

INSURANCE DIVISION
DEPARTMENT OF COMMERCE & CONSUMER AFFAIRS
STATE OF HAWAII
P.O. Box 3614
Honolulu, HI 96811

Subject: Accident and Health or Sickness (Disability) Policy Forms Issued to Individuals Pursuant to Article 10A, Chapter 431, Hawaii Revised Statutes (HRS)

Prior approval by the Insurance Commissioner is required by statute under the following circumstances:

1. Section 431:10A-105, HRS, requires that if an insurer chooses to substitute wording in its policy form which differs from the wording required by Section 431:10A-105, HRS, pertaining to “required provisions”, such wording must be approved by the Insurance Commissioner.
2. Section 431:10A-106, HRS, requires the Insurance Commissioner’s approval when the insurer chooses to use “optional provisions” which contain wording different than that delineated in Section 431:10A-106, HRS.
3. Section 431:10A-107, HRS, directs that where the “coverage provided by a particular form of policy” is inconsistent with any portion of Sections 431:10A-105 to 431:10A-111, HRS, the insurer shall omit and/or modify such policy provisions so as to comply with the statutory sections, but only with the Insurance Commissioner’s approval.

Any forms sent to the Insurance Division for approval must have attached a cover letter indicating the specific reasons for which prior approval is being sought. Forms without such information attached will be returned without review.