



THE STATE  
of **ALASKA**  
GOVERNOR SEAN PARNELL

Department of Commerce, Community,  
and Economic Development

DIVISION OF INSURANCE  
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**BULLETIN B 12-06**

**TO: INSURERS AUTHORIZED TO TRANSACT LIFE, ANNUITY, OR HEALTH INSURANCE IN THE STATE OF ALASKA AND OTHER INTERESTED PARTIES**

**RE: OUT-OF-STATE POLICIES AND BLANKET INSURANCE**

The Division of Insurance has become aware that some insurers continue to mistakenly believe that insurance issued to an Alaskan through an out-of-state group is not subject to Alaska laws and that some insurers are issuing group and blanket insurance policies to trusts, associations, or similar entities that do not qualify as group or blanket insurance under Alaska law.

**Out-of-State Policies**

AS 21.97.900 defines "policy" as

*the written contract of or written agreement for or effecting insurance, by whatever name called, and includes all clauses, riders, endorsements, and papers attached to it and a part of it; for a group, trust, association, or similar entity, "policy" also means a certificate or other evidence of insurance that establishes the written contract of or written agreement for or effecting insurance for an insured or other beneficiary of the entity.* Emphasis added.

Under AS 21.42.120(a), "*A basic insurance policy or annuity contract form . . . may not be delivered, or issued for delivery in this state, unless the form has been filed with and approved by the director . . . .*"

Except as provided under AS 21.09.020(5), insurance that covers an Alaska resident under a policy issued to an out-of-state group, trust, association, or similar group must comply with applicable Alaska laws including AS 21.42.120, which requires that **policies, certificates, or other evidence of insurance be filed with and approved by the director.**

Under AS 21.03.021(f) and AS 21.09.020(5), an insurer is not required to hold a certificate of authority and their insurance policies and certificates are not required to comply with Alaska laws **only if**

- (A) the insurer does not market insurance in Alaska;
- (B) the laws of the state where the policy is issued apply to Alaska residents covered under the policy; and
- (C) the insurer meets other requirements adopted by regulation to qualify for such an exception.

## Blanket Health Insurance

Blanket insurance is defined in AS 21.54.070 as insurance covering eight specifically defined groups of persons. In addition, under AS 21.54.070(9), the director has authority to approve other groups, if, in the discretion of the director, a group is properly eligible for blanket insurance on an individual risk basis or class of risk basis, or both. The division has received information through form and other filings indicating that some insurers are issuing coverage to Alaska residents under a blanket insurance policy that does not meet one of the eight specifically defined groups in AS 21.54.070, nor has the policy been approved for issuance as blanket insurance by the director. In order to offer coverage to an Alaska resident under a blanket insurance policy, the blanket insurance policy may only be issued to an eligible group of persons as defined under AS 21.54.070. In addition, **a blanket insurance policy form that covers an Alaska resident must be filed with the director for approval before an Alaska resident is covered under the blanket insurance policy.**

### Filing Requirements

#### Out-of-State Policies

Certificates or other evidence of coverage should be filed through SERFF with Filing Type "Form" and applicable TOI and sub-TOI. The out-of-state policy must be submitted as a supporting document rather than filed for review. The certificate provisions must comply with Alaska law and **the policy must recognize the certificate as controlling** with regard to Alaska requirements.

#### Blanket Health Insurance

Filings must use the appropriate NAIC TOI H04 Health – Blanket Accident/Sickness. The division will not accept blanket filings submitted using another TOI including a health TOI with a market type of blanket. Blanket health insurance filings must comply with the above filing requirements for out-of-state policies. If there are no certificates issued under a blanket policy as allowed under AS 21.54.040, **the blanket policy must be filed**, including any endorsements needed for the policy to comply with Alaska law.

**Failure to comply with Alaska laws, including the filing requirements, may result in administrative action.**

If you have questions regarding the information in this bulletin, please contact the division at (907) 465-2515, [insurance@alaska.gov](mailto:insurance@alaska.gov), or Alaska Division of Insurance, P.O. Box 110805, Juneau AK 99811-0805.

DATE: October 26, 2012



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Bret S. Kolb  
Director