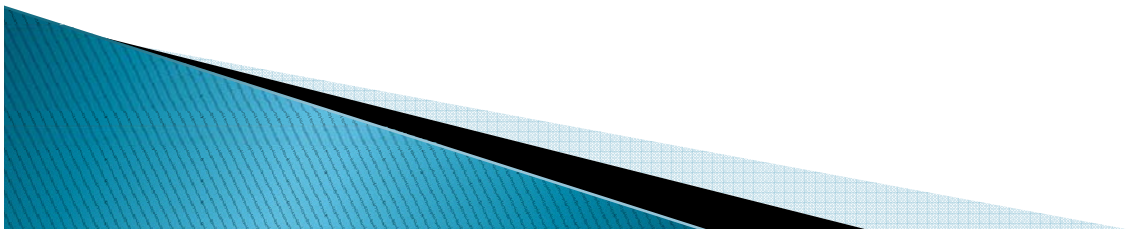




Filing Information

Presented by: Tammy Vance

http://www.oregoninsurance.org/docs/serff/filing_requirements.html



Where would I find information?

http://www.oregoninsurance.org/

The screenshot shows the Oregon Insurance Division website. At the top, there is a dark red header with the text "OREGON.gov" on the left, a search bar with "Search Insurance" and a "Find" button on the right, and links for "Text Size: A+ A- A", "Text Only Site", and "Accessibility". Below the header is a dark blue bar with "Insurance Division" on the left and the "DEPARTMENT OF CONSUMER BUSINESS & SERVICES" logo on the right. The main content area is divided into three sections: a left sidebar with a "Department" dropdown menu and links for "Insurance Home", "Search", "What's New", "About Us", "Bulletins", "Committees", and "Company Information"; a central image of a lake with mountains; and a right sidebar titled "Topics" with the text "Information for:" and a list of links: "Consumers", "Insurance Producers", and "Insurance Companies". A blue arrow points from the text "Click on Company Information" to the "Insurance Companies" link.

Click on
Company
Information

Insurance Division

Department ▼

- Insurance Home
- Search
- What's New
- About Us
- Bulletins
- Committees
- Company Information
- Consumer Information
- Contact us
- En Español
- E-Mail Notification
- FAQ's
- Fees
- File a Complaint
- Forms
- Jobs with INS
- Laws & Rules

Click on
Rates and
Forms

Information for Insurers

✉ [Sign up for E-mail updates](#)

Search Pages

- [Insurance Company Search Page](#)
- [Insurance Producer \(Agent\) Search Page](#)
- [Insurance Agency Search Page](#)

[Rates and Forms](#)

Financial Regulation

- [Authorized insurers information](#)
- [Assessment on health premiums - HB 2116](#)
- [Charitable/educational organizations issuing gift annuities](#)
- [Medical discount plan organizations](#)
- [Obligors of service contracts list - September 1, 2009](#)
- [Risk purchasing groups list - August 31, 2009](#)
- [Risk Retention Group](#)

Rate and Form Filing Information

- 
- [Filing requirements](#)
 - [Waiving H1N1 cost-sharing](#)
 - [Listing of current filing forms](#)
 - [Approval requirements for rate and form filings](#)
 - [Health insurance information for insurers](#)
 - [Helpful Hints](#)
 - [Mandated health insurance provisions/benefits](#)
 - [Organization and Formatting Forms](#)
 - [Required Filing of Associations, Trusts and Discretionary Groups](#)
- 

Filing Requirements

[Listing of Current Filing Forms](#)

- Each time forms are updated a new edition date added to the form number and updated on this list.
- Forms that are commonly used are sometimes saved to a computer. Please check this list before starting a new filing to make sure the most current form is being used.
- Please use this list to determine if the current form is being used before submitting a file.

Requirements

Life/Annuities

Group Life

Individual Life

Group Annuities

Individual Annuities

Life Illustration Certification

Accidental Death

Applications

Advertisements

Supplemental Riders,
Endorsements, etc.

Life Settlement

Health

[Group Health](#)

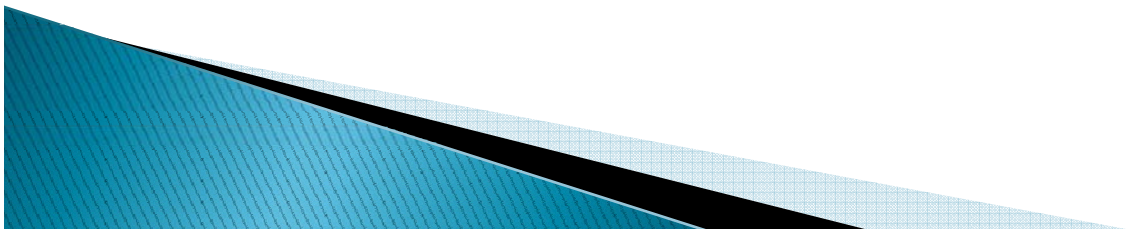
[Individual Health](#)

[Small Group Health](#)

[Advertisements](#)

[Multiple Employer Welfare
Arrangements](#)

[Modification and Discontinuance](#)



Other

Associations, Trusts, and
Discretionary Groups

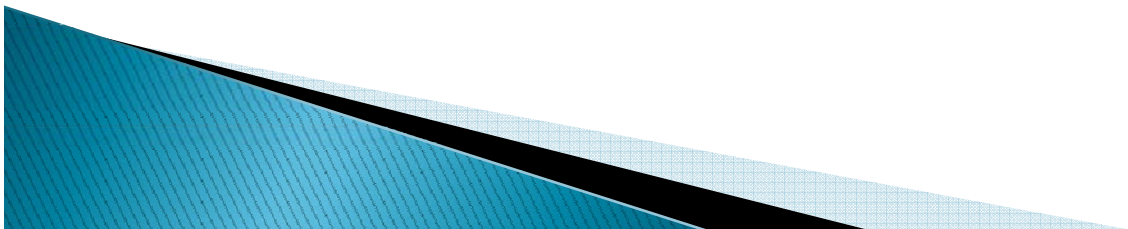
Credit Life and Health

Changes to Business
Operations

(assumptions, mergers, etc.)

