

criteria when multiple categories apply. As proposed, the rule text is sufficiently clear and consistent with the statute. Accordingly, the IHC Board has determined that no additional revisions are necessary.

**COMMENT:** The commenter requested that carrier medical policies explicitly cite Chapter 49 and state that its requirements supersede any conflicting or more general policy provisions, especially when a carrier utilizes multi-jurisdictional policies.

**RESPONSE:** The IHC Board declines to change the proposed language. Chapter 49 is binding law, requiring carriers to administer benefits in accordance with its provisions regardless of the specific format of their internal medical policies. The proposed amendments accurately and sufficiently incorporate the statutory requirements into the standard plan documents, without disturbing carriers' independent obligation to ensure compliance with Chapter 49. As the rule already reflects the operative statutory framework and does not create ambiguity regarding the primacy of State law, the IHC Board has determined that no additional language is necessary.

#### Federal Standards Statement

State agencies that propose to adopt or amend State rules that exceed Federal standards regarding the same subject matter are required to include in the rulemaking document a Federal standards analysis. As discussed in the notice of proposal, the amendments are intended to comply with newly enacted State law, and are not being adopted pursuant to the authority of, or in order to implement, comply with, or participate in, any program established pursuant to Federal law or a State statute that incorporates or refers to Federal law, standards, or requirements as set forth at N.J.A.C. 1:30-5.1(c)4. Accordingly, a Federal standards analysis is not required.

**Full text** of the adoption follows:

**OFFICE OF ADMINISTRATIVE LAW NOTE:** The New Jersey Individual Health Coverage Program Board is adopting amendments at N.J.A.C. 11:20 Appendix Exhibits A and B. Pursuant to N.J.S.A. 52:14B-7(c) and N.J.A.C. 1:30-5.2(a)2, the exhibits, as adopted, are not published in this notice of adoption, but may be reviewed by contacting:

New Jersey Individual Health Coverage Program  
20 West State Street, 11th Floor  
PO Box 325  
Trenton, NJ 08625-0325  
[ihcsehprograms@dobi.nj.gov](mailto:ihcsehprograms@dobi.nj.gov)  
or  
New Jersey Office of Administrative Law  
9 Quakerbridge Plaza  
PO Box 049  
Trenton, NJ 08625-0049  
[oal.comments@oal.nj.gov](mailto:oal.comments@oal.nj.gov)

(a)

### DIVISION OF INSURANCE

#### Notice of Readoption Dental Services

#### Readoption with Technical Changes: N.J.A.C. 11:10

Authorized By: Justin Zimmerman, Commissioner, Department of Banking and Insurance.

Authority: N.J.S.A. 17:1-8.1, 17:1-15.e, 17:48D-1 et seq., 17B:26-44.4 et seq., 17:48C-18.1 et seq., and 17B:27-51.10a et seq.

Effective Dates: December 17, 2025, Readoption;  
January 20, 2026, Technical Changes.

New Expiration Date: December 17, 2032.

**Take notice** that pursuant to the provisions at N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 11:10 were scheduled to expire on January 25, 2026. The rules set forth the standards and practices for the regulation of dental plan organizations (DPOs) and the provision of dental services on other than a

pure fee-for-service basis by insurers, DPOs, and dental service corporations (DSCs). The chapter includes the following subchapters:

N.J.A.C. 11:10-1 implements the Dental Plan Organization Act, N.J.S.A. 17:48D-1 et seq. (Act), which regulates persons and corporations offering plans for the payment of dental services. The Act provides for the licensing and supervision of DPOs to protect enrollees of the plans and to ensure that the services contracted for are delivered. This subchapter sets forth requirements for a DPO to obtain and maintain a certificate of authority, including criteria for written agreements with dentists and for evidence of coverage and group contract forms; financial reporting; general surplus, expense limitation, and fidelity bond and malpractice insurance requirements; enrollee complaint procedures; and standards for schedules of charges.

N.J.A.C. 11:10-2 requires employers or other organizations subject to this chapter to offer its employees or members the option of selecting alternative dental coverage. This subchapter includes notification requirements concerning alternative dental care aimed at employers and the health insurers, DPOs, and DSCs that issue dental plans.

The Department of Insurance (Department) has reviewed the rules at N.J.A.C. 11:10 and has determined the existing rules continue to be necessary, reasonable, and proper for the purposes for which they were originally promulgated. Accordingly, pursuant to N.J.S.A. 52:14B-5.1.c(1), these rules are readopted and shall continue in effect for a seven-year period, with technical changes to correct the Department's website. Specifically, the following technical changes are being made:

At N.J.A.C. 11:10-1.4(a) and 1.7(a), the Department's website address is corrected to: [https://www.nj.gov/dobi/division\\_insurance/managedcare/dpo\\_app.pdf](https://www.nj.gov/dobi/division_insurance/managedcare/dpo_app.pdf). At N.J.A.C. 11:10-1.4(a) and (e) and 1.7(a) and (e) names of internal units were updated, along with phone numbers and addresses for the Department and the National Association of Insurance Commissioners.

