

Washington State SERFF Life and Disability Rate and Form Filing General Instructions

These instructions apply to all rate and form filings for life insurance, annuities, Medicare supplement plans, long term care insurance, credit life insurance, life settlements, and disability products.

Please see the Washington State SERFF Health and Disability Rate Filing General Instructions and the Washington State SERFF Health and Disability Form Filing General Instructions for filings of any of the following: Medical plans including higher education student health plans, stand-alone dental and stand-alone vision plans, and provider agreements.

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I. General Filing Submission Requirements

- A. Life and disability insurers must submit rate and form filings in SERFF.
- B. Life Illustration information is no longer accepted via email and must be submitted through SERFF. Life Illustration information is not considered received until successfully submitted through SERFF. See the Life Illustration sections of these instructions for details.
- C. If both a rate filing and form filing are required:
 - 1. All of the applicable filings must be submitted concurrently.
 - 2. The Corresponding Filing Tracking Number field must include the appropriate tracking numbers for each filing.
- D. Rate filings, including single case filings, may have multiple corresponding form filings.

II. General Rate Filing Instructions

- A. A rate filing must be filed unless:
 - 1. You are submitting a Life Insurance Filing.
 - 2. You are making changes or adding a rider to an approved form filing that does not affect the rates.
 - a) You must state the reason you are not providing a corresponding rate filing in the filing description of the form filing.
- B. Public rate filing submissions:
 - 1. Under the General Information tab:
 - a) For rate change filings, please make it clear in the filing description you are filing a rate change for an existing product.
 - 2. Under the Rate/Rule Schedule tab:
 - a) List all the form numbers to which the rate filing is applicable in the affected form numbers section.
 - 3. Under the Supporting Documentation tab:
 - a) Include only supporting documentation and justification that is subject to public inspection.
- C. If you wish to withhold rate information from public inspection:
 - 1. You must submit a Not-for-Public rate filing.

- a) A corresponding Public rate filing must be submitted with each Not-for-Public rate filing.
 - b) The Not-for-Public rate filing must be a complete filing and include all information in the Public rate filing.
2. Under the General Information tab:
 - a) The product name must include "Not-for-Public rate filing" or "Public rate filing" in the appropriate filing.
 3. Under the Rate/Rule Schedule tab:
 - a) The rate information submitted must be the same for both filings.
 4. Under the Supporting Documentation tab:
 - a) Include all not-for-public documentation and justification in the Supporting Documentation tab.
 - b) Provide a separate statement that summarizes your justification of requesting certain documents to be not-for-public per RCW 48.02.120(3). List the document names that are not-for-public.

III. General Requirements for Form Filings

- A. Under [RCW 48.18.100](#), all forms that are part of the insurance contract must be filed. This includes the application, policy forms and jackets, endorsements, and specifications pages (completed in John Doe fashion). You may attach supporting documentation (side by side or markup) for a specific form under the Supporting Documentation tab.
- B. Except for [Credit Life and Credit Accident and Health Insurance](#), you do not have to file notices to policyholders unless they amend policy provisions.
- C. You must list all filed forms on the Form Schedule tab, and enter form numbers correctly.
- D. Each form must have a unique identifying number and a way to distinguish it from new forms.
- E. [Disability forms](#) must be in not less than 10-point type.
- F. Long Term Care advertising must be submitted on an LTC06-Other TOI code.
- G. Life Settlement filings must be submitted on Type of Insurance (TOI) code LS01.

- H. Charitable Gift Annuity contract filings must be submitted on Type of Insurance (TOI) code A10. Filers must attach filed contracts and application forms to the Form Schedule tab. You must attach all other documents (such as cover letters, explanatory memorandums, side-by-sides or marked-up forms) to the Supporting Documentation tab. You must submit a completed compliance checklist under the Supporting Documentation tab for each new contract, see WAC 284-38-110(5)(a) or complete one checklist and submit an explanatory memorandum that lists any material differences between the filed documents, see WAC 284-38-110(5)(b).
- I. Single Case Filing submissions. For each unique group master application and/or group enrollment form filed for review you must file a completed and signed "Custom Enrollment/Application Certification" on the Supporting Documentation tab. The custom applications and enrollment forms filed for review must be attached, in final form, on the Form Schedule tab. You must complete the Form Name field using the following naming convention: "Custom App/Enr [ABC Company]." "ABC Company" means the specific group, trust, association, etc.