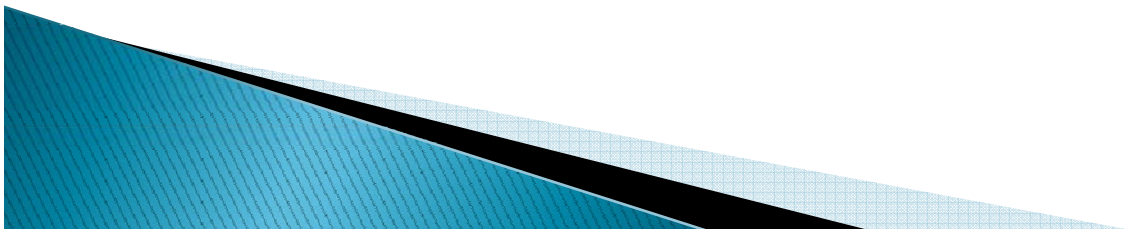
Stop Loss/Excess Loss

Title



SERFF

How do I find the same Filing Requirements in SERFF?



- ▶ NAIC's Product Coding Matrix (PCM)
 - ▶ Determining for each possible TOI, Sub-Toi, and Filing Type combination what filing requirements need to be submitted.

- ▶ Revising our Product Standards to include the TOI's and Sub-TOI's that it should be used with.

- ▶ Currently working on an excel spreadsheet that will be posted with our General Instructions Document to help with mapping.
 - ▶ If unsure of which TOI / Sub-TOI combination to use please ask. I can be reached at 503-947-7236 or tammy.vance@state.or.us .



Filings	Settings	Filing Rules	Reports	
<u>Requirements</u>	<u>General Instructions</u>	<u>Types of Insurance</u>	<u>Filing Types</u>	<u>Submission Requirements</u>

Find Submission Requirements

Types Of Insurance:

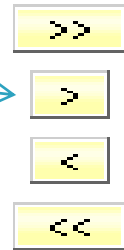
- H02G Group Health - Accident Only
- H02I Individual Health - Accident Only
- H03G Group Health - Accidental Death & Dismemberment
- H03I Individual Health - Accidental Death & Dismemberment
- H04 Health - Blanket Accident /Sickness
- H05 Health - Champus /Tricare Supplement
- H06 Health - Conversion
- H07G Group Health - Specified Disease - Limited Benefit
- H07I Individual Health - Specified Disease - Limited Benefit
- H08G Group Health - Intensive Care - Limited Benefit



Select Button

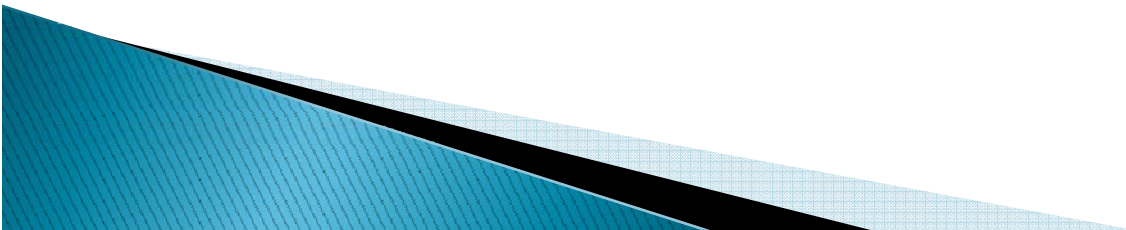
Sub Type of Insurance:

H06.000 Health - Conversion



Find Button

Submission Requirements		Submission Requirements 1-4 of 4	First	Previous	Next	Last
Instance Name	TOI/Sub-TOI	Filing Type				
Oregon	H06 Health - Conversion/ H06.000 Health - Conversion	Form/Rate	←			
Oregon	H06 Health - Conversion/ H06.000 Health - Conversion	Rate				
Oregon	H06 Health - Conversion/ H06.000 Health - Conversion	Applications				
Oregon	H06 Health - Conversion/ H06.000 Health - Conversion	Form				



State Instance: Oregon

TOI: H06 Health - Conversion

Sub-TOI: H06.000 Health - Conversion

Filing Types: Form/Rate

Requirements: [Rate Filing Summary](#)

[Cover Letter](#)

[Third party filers' letter of authorization](#)

[Certification of Compliance](#)

[3019 Standards for Portability](#)

[Actuarial Demonstration - Portability](#)

[Geographic Average Rate Report A and B](#)

[Highlighted/Redline form version if a replaced, amended or similar forms](#)

[Readability Certification](#)

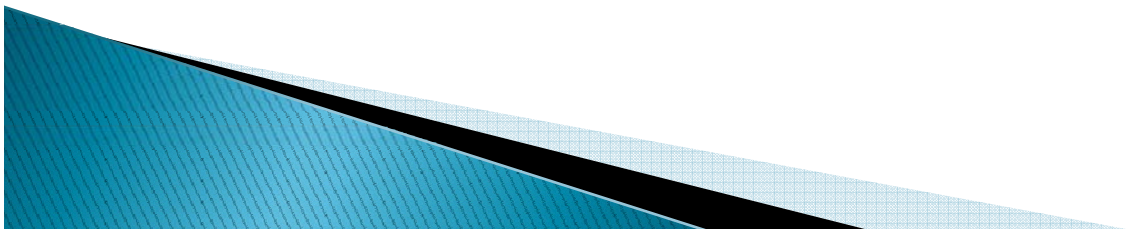
**Additional
Information:**

Rate and Form Filing Information

- [Filing requirements](#)
- [Waiving H1N1 cost-sharing](#)
- [Listing of current filing forms](#)
- [Approval requirements for rate and form filings](#)
- [Health insurance information for insurers](#)
- • [Helpful Hints](#)
- [Mandated health insurance provisions/benefits](#)
- [Organization and Formatting Forms](#)
- [Required Filing of Associations, Trusts and Discretionary Groups](#)

