
HOUSE BILL 2767

State of Washington

56th Legislature

2000 Regular Session

By Representatives Benson and Santos; by request of Insurance Commissioner

Read first time 01/20/2000. Referred to Committee on Financial Institutions & Insurance.

1 AN ACT Relating to exempting certain insurance documents from the
2 filing requirements; and amending RCW 48.18.100.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 48.18.100 and 1997 c 428 s 3 are each amended to read
5 as follows:

6 (1) No insurance policy form other than surety bond forms, forms
7 exempt under RCW 48.18.103, or application form where written
8 application is required and is to be attached to the policy, or printed
9 life or disability rider or endorsement form shall be issued,
10 delivered, or used unless it has been filed with and approved by the
11 commissioner. This section shall not apply to policies, riders or
12 endorsements of unique character designed for and used with relation to
13 insurance upon a particular subject.

14 (2) Every such filing containing a certification, in a form
15 approved by the commissioner, by either the chief executive officer of
16 the insurer or by an actuary who is a member of the American academy of
17 actuaries, attesting that the filing complies with Title 48 RCW and
18 Title 284 of the Washington Administrative Code, may be used by such
19 insurer immediately after filing with the commissioner. The

1 commissioner may order an insurer to cease using a certified form upon
2 the grounds set forth in RCW 48.18.110. This subsection shall not
3 apply to certain types of policy forms designated by the commissioner
4 by rule.

5 (3) Except as provided in RCW 48.18.103, every filing that does not
6 contain a certification pursuant to subsection (2) of this section
7 shall be made not less than thirty days in advance of any such
8 issuance, delivery, or use. At the expiration of such thirty days the
9 form so filed shall be deemed approved unless prior thereto it has been
10 affirmatively approved or disapproved by order of the commissioner.
11 The commissioner may extend by not more than an additional fifteen days
12 the period within which he or she may so affirmatively approve or
13 disapprove any such form, by giving notice of such extension before
14 expiration of the initial thirty-day period. At the expiration of any
15 such period as so extended, and in the absence of such prior
16 affirmative approval or disapproval, any such form shall be deemed
17 approved. The commissioner may withdraw any such approval at any time
18 for cause. By approval of any such form for immediate use, the
19 commissioner may waive any unexpired portion of such initial thirty-day
20 waiting period.

21 (4) The commissioner's order disapproving any such form or
22 withdrawing a previous approval shall state the grounds therefor.

23 (5) No such form shall knowingly be so issued or delivered as to
24 which the commissioner's approval does not then exist.

25 (6) The commissioner may, by order or rule, exempt from the filing
26 requirements of this (~~section~~) chapter for so long as he or she deems
27 proper, any insurance document or form or type thereof as specified in
28 such order or rule, to which in his or her opinion the filing
29 requirements of this (~~section~~) chapter may not practicably be
30 applied, or the filing and approval of which are, in his or her
31 opinion, not desirable or necessary for the protection of the public.

32 (7) Every member or subscriber to a rating organization shall
33 adhere to the form filings made on its behalf by the organization.
34 Deviations from such organization are permitted only when filed with
35 the commissioner in accordance with this chapter.

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