.**

**A. What persons or non-governmental groups would be directly affected by the proposed action? For each, provide an estimate and a narrative description of any effect on costs, including workload adjustments and additional paperwork (number of new forms, additional documentation, etc.) they may have to incur as a result of the proposed action.**

**B. Also provide an estimate and a narrative description of any impact on receipts and/or income resulting from this rule or rule change to these groups.**

The proposed regulation will have no impact on economic costs or benefits to directly affected persons or non-governmental groups.

**IV. EFFECTS ON COMPETITION AND EMPLOYMENT.**

**Identify and provide estimates of the impact of the proposed action on competition and employment in the public and private sectors. Include a summary of any data, assumptions and methods used in making these estimates.**

The proposed regulation will have no impact upon competition and employment in the state.

## SMALL BUSINESS STATEMENT

### APPROVED ASSURANCE ORGANIZATIONS

The impact of the proposed regulation on small businesses as defined in the Regulatory Flexibility Act has been considered. It is estimated that the proposed action is not expected to have a significant adverse impact on small businesses. The agency, consistent with health, safety, environmental and economic welfare factors has considered and, where possible, utilized regulatory methods in the drafting of the proposed regulation that will accomplish the objectives of applicable statutes while minimizing the adverse impact of the proposed regulation on small businesses.

**I. Identification and estimate of the number of the small businesses subject to the proposed rule.**

The proposed regulation should have no measurable impact upon small businesses.

**II. The projected reporting, record keeping, and other administrative costs required for compliance with the proposed rule, including the type of professional skills necessary for preparation of the report or record.**

The proposed regulation should have no measurable impact upon small businesses.

**III. A statement of the probable effect on impacted small businesses.**

The proposed regulation should have no measurable impact upon small businesses.

**IV. Describe any less intrusive or less costly alternative methods of achieving the purpose of the proposed rule.**

The proposed regulation should have no measurable impact on small businesses; therefore, will have no less intrusive or less cost alternative methods.