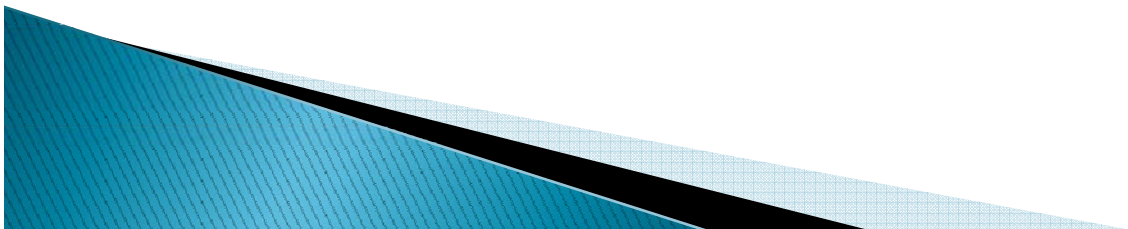
Helpful Hints

- ▶ Domestic partnerships and annuity contracts (*E-Notify* 1/27/09)
- ▶ General filing tips
- ▶ Health Advertising filing tips
- ▶ Health filing tips
- ▶ Hospital Confinement - Indemnity - Limited Benefit Plans
- ▶ Individual annuity filing helpful hints
- ▶ Individual major medical, small employer health insurance, and portability instructions



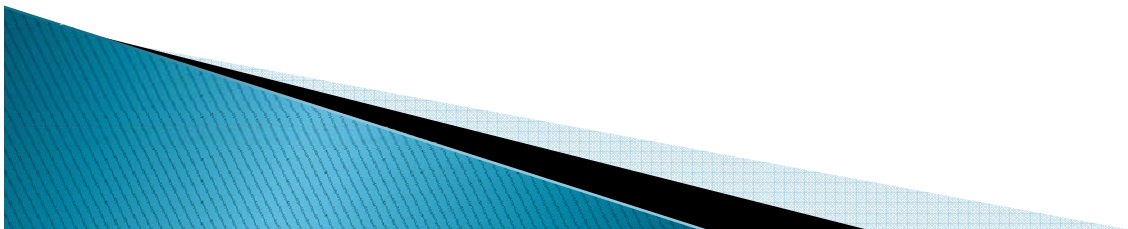
Helpful Hints

- ▶ Life and annuity filing tips
- ▶ Life and health policies filing guidelines
- ▶ New interpretation of the Suicide Exclusion for Accidental Death & Dismemberment Benefits (*E-Notify 1/27/09*)
- ▶ Property and casualty filing tips
- ▶ Variability, Bracketing, and the Statement of Variability Form



Most common intake objections

- ▶ Failure to read and follow General Instructions.
 - What is not allowed to be filed via SERFF.
 - Annual Certifications, such as Life Illustration Certifications
 - Consent to Rate filings
 - Annual Medicare Supplement Refund Calculation Reports
 - Purchasing Groups
 - Vehicle Service Contracts
 - Accident & Health Advertising Certification of Compliance
 - Annual LTC lapses and replacements/denied claims/recession report
 - Health Plan Grievance and Appeals reports



Most common intake objections

- ▶ Form Number field does not match the attached form 'EXACTLY'.
 - / - () missing or in wrong spot
 - Document attached is totally different.
 - Replaced forms require action specific data. Forms should match what was approved.

H1N1 Virus - Absolute Exclusion	XS-28007 (08/09)	END	New			0	
Industrial Aid Aircraft Endorsement	XS-26429a (08/09)	END	Replaced	Previous Filing #	CO 0411 09	0	
				Replaced Form #	XS-26429 (02/09)		

Most common intake objections

- ✓ Statement of Variability
 - Is required to have a unique form number.
 - Submitted as its own status item.
 - Placed on the Forms Schedule tab.
- ✓ Wrong TOI's and Filing Types
- ✓ TOI's for changes to business operations
- ✓ Filing type on filing is Form but the attached document is an Advertisement. Filing type should then be Advertisement to be prompted for right Submission Requirements.

Most common intake objections

- ✓ Certificate of Compliance
 - Signature Missing
 - Submission item is bypassed
- ✓ Missing Product Standards
 - Can be caused by wrong Filing Types
 - TOI/filing type combination only prompts for one Product Standard in most cases, instead of multiple. Some filings require more than one Product Standard to be attached.

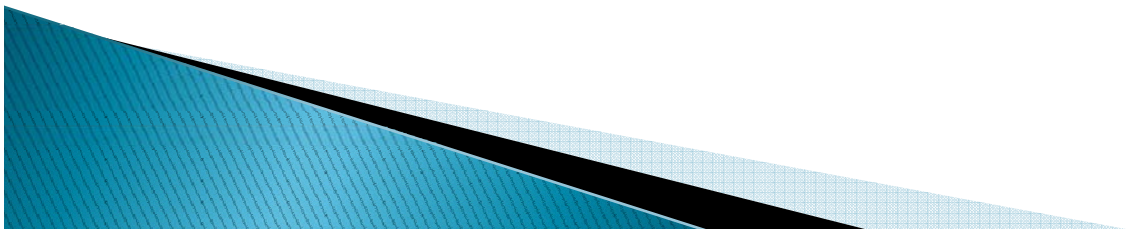
Most common intake objections

- ✓ Supporting Documentation conflicts
 - Previously approved form numbers identified in filing don't match our system. (example: identifying generic form numbers instead of state specific forms.)
 - Actuarial documents or cover letters reference forms that do not show in our system.
 - Each document references a different form or version of the form.
 - NAIC Uniform Transmittal Document not required with SERFF v5.

