

RATE/RULE AND FORM FILING REQUIREMENTS
STATE OF HAWAII
INSURANCE DIVISION

Rate (includes rules) and form filing requirements, pursuant to Chapter 431, Insurance Code ("Code"), Hawaii Revised Statutes ("H.R.S."), for an insurance company authorized in the State of Hawaii are summarized by the following classes of insurance:

LIFE	ACCIDENT AND HEALTH OR SICKNESS (Disability)	
CASUALTY	MARINE	PROPERTY (Fire)
SURETY	(Motor) VEHICLE	TITLE

Website for the Insurance Code, Chapter 431, Hawaii Revised Statutes
www.capitol.hawaii.gov/hrscurrent/Vol09_Ch0431-0435E

Website for Hawaii Administrative Rules of the Department of Commerce and Consumer Affairs
www.hawaii.gov/dcca/areas/ins/main/har/

Any filing that is not submitted in accordance with the following General Requirements may be returned without review.

I. GENERAL REQUIREMENTS:

- A. An electronic copy or two printed copies of a filing must be submitted to the Hawaii Insurance Division Rate and Policy Analysis Branch.⁹

An electronic filing may be submitted via SERFF. Any non-SERFF electronic filing (e.g., CD, DVD, e-transmittal) must be accompanied by one printed copy of the entire filing.

- B. A self-addressed stamped return envelope should accompany a paper filing and subsequent filing responses. Failure to do so may result in filing delays or non-acknowledgment.

- C. Designated rate/rule and form filings are subject to a filing fee. The fee shall be deposited into the Commissioner's Education and Training Fund.

1. Each insurer shall be assessed a filing fee per line of insurance for each rate/rule or form filing.

EXCEPTIONS:

- a. If an insurer's rates/rules and forms are related for the same line of insurance and submitted as one filing with a uniform proposed effective date, only one filing fee shall be assessed per insurer.
- b. If the same rates/rules and forms are located in several lines of insurance and submitted as one filing with a uniform proposed effective date, only one filing fee shall be assessed per insurer.
2. Member companies of a group may submit identical filings simultaneously by listing all companies on one cover letter or transmittal. The filing fee shall be assessed for each company.

3. Filing fees may be submitted electronically via EFT (SERFF filings only), or by check.
 - a. Make checks payable to "Insurance Commissioner, State of Hawaii."
(Note: A service charge of \$25.00 will be assessed for each dishonored check.)
 - b. Annotate "CETF" (Commissioner's Education and Training Fund) on the check.

D. All filings must include the following:

1. Name of the Insurer(s)
2. NAIC Group Code and Company Code(s)
3. Line of Insurance Filing Code (NAIC Uniform Product Coding Matrix)
4. Type of filing (rates, rules, forms and/or miscellaneous)
5. Proposed effective date
6. Purpose of the filing: including but not limited to innovative or unique features, target market, domicile state approval or acceptance, base rate change, overall rate change

Paper filings must include the above information in a cover letter or transmittal page.

An authorized advisory/rating organization's reference filing adoption forms may be substituted for the foregoing.

- E. A current letter of authorization, signed by an officer of the insurer, must be enclosed for submissions made by a third party filer.
- F. All replacement manual pages or forms shall be accompanied by an itemized list of the proposed and replaced manual pages or forms.
- G. Disapproved or incomplete filings shall be retained for 30 days; after which the filing and fee, if applicable, must be resubmitted in its entirety.

II. LIFE

A. Life (Other than Credit Life and Annuities)

1. Forms are subject to compliance. Submit the following:
 - a. LAH Forms Certification.³
 - b. Evidence of approval or authorization from domicile state to issue variable life and variable annuity products (for variable product filings only).
2. Rates are not subject to prior approval.
3. Filing fees: Forms-None/\$20⁴ Rates-None
4. Life Illustration Notification⁵ for new policies/certificates.

B. Annuities

(Life insurance includes the granting of annuities and endowment benefits pursuant to §431:1-204, H.R.S.)

1. Forms are subject to compliance.
(Follow the same requirements as under Section II.A.1., Life-Forms.)
2. Rates are not subject to prior approval.
3. Filing fees: Forms-None/\$20⁴ Rates-None

See [Other Links](#) and Footnotes on Pages 8 and 9

C. Credit Life

(A 45-day waiting period shall apply.)

1. Forms are subject to prior approval. Submit the following:
 - a. All forms.¹
 - b. LAH Forms Certification.³
 - c. Review Requirements Checklist – Credit LD
2. Rates are subject to prior approval. Submit the following:
 - a. Schedule of premium rates.
 - b. Premium refund formula.
 - c. Review Requirements Checklist – Credit LD
3. Group contracts that have been or are delivered in another state are subject to compliance. Submit the following:
 - a. The group certificate and notice of proposed insurance to be issued in Hawaii.
 - b. A certification that the substance of the forms is in substantial conformity with the master policy.
 - c. Schedule of premium rates.
4. Filing fees: Forms-\$20 Rates-\$20

Fraternal Benefit Societies authorized under Chapter 432, H.R.S.

1. Supplemental requirements for Fraternal Benefit Societies: See Chapter 432, Article 2, H.R.S.
2. Filing fees: \$20 per filing

Mutual Benefit Societies authorized under Chapter 432, H.R.S.

Supplemental requirements for Mutual Benefit Societies: See Chapter 432, Article 1, H.R.S.