J. Out-of-State Groups [WAC 284-30-600].

- 1. Must file as a new submission. You may not request to re-open a previously approved form or rate filing to modify its contents or to have it apply to new groups.
- 2. Must file for approval all certificates [in single case format], providing coverage in the state of Washington. A complete submission includes: applications, riders, or endorsements for approval on the Form Schedule tab.
 - a) If previously approved applications, riders, or endorsements are to be used with the new certificate, they must be attached to the Supporting Documents tab and be described in the filing description or cover letter.
 - b) Single case format means group specific language with no bracketing or variability. Bracketing or variability may be used relative to amounts of coverage such as the death benefit and or coverage provisions, such as AD & D on a group life policy where the AD & D is either included or not included based upon the requirements of the policyholder.
 - c) Single case submissions must indicate in the "Group Market Type" field whether it is an Association or Trust.
 - d) Single case format does not apply to employer groups as defined in RCW 48.24.020 or Union Groups as defined in RCW 48.24.050. For an "Employer Group" and or "Union Group" to be exempted from the single case filing requirements, "Employer Group" and or "Union Group" and only these terms can be specified in the "Group Market Type" field.

3. Trust or Association submissions must file copies of the original, executed trust documents or articles of incorporation and include revised, amended or restated documents on the Supporting Documentation tab.
4. Must file disclosure statement for approval on the Form Schedule tab [WAC 284-30-610] when Producer solicitation is allowed.
5. Must disclose in the Filing Description field this is an Out-Of-State Group Filing and follow the prescribed Product Name convention in the Submission Requirements. Groups would use: Out of State Group [ABC Company]; Association or Trusts would use: Out of State [ABC Association]. "ABC Company" means the specific group, trust, association, etc.
6. Must file a single case rate filing unless:
 - a) You are filing a rider specific to the group and that rider does not affect the rates; or
 - b) You have already filed single case rate and form filings and the changes in the form filing do not affect the rates.
 - c) Corresponding rate filings must also comply with section J.5

K. Association, Trust, or Employer Groups domiciled in Washington State

1. Must file for approval the policy, association and trust certificates in single case format [does not apply to Employer Groups or Union Groups], applications, riders, or endorsements on the Form Schedule tab.
 - a) If previously approved applications, riders, or endorsements are to be used with the new policy or certificate, they must be attached to the supporting documents tab and be described in the filing description or cover letter
 - b) Single case format means group specific language with no bracketing or variability [does not apply to Employer Groups or Union Groups].
 - c) Indicate in the "Group Market Type" field whether it is an Association or Trust.
2. Must file copies of the original trust documents or articles of incorporation and include revised, amended or restated documents on the Supporting Documentation tab [does not apply to Employer Groups or Union Groups].
 - a) If the group is an association, a copy of the initial association bylaws must be provided on the Supporting Documentation tab.
 - i. Must include a copy of the Industry Classifications comprising the eligible groups in the association; or

- ii. An advisory opinion from the Federal Department of Labor demonstrating the group is qualified to purchase association coverage.
3. Must disclose in the Filing Description field this is an In-State Group Filing and follow the prescribed Product Name convention in the Submission Requirements. Groups would use: In State Group [ABC Company]; Association or Trust would use: In State [ABC Association]. "ABC Company" means the specific group, trust, association, etc.
4. Must file a single case rate filing unless:
 - a) You are filing a rider specific to the group and that rider does not affect the rates; or
 - b) You have already filed single case rate and form filings and the changes in the form filing do not affect the rates.
 - c) Corresponding rate filings must also comply with section K.3

L. Discretionary Groups under RCW 48.21.010(2) for Accident Only, Disability Income or CHAMPVA and Discretionary Groups under RCW 48.24.027(1) for group life and group annuities.