HB 2009

Filing Intake Objections

- ▶ Current Rate Filing Summary
 - Amending Individual/Group Renewals [Exhibit 1](#)
 - Amending Portability Renewals [Exhibit 2](#)
 - New Plan Rates [Exhibit 3](#)
 - Make sure that the Exhibit is completely filled out.

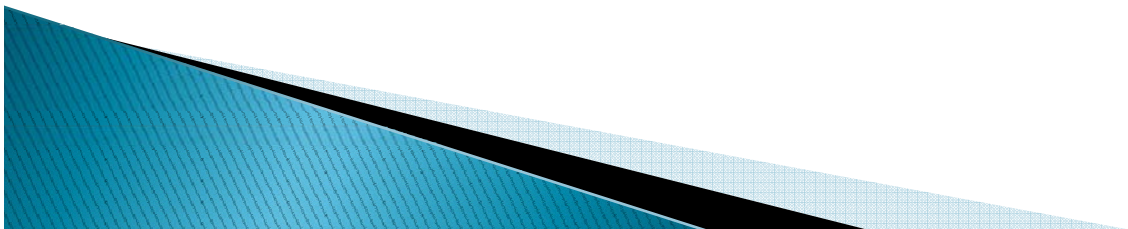


Confidentiality Requests

- ▶ Must be marked on the individual attachments
- ▶ DO NOT mark the whole filing as confidential
- ▶ A letter must be included in the filing explaining why the documents should be considered confidential.

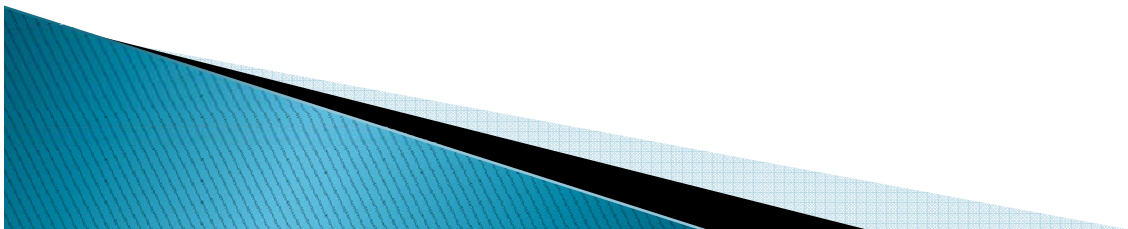
Rate/Rule Tab in SERFF

- ▶ Must be completed so that the information will populate into our back office system.



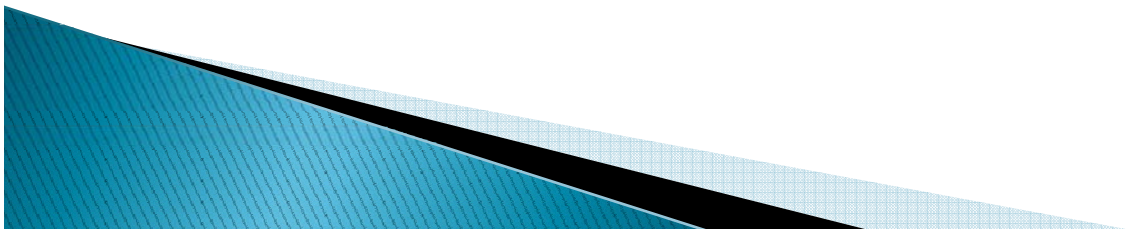
Associations, Trusts, and Discretionary Groups

- ▶ Top filing errors
 - Name of association not matching the name on the bylaws.
 - Incorrect address for the entity.
 - Incorrect form numbers which will be used by the Association or Trust.
 - The bylaws or trust agreement not being submitted with filing.



Associations, Trusts, and Discretionary Groups Continued

- Sending one filing for both Life and Health-need to send separate filing and send one for Life and one for Health.
- Sending a filing with the TOI and Sub TOI for Life association or trust and submitting the Health Product Standards.



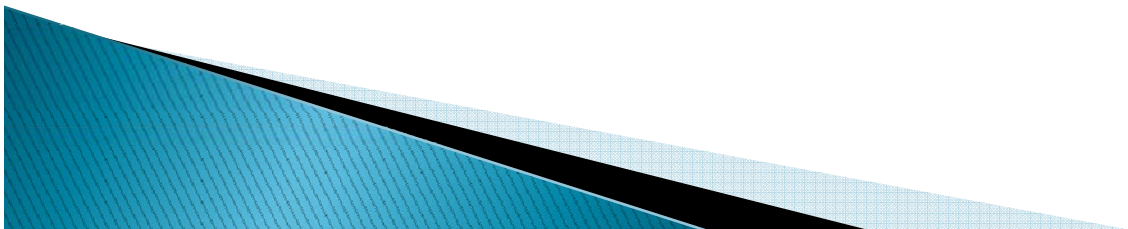


Associations, Trusts, Unions and Discretionary Group Filings

Presented by: Rae Taylor, FCAS, MAAA

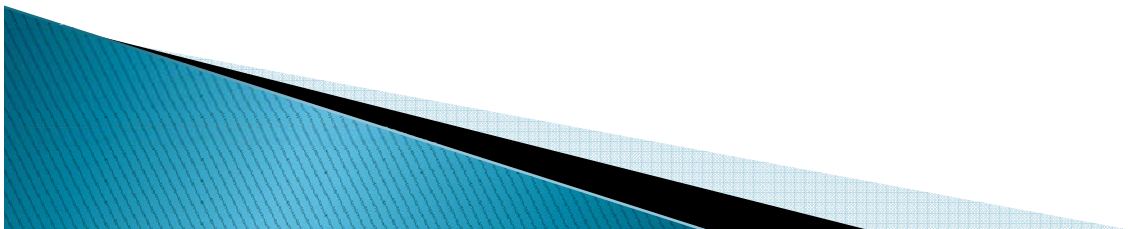
CERTIFICATION

- ▶ Annual Certification
Not Required
- ▶ When Certification Is Acceptable
Approved Entity
Adding new coverages
- ▶ When Certification Is Not Acceptable
Change in by-laws or trust agreements



