

Title 3. Commerce, Community, and Economic Development.

Part 2. Division of Insurance.

Chapter 31. Miscellaneous.

Article 1. Filing Procedure for Forms, Rates, Manuals, Rating Plans, and Rules.

3 AAC 31.200 is amended to read:

3 AAC 31.200. Applicability and scope. 3 AAC 31.200 - 3 AAC 31.299 [3 AAC 31.200 - 3 AAC 31.250] apply to all persons who are required to file forms, rates, manuals, rating plans, rules, policies, certificates, or other documents under AS 21.39.040, AS 21.54.015, [AS] 21.39.041, 21.39.210, 21.39.220; AS 21.42.120, 21.42.123, 21.42.125; AS 21.57.080; AS 21.66.370, 21.66.450; AS 21.84.255; AS 21.86.070; AS 21.87.180, or 21.87.190. (Eff. 12/4/94, Register 132; am 11/12/2006, Register 180; am 3/26/2015, Register 213)

Authority:	AS 21.06.090	AS 21.42.120	AS 21.66.450
	AS 21.39.040	AS 21.42.123	AS 21.84.255
	AS 21.39.041	AS 21.42.125	AS 21.86.070
		<u>AS 21.54.015</u>	
	AS 21.39.210	AS 21.57.080	AS 21.87.180
	AS 21.39.220	AS 21.66.370	AS 21.87.190

3 AAC 31.250(a) is amended to read:

(a) In addition to the requirements under 3 AAC 31.200 – 3 AAC 31.225, a form filing must include a unique form number on each form. Each form must also have printed on it the year of adoption of the form. The year of adoption appearing on the form is the year of the

Register 213, April 2015 COMMERCE, COMMUNITY, AND EC. DEV.

effective date of the filing in which the new, revised, or replacement form was authorized or approved by the director for use by the insurer in this state for the particular program, product, and line of business to which the filing applied, unless one of the following applies:

(1) if the year of the effective date of the filing in which the new, revised, or replacement form was authorized or approved by the director for use by the insurer in this state is different than the year of the effective date initially requested in that filing, and the effective date initially requested complies with AS 21.42.123(c), AS 21.42.125(b), or 3 AAC 29.525, the initially requested effective date may be considered the year of adoption of the forms in the filing;

(2) if a form has been previously authorized or approved by the director for use by the insurer in this state for another program or product or under another line of business and is not a revision to or replacement of a form currently authorized or approved for use in the particular program, product, and line of business to which the filing applies, the year of adoption of the previously authorized or approved form may be considered the form's year of adoption for the particular program, product, and line of business to which the filing applies;

(3) if a form has been previously authorized or approved by the director for use in this state by an insurer with the same National Association of Insurance Commissioners' group number and is not a revision to or replacement of a form currently authorized or approved by the director for use by the insurer making the filing, the year of adoption of the previously authorized or approved form may be considered the form's year of adoption for the insurer making the filing;

Register 213, April 2015 COMMERCE, COMMUNITY, AND EC. DEV.

(4) if a form is used by the insurer in multiple states, is not a revision to or replacement of a form currently authorized or approved by the director for use in this state, and includes a year the form was adopted in another state or an edition date year, the year the form was adopted in another state or edition date year appearing on the multistate form may be considered the form's year of adoption in this state; ~~or~~

(5) if a form has been filed by a licensed rating organization and has been authorized or approved by the director for use in this state, the year of adoption on the applicable rating organization form may be considered the form's year of adoption, but only if the form has not been modified and one of the following applies:

(A) the insurer is a member of, or subscriber to, the rating organization and has authorized the director to accept the form filings of the rating organization on the insurer's behalf, regardless of whether the insurer makes a filing with the director requesting an effective date for implementation of the rating organization filing that does not coincide with the effective date of the applicable rating organization filing; ~~or~~

(B) the insurer makes a filing to adopt the form, without modification, by reference to the applicable rating organization form filing.

(Eff. 11/12/2006, Register 180; am. 3/26/2015, Register 213)

Authority: AS 21.06.090 AS 21.42.125 AS 21.86.070
AS 21.42.120 AS 21.42.160
AS 21.66.450 AS 21.87.180

AS 21.42.123

indicate once
>
filed
twice

Register 213, April 2015 COMMERCE, COMMUNITY, AND EC. DEV.

to Article 2

3 AAC 31 is amended by adding a new section to read:

3 AAC 31.299. Definitions. In 3 AAC 31.200 – 3 AAC 31.299, unless the context

requires otherwise,

(1) "replacement form" or "revised form"

(1)

(A)

means a form with the same basic content or effect as a currently authorized or approved form and that will be used in place of the currently authorized or approved form, regardless of whether the form number is being revised;

(2)

(B) does not include a form

(A)

(1) with changes limited to a change in the insurer's logo on the

insurer's own form; or

(B)

(ii) defined under 3 AAC 31.221(d)(2) or (3). (Eff.

delete indent

delete one indent; retain the second

3/26/2015, Register 213)

Authority:	AS 21.06.090	AS 21.57.080	AS 21.86.070
	AS 21.42.120	AS 21.66.450	AS 21.87.180
	AS 21.42.123	AS 21.84.255	AS 21.96.080
	AS 21.42.125		