1. Must file a new submission form filing with a concurrent new rate filing for each discretionary group, regardless of whether the group is an out-of-state group or not. Previously approved form or rate filings cannot be re-opened to modify contents.
2. Must file in compliance with the provisions under RCW 48.21.010 (2) (a) and (b) or RCW 48.24.027(1), (2) and (3) and all applicable filing instructions of rate and form filings.
3. The product name in SERFF must use the following naming convention: "Discretionary Group - [Group Name]."
4. Must disclose in the Filing Description field that you are filing for a discretionary group under the requirements of RCW 48.21.010(2) or RCW 48.24.027(1).
5. Must file a single case rate filing unless:
 - a) You are filing a rider specific to the group and that rider does not affect the rates; or
 - b) You have already filed single case rate and form filings and the changes in the form filing do not affect the rates
 - c) Corresponding rate filings must also comply with section L.3

M. Small Business Retirement System filings (ESSB 5826) for consideration under this program, the filing must contain:

1. A life insurance or annuity form that complies with chapter 48 RCW and chapter 284 WAC.
2. A certification, submitted as supporting documentation, from an executive officer as defined in WAC 284-18-340(2) that the form:
 - a) Is intended for the Washington small business retirement marketplace.
 - b) Will not charge enrollees more than 100 basis points in total annual fees.
 - c) Will not charge the participating employer an administrative fee.
 - d) Will allow enrollees to roll pretax contributions into a different individual retirement account or another eligible retirement plan after the enrollees cease participation in the retirement plan offered on the Washington small business retirement marketplace.
 - e) Is designed for retirement purposes and receives favorable federal tax treatment pursuant to the Internal Revenue Code.

IV. Requirements for Medicare Supplement Filings

- A. You must provide the [Medicare Supplement Filing Summary](#) for the 2010 Medicare Supplement Plans.
- B. If you plan on submitting more than one plan on a single filing you must use the multi-plan codes from the NAIC's Product Coding Matrix.
- C. Reports such as Refund Calculations, Multiple Policy Reports and Grievance Reports are not being accepted through SERFF. Please see the instructions for submitting these reports at <https://www.insurance.wa.gov/instructions-filing-medicare-supplement-annual-reports>.
- D. Notice of plan closures must be filed as a unique form filing. The document must include a form number in the lower left hand corner and be filed on the Form Schedule tab.
- E. Medicare supplement advertising must be submitted on an MS06 or MS09 TOI code.
- F. You must provide only one rate filing for all your individual pre-standardized Medicare Supplement plans.
- G. Only rates should be on the rate/rule tab. All other documents should be placed on the supporting documentation tab.
- H. When filing rate increases for the 2010 Medicare Supplement plans, follow these guidelines.

1. The experience for each plan should be combined with the same 1990 plan for rating purposes (i.e., the experience for 2010 plan A should be combined with the experience of 1990 plan A).
2. If each plan is not credible, combine the experience of all 1990 and 2010 plans together.
3. Submit two separate rate filings:
 - a) The 1990 rates are placed on the Rate/Rule schedule under a filing using a 1990 TOI. In the filing description, state that the justification for the rate increase is filed in a separate filing and list the SERFF tracking number.
 - b) Then under a separate filing using a 2010 TOI include the rates on the rate/rule schedule with the filing summary on the Supporting Documentation tab along with your justification for the rate increases for the 1990 and 2010 plans. In your supporting documentation, please provide us with the number of lives separately for each type of insurance. If you separate the 1990 experience from the 2010 experience, file a detailed explanation.
- I. Fill out the Company Rate Information on the Rate/Rule Schedule tab unless the filing is for new plans. The data provided in the Company Rate Information should only be for Washington experience and for the TOI and company name submitted.