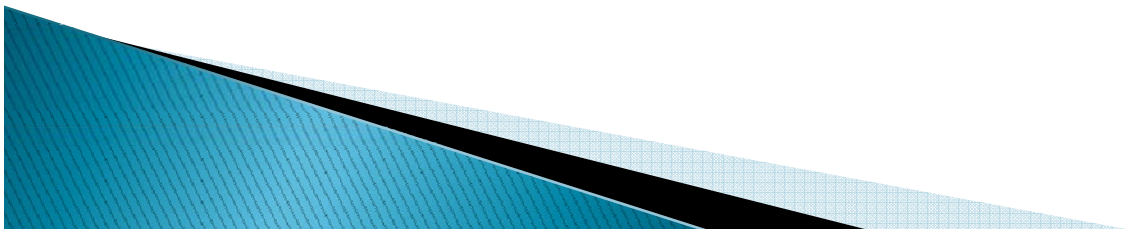
HEALTH DISCRETIONARY GROUPS

- ▶ ORS 743.522 (2) is not available for health insurance except under very limited circumstances.



EXEMPTIONS

No association, trust, or discretionary group; insurer, or policy form is exempt from Oregon law.



Health Coverage

▶ Blanket policies

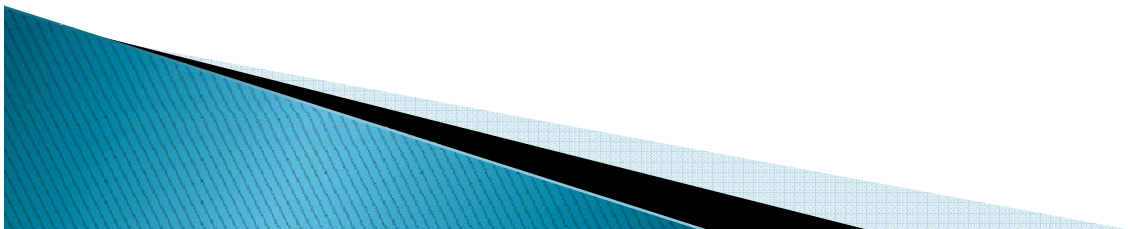
- Are exempt from ORS 743.522 if meet ORS 743.534 policy requirements
- Can be exempt from transacting insurance under ORS 731.146 (2) (b)

Documents required in a filing:

Transmittal and Standards for Blanket
Constitution and by-laws

Purpose of the organization formed

Domiciliary state's policy forms and approvals



Health Coverage

▶ Trust

- may issue an exempt blanket insurance policy if the trust is established by an association or labor union.

Documents required in a filing:

Transmittal and Standards for Blanket

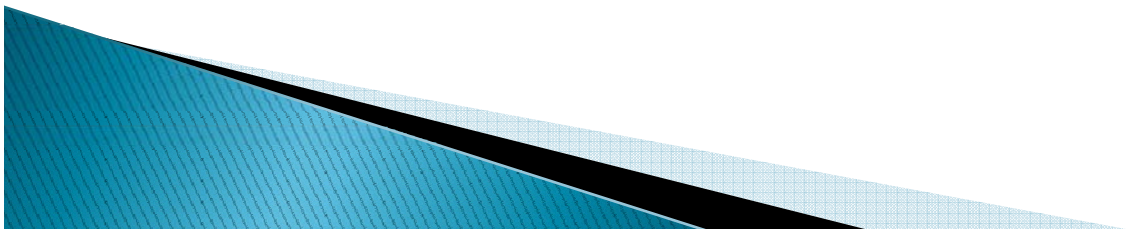
Purpose of the organization

Domiciliary state's policy forms and approvals

Trust documents

Health Coverage continued

**NO OTHER EXEMPTIONS EXIST
FOR HEALTH COVERAGES**



Exemptions

Life Insurance products

ORS 731.146 (2) (b) exemption does not apply to a group life insurance policy unless the insurer shows compliance with ORS 731.486 and ORS 743.351 for an association, ORS 743.354 for a trust, or ORS 743.360 for a discretionary group.

Documents required in a filing:

- ▶ **Transmittal and Standards Establishing an Association, Union Trust, Trust, or Qualified Discretionary Group**

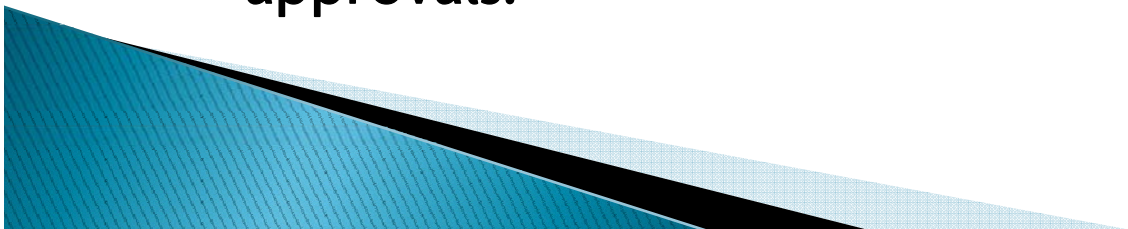
Reciprocal Exemptions

Life Insurance products

If the discretionary group doesn't meet ORS 731.146 (2) (b) then ORS 731.486 (6) may be available.

