



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

DIVISION OF INSURANCE

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Regulatory Order Number R 16-03

**ORDER EXEMPTING MULTIPLE FILINGS BY PROPERTY AND CASUALTY
INSURERS WHEN THE SAME CHANGE IS BEING PROPOSED FOR MORE THAN
ONE TYPE OF INSURANCE**

Under AS 21.42.120(d), the director of the division of insurance may, by order, exempt a form or document from the filing requirements of AS 21.42.120 for a time determined by the director when, in the opinion of the director, the filing or approval of the form or document is not desirable or necessary for the protection of the public. Under AS 21.39.040(f), the director may, by order, exempt a rate or rule from the filing requirements of AS 21.39 for a time determined by the director when, in the opinion of the director, the rule is not desirable or necessary for the protection of the public. 3 AAC 31.210 implements AS 21.42.120 and AS 21.39.040 and requires property and casualty insurers to make separate filings for each type of insurance, except for auto liability and physical damage types of insurance. This order exempts property and casualty insurers from the separate filing requirement of 3 AAC 31.210(b) when the same change is being proposed for more than one type of insurance.

FINDINGS:

The director finds that:

1. The separate filing requirement in 3 AAC 31.210(b) creates an unnecessary burden on property and casualty insurers and division staff when the same change is being proposed for multiple types of insurance given the large number of policy forms that may be involved.
2. Allowing property and casualty insurers to submit a single filing when the same change is being proposed for multiple types of insurance does not lessen consumer protections as the division will continue to provide the same review and oversight of the filing for each type of insurance in which the change is being proposed.
3. Insurance coverage provided to state residents under property and casualty policies must continue to comply with state laws and regulations even if property and casualty insurers are exempted from the requirement of a separate filing for each type of insurance. Similarly, an exemption from the separate filing requirement does not limit or in any way prevent the division from enforcing the insurance laws and regulations relative to property and casualty insurance issued to state residents.

4. Under AS 21.42.130 and AS 21.39, the director has authority to disapprove a policy form, including a certificate or other evidence of insurance, delivered or issued for delivery in this state, or a rate or rule regardless of whether the filing is exempt from the separate filing requirement of 3 AAC 31.210(b).

5. Based on the above, a separate filing for each type of property and casualty insurance is not desirable or necessary for the protection of the public when the same change is being proposed for more than one type of insurance.

IT IS HEREBY ORDERED:

As allowed under AS 21.42.120(d) and AS 21.39.040(f), property and casualty insurers are exempt from the separate filing requirement of 3 AAC 31.210(b) when proposing the same change for more than one type of insurance. To the extent that Bulletin B 05-07 is inconsistent with this order, this order will prevail.

Notwithstanding any provision of this order, property and casualty insurers must continue to comply with 3 AAC 31.210(c), which requires forms to be submitted separately from rates and rules.

In this order, the term "same change" means a change that is identical in wording or substantially similar in wording and having the same purpose and effect.

This order is effective July 5, 2016 and replaces Order No. R 15-06 dated July 29, 2015. This order remains in effect three months unless superseded by a regulation change to 3 AAC 31.210.


Anna Latham
Deputy Director