V. Long Term Care Reports Required By WAC 284-83-090

- A. The product name in SERFF must include the words "Experience Report Only."
 1. The updated experience report must be filed as a rate filing under the same TOI as the most recent rate manual filing. All documents should be submitted on the Supporting Documentation tab in SERFF.
 2. Submit an Excel and a PDF version of the experience and projections, including the original information (i.e., the most recent rate filing) and any interim updates filed under WAC 284-83-090(4). The PDF must include all the information from the spreadsheet, including all hidden cells and worksheets, and the file names must match except for "duplicate" added to the end of the spreadsheet name.
 3. Submit an actuarial memorandum explaining any significant projection changes, due to the updated experience, and a table listing the SERFF and/or state tracking number of the original and interim filings and the number of policyholders at the time of each filing [WAC 284-83-090(2)(c)(i)].

VI. Requirements for Long-term Care Partnership Filings

- A. You must file your LTC partnership forms under the proper LTC Partnership Sub-TOI code. Please refer to the NAIC's Product Coding Matrix for the proper code.
- B. If a partnership certification form is to apply to multiple partnership Sub-TOIs, then a separate Partnership Certification form must be filed under the Form Schedule tab for each Sub-TOI. If the Partnership Certification form will be used with an Interstate Compact approved policy form, you must submit a copy of the Compact approved policy under the Supporting Documentation tab.
- C. A long-term care partnership policy certification form must be completed for each policy or certificate, and submitted under the Form Schedule Tab. In addition, filers must submit the partnership status disclosure notice and the partnership program notice which will be used with the policy or certificate. These should be submitted under the Form Schedule Tab and should include the word 'Partnership' in the Form Name field.
- D. You must indicate in the Filing Description and the Product Name field this is a LTC Partnership filing.

VII. Life Illustrations Information Filings

- A. Life illustration information is no longer accepted via email and must be submitted through SERFF. Life illustration information is not considered received until successfully submitted through SERFF.
- B. Use the "Form" filing type in SERFF and TOI: L08.000 "Life-Other."
- C. Insurers must identify whether policy forms offered in Washington State are illustrated at the time of filing. Any previous identification may be changed by notice. [RCW 48.23A.020(1)]
- D. The method for filing life illustration information through SERFF depends on the reason for the filing and the intent of the company, as described in the following cases:
 - 1. Companies not illustrating any policy forms in Washington State:**
 - a) If you are not illustrating any policy forms in WA, you only need to submit this type of filing once.
 - b) If you change from not illustrating any policy forms in WA to illustrating some or all policy forms in WA, you must file a Life Illustration Certification filing before the policy form is illustrated in WA. [RCW 48.23A.080(4)(a)]. See VII.D.3 below.

- c) *SERFF Filing Details and Specifications*
 - i. On the General Information tab in SERFF:
 - (a) Use the SERFF Product Name naming convention: "Life Illustrations – No Illustrations Used in WA"
 - ii. On the Supporting docs in SERFF:
 - (a) Submit a letter stating that the company does not illustrate any forms.

2. Companies illustrating some or all policy forms in Washington State

- a) You must submit life illustration certification filings annually.
- b) You must submit filings by the date determined by the insurer in the first annual life illustration certification filing. If you decide to change this date for future years, you must inform us via a filing.
- c) If the illustration actuary cannot certify some or all of the company's life illustrations, please contact the OIC Rates & Forms Help Desk promptly (contact information stated below). [RCW 48.23A.080(5)]
- d) *SERFF Filing Details and Specifications*
 - i. On the General Information tab in SERFF:
 - (a) Use the SERFF Product Name naming convention: "Life Illustrations – Annual Certifications"
 - ii. On the Supporting Docs tab in SERFF:
 - (a) Provide a separate filing deadline letter.
 - (i) If this is the first annual certification filing the company has submitted via SERFF, provide a letter that explicitly selects a filing deadline (e.g., December 1st of each year). This is the date by which you will be required to submit future annual certifications to comply with RCW 48.23A.080(7).
 - (ii) If this is NOT the first annual certification filing the company has submitted through SERFF:
 - (a) Restate the filing deadline selected in the company's first annual certification filing in a cover letter.
 - (b) If you are submitting the filing after the annual filing deadline selected in the company's previous filing deadline letter, explain why you are submitting late in the cover letter.
 - (iii) If you decide to change this date for future years, you must inform us in advance via a SERFF filing.