- ▶ Side by side comparison of state laws
- ▶ Domiciliary state's approval as an exempt discretionary group
- ▶ Copies of all policy forms used with the domiciliary state's forms approval

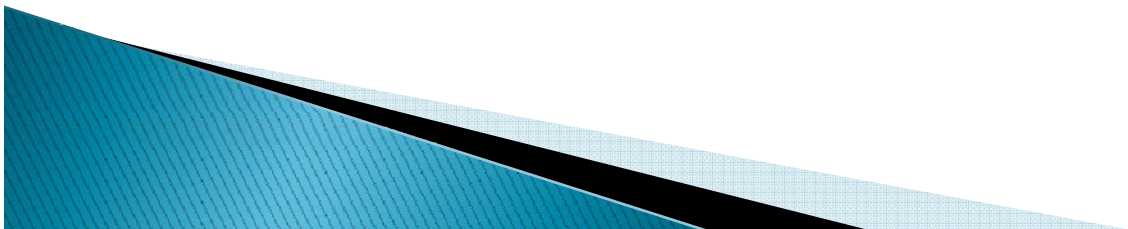
Oregon will then reciprocate with the domicile state's approvals.



COMMON PROBLEMS

Completed Transmittal and Standards

- ▶ Name and address
- ▶ Name must be the same as the other documents
- ▶ List of previously approved forms
- ▶ Purpose of the entity was formed
- ▶ The entity web-site is helpful



Common Problems continued

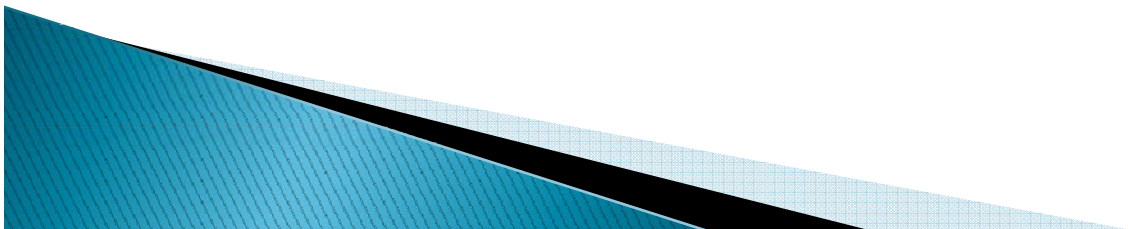
Associations' Problems

- ▶ Must be organized and maintained for purposes other than obtaining insurance
- ▶ Explain connection between the association and an insurer or insurance agency or MGA
 - Interlocking directorships
 - Same officers
- ▶ Insurer or agency determines eligibility
- ▶ Association may offer discount medical plans
- ▶ Association may offer financial services

Common Problems continued

Associations' Problems

- ▶ By-laws permit members of affiliate associations to obtain coverages
- ▶ May have membership criteria based upon the actual or expected health status of individual members, ORS 743.734 (7) (1) (b) (B)



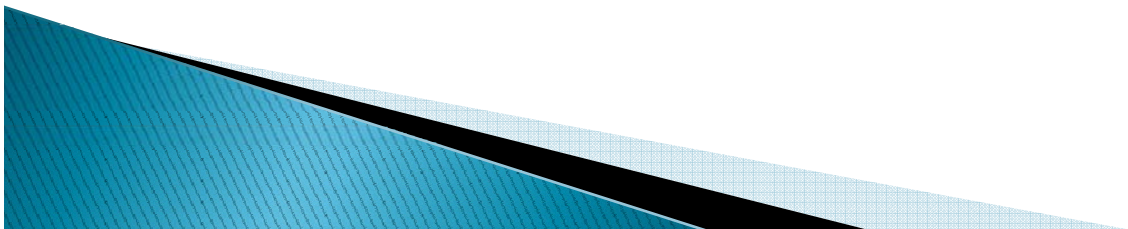
Common Problems continued

Trusts

- ▶ Trust articles may require an employer or individual to be eligible under a Policy before the becoming a trust participant
- ▶ Provide the eligibility requirements

Other

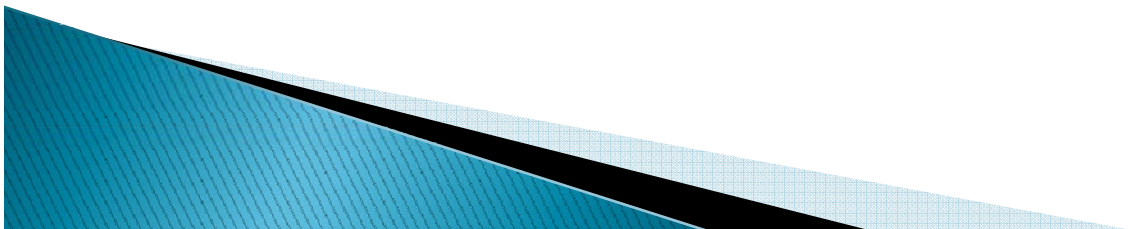
- ▶ Adding the word blanket to health policies does not make them blanket health insurance as defined in ORS 743.534





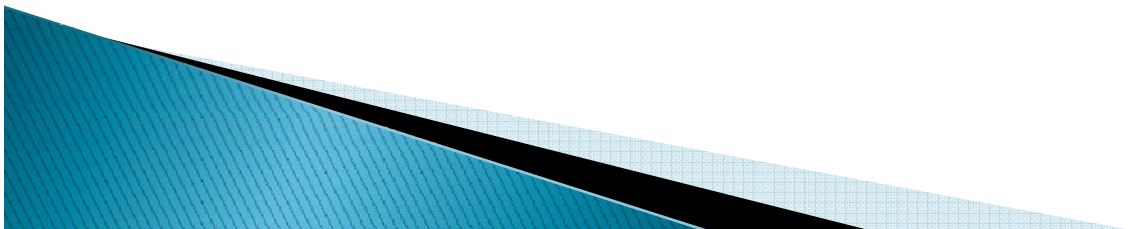
American Recovery and Reinvestment Act (ARRA)

