

## **WAC 284-XX-XXX**

An order issued under RCW 48.02.060(4) must refer to the specific proclamation of a state of emergency upon which the order is based, provide the effective date of the order, and describe the geographic area to which the order applies, by line of insurance. Such an order may include a statement of general findings that describe the need for the order, and declare the harm to be prevented or mitigated by the order.

## **WAC 284-XX-XXX**

The Commissioner may issue an order that does one or more of the following:

- (1) Directs insurers to accept alternative methods of reporting claims;
- (2) Directs insurers to extend claim reporting periods;
- (3) Directs insurers to extend or offer grace periods for payment of insurance premiums;
- (4) Directs insurers to postpone cancellation or nonrenewal of policies;
- (5) Directs insurers to reissue required notices that may not have been received;
- (6) Directs insurers to excuse policyholders from performing other statutory or contractual duties;
- (7) Directs insurers to take any other steps authorized by RCW 48.02.060; and
- (8) Prohibits an insurer from canceling or refusing to renew a policy solely because of a claim resulting from the circumstances of the proclaimed state of emergency.

## **WAC 284-XX-XXX**

Before the Commissioner issues an order under RCW 48.02.060(4), the Commissioner may, to the extent feasible, consider any of the following:

- (1) The extent to which the circumstances of the proclaimed state of emergency prevents policyholders, providers or facilities, from using normal methods of reporting claims;
- (2) What methods of reporting remain available to consumers in the affected areas;
- (3) The extent to which the circumstances of the proclaimed state of emergency prevent the payment of insurance premiums;
- (4) The extent to which the circumstances of the proclaimed state of emergency prevent the performance of other statutory or contractual duties imposed on policyholders; and
- (5) The extent to which the proclaimed state of emergency prevents communication of notices of cancellation or nonrenewal from policyholders to their insurers and the extent to which communication is prevented from insurers to their policyholders.

## **WAC 284-XX-XXX**

An order of the Commissioner under RCW 48.02.060(4) may also address the following matters:

- (1) Whether the order applies to authorized insurers only;
- (2) The classes and categories of insurance policies to which the order applies, whether by specific inclusion or exclusion;
- (3) The categories of insureds and insured property to which the order applies;

- (4) Whether an insurer who receives a claim from an insured owing premium may offset the premium due from any claim payment made under the policy;
- (5) Whether a free look period in a variable life insurance policy or variable annuity contract is extended by the order;
- (6) Procedures to be followed by premium finance companies with respect to cancellation of policies, including notice, proof of notice and treatment of refunds;
- (7) Procedures to be followed by insurers to extend the length of time to allow for the reporting of claims, if a policy requires a covered person to submit a claim within a specific amount of time;
- (8) The period for which an extension of policy coverage will apply;
- (9) The method for determining premium for the extended term of coverage;
- (10) Whether notices of cancellation or nonrenewals must be withdrawn and reissued;
- (11) When and how an insurer that was unable to cancel or nonrenew a policy owing to an order may cancel or nonrenew the policy following the period to which the order applies;
- (12) The date on which a delayed cancellation or nonrenewal may become effective;  
and
- (13) Cancellation or nonrenewal of a policy under specific factual circumstances, including but not limited to fraud or material misrepresentation.

## **WAC 284-XX-XXX**

The Commissioner may extend, modify, or rescind an order issued under RCW 48.02.060(4).

## **WAC 284-XX-XXX**

These general criteria do not in any way limit the Commissioner's authority and discretion to issue orders to the extent authorized under RCW 48.02.060(4).