**Full text** of the technical changes follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

#### SUBCHAPTER 1. DENTAL PLAN ORGANIZATIONS

##### 11:10-1.4 General rules

(a) Any person desiring to establish, operate, or administer a dental plan organization shall apply to the Commissioner for a certificate of authority. An application for a certificate of authority as a dental plan organization is available on the Department's website at [www.state.nj.us/dobi/division\_insurance/managedcare/dpo\_app.pdf] [https://www.nj.gov/dobi/division\\_insurance/managedcare/dpo\\_app.pdf](https://www.nj.gov/dobi/division_insurance/managedcare/dpo_app.pdf) or can be obtained from:

New Jersey Department of Banking and Insurance  
[Valuation Bureau]

Life and Health Division]

**Office of Solvency Regulation**

**Health Admissions**

20 West State Street

PO Box 325

Trenton, NJ 08625-0325

Phone: [609-292-5427] **609-292-7272**

(b)-(g) (No change.)

##### 11:10-1.5 Written agreements with dentists

(a)-(e) (No change.)

(f) The written agreements and amendments shall be sent to:  
[Chief, Health Insurance Bureau]

Office of Life and Health]

**Office of Managed Care**

New Jersey Department of Banking and Insurance

20 West State Street

[P.O.] PO Box 325

Trenton, NJ 08625-0325

##### 11:10-1.7 Financial reporting

(a) Every DPO shall submit a quarterly report and the DPO Supplement to the Quarterly Report for each of the first three calendar quarters ending March, June, and September within 45 days of the end of each quarter. Every DPO shall also submit the DPO Supplement to the

Annual Report. Instructions for the filing of quarterly reports and copies of the DPO Supplements to the Quarterly and Annual Report forms are available on the Department's website at [www.state.nj.us/do/division\\_insurance/managedcare/dpoqtrsup.pdf](http://www.state.nj.us/do/division_insurance/managedcare/dpoqtrsup.pdf) and [www.state.nj.us/do/division\\_insurance/managedcare/dpoamsup.pdf](http://www.state.nj.us/do/division_insurance/managedcare/dpoamsup.pdf) [https://www.nj.gov/do/division\\_insurance/managedcare/DPOannualquarterlyfilings.pdf](https://www.nj.gov/do/division_insurance/managedcare/DPOannualquarterlyfilings.pdf).

(b)-(d) (No change.)

(e) An annual financial report of the DPO shall be prepared by an independent certified public accountant or independent public accountant on a statutory basis and attested to by an officer of the DPO. This report shall include full disclosure of all assets and liabilities of the DPO, the terms and conditions thereof, and the sources and disposition of all funds for the calendar year immediately preceding. The report shall be completed as prescribed by the National Association of Insurance Commissioners (NAIC) Annual Statement Instructions Health that is applicable to the reporting year, and shall be completed on a statutory accounting basis (SAP) in accordance with the NAIC Accounting Practices and Procedures Manual applicable to the reporting year. The Instructions and the Manual are incorporated herein by reference. Copies of the Instructions and Manual may be obtained from the NAIC Publications Department, [2301 McGee Street, Kansas City, MO 64108-2660] **1100 Walnut Street, Suite 1000, Kansas City, MO 64106-2197**. Telephone number: [816-783-8300] **816-842-3100**. Revisions may be obtained on the NAIC website at [www.publist@naic.org](http://www.publist@naic.org) <https://content.naic.org/publications>. Three copies of the report shall be submitted on or before March 1 of each year to the following address:

[HMO Financial Operations

Office of Financial Examinations]

**Chief Insurance Examiner**

**Office of Solvency Regulation**

New Jersey Department of Banking and Insurance

20 West State Street

PO Box 325

Trenton NJ 08625-0325

(f)-(h) (No change.)

## LAW AND PUBLIC SAFETY

### (a)

#### DIVISION OF ALCOHOLIC BEVERAGE CONTROL

##### Permit Rules

**Adopted Amendments: N.J.A.C. 13:2-23.16, 26.1, 29.4, and 37.1**

**Adopted Recodifications with Amendments:**

**N.J.A.C. 13:2-5.1, 5.2, 5.3, 5.4, 5.5, and 5.6 as 5.33, 5.34, 5.35, 5.37, 5.40, and 5.36, Respectively**

**Adopted Repeal and New Rule: N.J.A.C. 13:2-5.7**

**Adopted New Rules: N.J.A.C. 13:2-5.1 through 5.6, 5.8 through 5.32, 5.39, 5.41, 5.42, and 5.43**

Proposed: August 18, 2025, at 57 N.J.R. 1793(a).