Presented by: Gayle Woods



American Recovery and Reinvestment Act (ARRA)

- ▶ Premium assistance for COBRA & State Continuation
- ▶ Involuntary termination Sept. 1, 2008 to Dec. 31, 2009
- ▶ Individual pays 35 percent of premium
- ▶ Subsidy generally started March 1, 2009
- ▶ Subsidy lasts 9 months

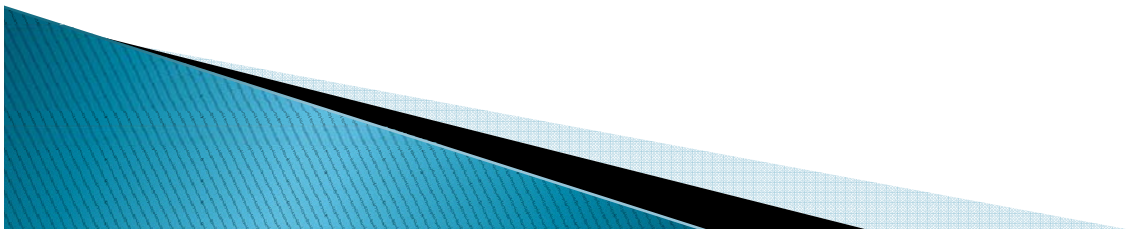


State Continuation Change

- ▶ HB 2433 signed April 28, 2009
- ▶ Extends continuation from 6 to 9 months
 - Potential to exceed 9 months
- ▶ Provides for “Second Chance” election
- ▶ Establishes notification requirements for insurers
- ▶ Provides qualified beneficiaries an individual right to elect

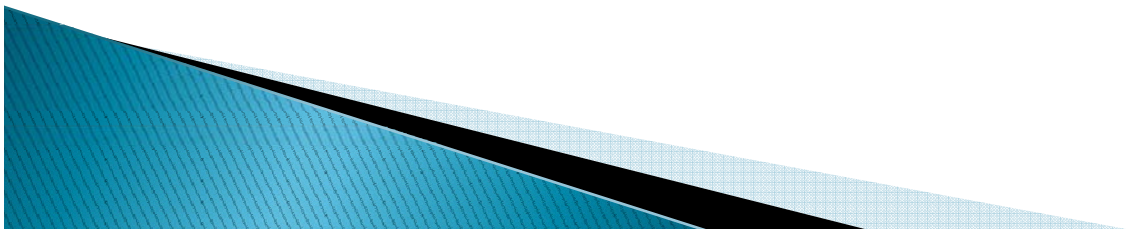
Who is Eligible

- ▶ Involuntary termination from Sept. 1, 2008 through Dec. 31, 2009, *and*
- ▶ Qualify under COBRA law or State Continuation law, *and*
- ▶ Prior employer remains in business and still offers insurance, *and*
- ▶ Modified adjusted gross income of less than \$125,000 (\$250,000 for joint filers)



Who is Eligible

- ▶ “Involuntary termination” includes
 - Layoffs
 - Quitting due to reduced hours (material negative change)
 - Declining to relocate
- ▶ Does not include
 - Death
 - Gross misconduct (COBRA only)

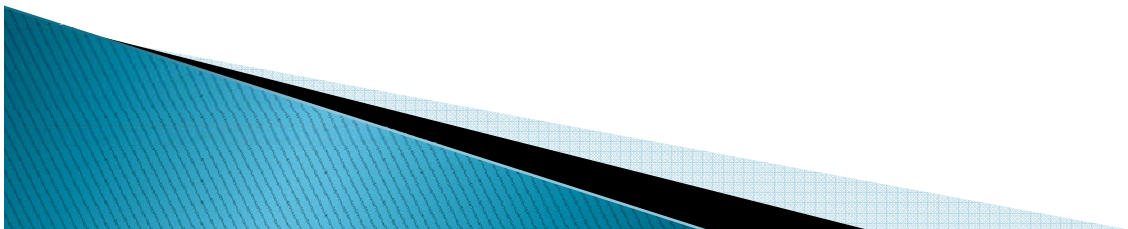


Who is Eligible

- ▶ Appeals for subsidy denial
 - COBRA
 - Dept. of Labor 1-866-444-3272
- ▶ State Continuation
 - Dept. of Health & Human Services
 - E-mail questions to: NewCobraRights@cms.hhs.gov

How Does the Subsidy Work

- ▶ COBRA Eligible Employer:
The employer pays 65 percent of the premium and seeks reimbursement as a credit against payroll taxes.
- ▶ Employer with 19 or Fewer Employees:
The insurance company pays 65 percent and seeks the tax credit

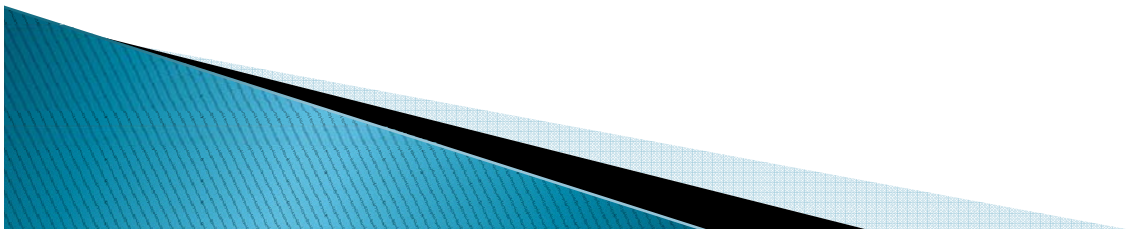


How Long Does it Last

- ▶ Nine months – Subsidy payments continue into 2010 for those who become eligible May 1 through December 31, 2009.