- (b) Provide a separate document that lists all policy forms to which the law applies, and identifies in the list whether the forms are illustrated or not illustrated. This list should include all policy forms offered in Washington State that are filed with Interstate Insurance Product Regulation Commission (IIPRC).
- (c) Provide a separate document for the Illustration Actuary's certification [RCW 48.23A.080(4)]
 - (i) If the company's life illustrations require more than one Certification, state the applicable lines or partitions of business in the actuary's certification.
- (d) Provide a separate document for the Responsible Officer's illustration certification [RCW 48.23A.080(6)]
 - (i) If life illustrations require more than one Certification, state the applicable lines or partitions of business in the officer's certification.

3. Changing from not-illustrating to illustrating policy forms

- a) You must file life illustration certifications before a policy form is illustrated in Washington State. [RCW 48.23A.080(4)(a)]
- b) File according to section VII.D.2 (Illustrating some or all policy forms).

4. Changing from illustrating to not illustrating policy forms in Washington State

- a) Submit a filing in SERFF to notify us of the change.
- b) *SERFF Filing Details and Specifications*
 - i. On the General Information tab in SERFF:
 - (a) Use the SERFF Product Name naming convention: "Life Illustrations – Annual Certifications – Not illustrating in WA"
 - ii. On the Supporting Docs tab in SERFF:
 - (a) Submit a letter that states the company is not illustrating any policy forms and include an effective date for the change.

5. New or changing illustration actuary

- a) If an insurer changes the illustration actuary responsible for all or a portion of the company's policy forms, the insurer shall notify the commissioner of that fact promptly per instructions below. [RCW 48.23A.080(8)]
- b) *SERFF Filing Details and Specifications*
 - i. On the General Information tab in SERFF:

- (a) Use the following SERFF Product Name naming convention:
"Life Illustrations – Illustration Actuary Change"
- ii. On the Supporting docs in SERFF:
 - (a) Submit documentation regarding the new Illustration Actuary's appointment by the board and the effective date. [RCW 48.23A.080(1)]
 - (b) Submit a letter that states the reason for the change. [RCW 48.23A.080(8)]

VIII. Your Filing is Incomplete and will be rejected if:

- A. We cannot download your filing into our back office system. Common reasons filings cannot be downloaded into our back-office system include:
 1. Attachments are not formatted using a Distiller in PDF format.
 2. An incorrect CoCode number is entered in the Filing Company Information, under the Companies and Contact Tab.
 - a) For insurers, the CoCode number is the same number as your company's 5-digit NAIC number.
 - b) Life Settlement providers, associations, and charitable gift organizations must leave the CoCode field blank and enter their WAOIC number in the State ID number field.
- B. You use an incorrect Type of Insurance (TOI) or Sub-TOI or do not file separate filings for different Types of Insurance (exception: Disability Income may be filed with Accident Only under the Accident Only TOI).
- C. You attach more than one form or document to a row in the Form Schedule tab.
- D. **NOTE:** Rejected Filings will not be Re-Opened. If the OIC Technical Support Unit rejects your filing, you must submit a new filing following the procedures in our Rejection Notice and General Instructions.

IX. Rules for Responding to SERFF Objection Letters

- A. Unless instructed otherwise, all attachments to Responses must be in PDF format.
- B. When responding to an Objection Letter, you must:
 1. Amend Filing to respond to an objection. You must answer each objection individually with the appropriate revised form.
 2. Revise a Schedule Item to make changes to a form already submitted.
 3. Add a Schedule Item to add additional forms not previously submitted.

X. After a Final Disposition by OIC Analyst

- A. If you must submit a new attachment to make a change or correction to a closed filing, you must send a Note to Reviewer asking to re-open the filing. The analyst will review the filing and determine if you can make a change to the filing.
- B. If the analyst agrees to re-open the filing, you can make changes and corrections without making a new SERFF filing.
- C. If the analyst determines the filing cannot be re-opened, you must make a new filing in SERFF.

For questions related to SERFF filing procedures, contact: Rates & Forms Help Desk at (360) 725-7111 or rfhelpdesk@oic.wa.gov