Adopted: December 22, 2025, by Kirstin L. Krueger, Interim Director, Division of Alcoholic Beverage Control.

Filed: December 24, 2025, as R.2026 d.033, with non-substantial changes not requiring additional public notice and comment (see N.J.A.C. 1:30-6.3).

Authority: N.J.S.A. 33:1-3, 3.1, 39, 42, 73, and 74.

Effective Date: January 20, 2026.

Expiration Date: February 3, 2032.

#### Summary of Public Comments and Agency Responses:

The public comment period ended on October 17, 2025. The Division of Alcoholic Beverage Control (Division) received comments on the notice of proposal from the following individuals:

1. Eric Orlando, on behalf of the Brewers Guild of New Jersey
2. Amy Herbold, Vice President, Ameream LLC
3. Assemblywoman Michele Matsikoudis, 21st District of New Jersey

**1. COMMENT:** The comment primarily addresses the Division's proposed limited brewery rules at 57 N.J.R. 1927(a), while mentioning "the steep increase in permit fees (up to 50%)" at 57 N.J.R. 1791(a), asserting that "[t]hese changes not only threaten the operational viability of small breweries but also risk stifling growth, innovation, and collaboration with local food vendors and community organizations."

**RESPONSE:** After considering the comment, the Division is electing not to adopt the permit fee increases at this time, so that it may more fully consider the views of all relevant stakeholders, and address its approach to permit fees more broadly. The Division may propose modified permit fees at a later date in a separate rulemaking, and nothing in this rulemaking should be understood as limiting the Division's authority to change permit fees in future rulemakings.

**2. COMMENT:** One commenter objects to fee increases for the following permits used by licensed breweries to operate their businesses and market and sell their products in various off-premises retail settings: charitable and civic event sampling permit for restricted breweries (N.J.A.C. 13:2-5.8); consumer tasting permit for licensed premises (N.J.A.C. 13:2-5.10); consumer tasting permit for social affair permits (N.J.A.C. 13:2-5.11); donation permit (N.J.A.C. 13:2-5.14); gratuitous samples permit (N.J.A.C. 13:2-5.17); merchandising show permit (N.J.A.C. 13:2-5.20); merchandising show out-of-State permit (N.J.A.C. 13:2-5.21); omnibus permit (N.J.A.C. 13:2-5.24); product introduction permit (N.J.A.C. 13:2-5.25); sampling or display permit for licensed manufacturers and wholesalers (N.J.A.C. 13:2-5.29); sampling or display permit for out-of-State suppliers (N.J.A.C. 13:2-5.30); seasonal farm market permit (N.J.A.C. 13:2-5.31); special permit for marketing agent (N.J.A.C. 13:2-5.36); temporary storage permit (N.J.A.C. 13:2-5.42); off-premises storage of records permit (N.J.A.C. 13:2-29.4); and the consumer tasting permit (N.J.A.C. 13:2-37.1). The commenter claims that the "sheer number of permits" authorized by the Division contributes to "inefficiencies and workforce deficits in the permitting process" and suggests that permits be combined or privileges be added to State-issued licenses.

**RESPONSE:** After considering the comment, the Division is electing not to adopt the permit fee increases at this time, so that it may more fully consider the views of all relevant stakeholders, and address its approach to permit fees more broadly. The Division may propose modified permit fees at a later date in a separate rulemaking, and nothing in this rulemaking should be understood as limiting the Division's authority to change permit fees in future rulemakings.

Accordingly, the Division is removing the proposed fees for the following permits: ad interim permits; alcoholic beverage seminar permit; bulk sale permit; catering permit; charitable and civic event sampling permit for restricted breweries; closeout permit; consumer tasting permit for licensed premises; consumer tasting permit for social affair events; cooperative purchasing permit; cruise line permit; donation permit; food and pharmaceutical permit; grand opening permit; gratuitous samples permit; instructional winemaking permit; market research permit; merchandising show permit; merchandising show out-of-State permit; nonprofit special auction permit; off-premises storage of records permit; omnibus permit; product introduction permit; professional golf tournament permit; retailer-to-retailer permit; sacramental wine permit; sampling or display permit for licensed manufacturers and wholesalers; sampling or display permit for out-of-State suppliers; seasonal farm market permit; seasonal license event permit; special permit for marketing agent; storage in transit permit for plenary retail transit licenses; temporary extension of premises permit; temporary storage permit; and wine civic event permit. The current fees for these permits remain the same. The Division is removing the fee for consumer tasting permits as well.

**3. COMMENT:** The commenter objects to an amendment to the special concessionaire permit rule (N.J.A.C. 13:2-5.34) requiring that applicants