- or -

- ▶ Eligible for another group health plan or Medicare
 - If an individual fails to notify their plan administrator or insurer of other coverage, the IRS can require the individual to repay ineligible subsidies plus a 10 percent penalty

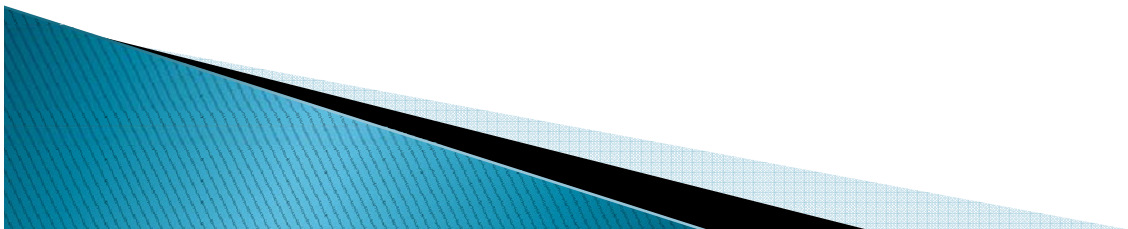


How to Get Benefits

- ▶ COBRA General Notification
 - From previous employer or plan administrator
 - Dept. of Labor Model Notice
 - 60 days to elect after notice
 - COBRA election form
 - Attestation of involuntary termination
 - 35 percent of premium
 - May owe more than one month premium
 - If already on COBRA: Subsidy begins on or after March 1, 2009

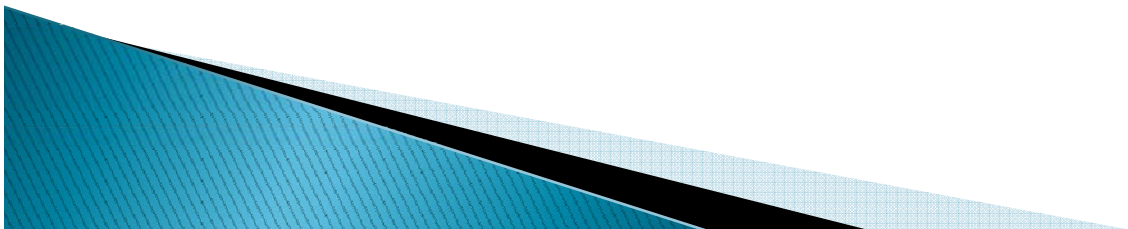
How to Get Benefits

- ▶ State Continuation General Notification
 - From previous insurer
 - 31 days to elect after notice
 - May owe more than one month premium
 - State Continuation election form
 - Assistance eligible individual form
 - 35 percent of premium
 - If already on State Continuation: Subsidy begins on or after March 1, 2009



How to Get Benefits

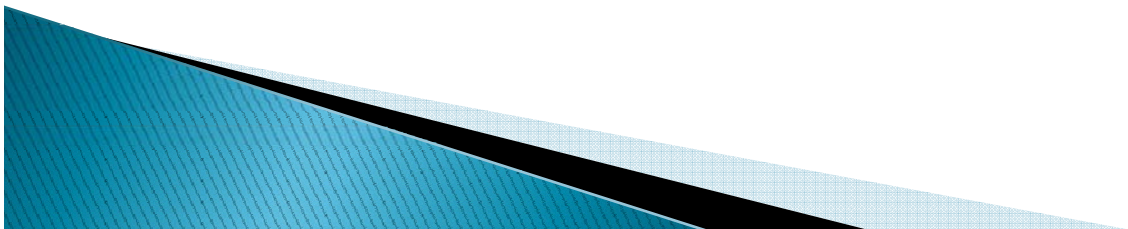
- ▶ Alternative coverage option
 - Employer's choice
 - Offered to active employees
 - Cost the same or less
 - Cannot be limited to
 - Dental, vision, counseling, FSA, on-site medical clinic



“Second Chance” Election

COBRA:

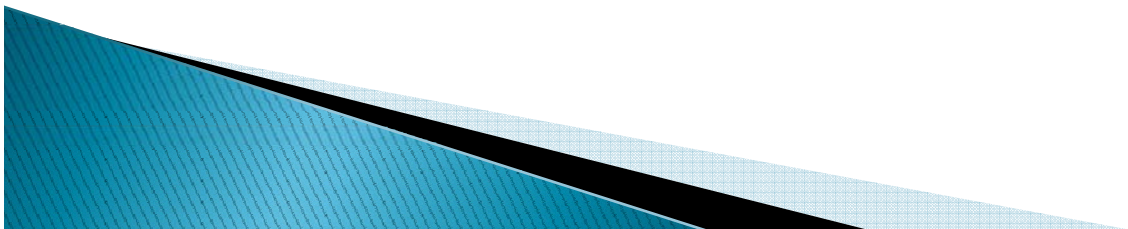
- ▶ Terminated after 8/31/08 & before 2/17/09
- ▶ Did not elect, or elected & dropped coverage
- ▶ “Second chance” to elect COBRA
 - Employer was to provide notice by 4/18/09
 - Individual has 60 days to elect after date of notice



“Second Chance” Election

COBRA (continued)

- ▶ Coverage effective date: March 1, 2009
- ▶ Prior employer coverage will be creditable (63 day break disregarded)



“SECOND CHANCE” ELECTION

State Continuation:

- ▶ Terminated after 8/31/08 and before 4/28/09
- ▶ Did not elect, elected and dropped, exhausted
- ▶ “Second chance” to elect State Continuation
- ▶ Coverage effective date is later of March 1, 2009 or coverage month following termination
- ▶ Prior employer coverage will be creditable (63 day break disregarded)

Questions?

For more information, please view our Web site at:

www.insurance.oregon.gov

or call

(888) 877-4894