III. ACCIDENT AND HEALTH OR SICKNESS (Disability)

A. Individual Disability

1. Forms are subject to compliance. Submit the following:
 - a. All forms.¹
 - b. An itemization of each modification to the statutory provisions under Part I of §431:10A, H.R.S. [See [Form RPA-D1](#)]
 - c. LAH Forms Certification.³
 - d. Review Requirements Checklist – AH.
2. Rates are not subject to prior approval.
3. Filing fees: Forms-\$20 Rates-None

B. Group Disability

1. Forms are subject to compliance. Submit the following:
 - a. All forms.¹
 - b. An itemization of each modification to the statutory provisions under Part II of §431:10A, H.R.S. [See [Form RPA-D1](#)]
 - c. LAH Forms Certification.³
 - d. Review Requirements Checklist – AH.
2. Rates are not subject to prior approval.

See [Other Links](#) and Footnotes on Pages 8 and 9

3. Filing fees: Forms-None/\$20⁴ Rates-None

C. Temporary Disability Insurance (TDI)

(A 30-day waiting period shall apply.)

1. Forms are subject to prior approval. Submit the following:
 - a. All forms.¹
 - b. LAH Forms Certification.³
 - c. TDI 61 – Compliance with Hawaii Advisory Forms or TDI 61A Forms modified from Hawaii Advisory Forms.
2. Rates are not subject to prior approval.
3. Filing fees: Forms-\$20 Rates-None
4. Additional information may be obtained upon request.

D. Medicare Supplement

(A 61-day waiting period shall apply.)

1. Forms are subject to prior approval. Submit the following:
 - a. All forms.¹
 - b. LAH Forms Certification.³
 - c. A certification stating that the forms meet the requirements of Hawaii Medicare Supplement Insurance Rules and Statutes. [See [Form RPA-MS1](#)]
 - d. Review Requirements Checklist – Med Sup.
2. Rates are subject to prior approval. Submit the following:
 - a. Schedule of premium rates.
 - b. Certification by a qualified actuary stating that the rates are in accordance with the loss ratio standards established in Hawaii Medicare Supplement Insurance Rules. [See [Form RPA-MS1](#)]
 - c. Review Requirements Checklist – Med Sup.
3. Filing fees: Forms-\$20 Rates-\$20
4. Advertising. A copy shall be filed with Certification of Advertising Compliance Form [RPA MS2](#).

E. Extended Health Insurance

(A 30-day waiting period shall apply.)

1. Forms are subject to prior approval. Submit the following:
 - a. All forms.¹
 - b. LAH Forms Certification.³
2. Rates are subject to compliance.
3. Filing fees: Forms-\$20 Rates-None

F. Long-Term Care

1. Forms are subject to compliance. Submit the following:
 - a. All forms.¹
 - b. An affirmative statement that the form meets the requirement of Article 10H, Chapter 431, H.R.S.; or, an itemization of each modification to the statutory provisions under Article 10H, Chapter 431, H.R.S.
 - c. LAH Forms Certification.³

See [Other Links](#) and Footnotes on Pages 8 and 9

- d. Review Requirements Checklist – LTC.
- 2. Rates are subject to compliance. Submit the following:
 - a. An actuarial memorandum shall be filed.
 - b. Review Requirements Checklist – LTC.
- 3. Filing fees: Forms-None/\$20⁴ Rates-None
- 4. Advertising and personal worksheets. Insurers shall submit two printed copies to Attention: Market Conduct.

G. Credit Disability
 (A 45-day waiting period shall apply.)
 (Follow the same requirements as under Section II.C., Life-Credit Life.)

H. Health
 Comprehensive Health Plans and any benefit plan or rider to be issued in conjunction with a comprehensive health plan may be subject to Chapters 431, 431L, 431M, and 432E, H.R.S.
 (Follow the same requirements as under Section III.A. or III.B., as appropriate.)

Fraternal Benefit Societies authorized under Chapter 432, H.R.S.

- 1. Supplemental requirements for Fraternal Benefit Societies: See Chapter 432, Article 2, H.R.S.
- 2. Filing fees: \$20 per filing

Mutual Benefit Societies authorized under Chapter 432, H.R.S.

Supplemental requirements for Mutual Benefit Societies: See Chapter 432, Article 1, H.R.S.

Health Insurance Managed Care Plans and Rates subject to Chapter 431, Article 14G, H.R.S. and Chapter 432E, H.R.S. shall be filed in triplicate with \$50 filing fee to Attention: Health Branch.

IV. CASUALTY

(A 30-day waiting period shall apply except as provided under §431:14-104(k) and §431:14-120(b), H.R.S.)

A. Casualty (Other than Homeowners, Workers' Compensation, and Motorcycle)

- 1. Forms are subject to compliance.² In addition, submit the following:
PC Forms Certification.³
- 2. Rates are subject to prior approval.^{6,7,8}
- 3. Filing fees: Forms-None Rates-\$50

B. Homeowners

(Requires both Casualty & Property authority.)

- 1. Forms are subject to compliance.² In addition, submit the following:
PC Forms Certification.³
- 2. Rates are subject to prior approval.^{6,7,8}

See [Other Links](#) and Footnotes on Pages 8 and 9

3. Filing fees: Forms-None/\$20⁴ Rates-\$50

C. Workers' Compensation

(A 90-day waiting period shall apply as provided under §431:14-120(b), H.R.S.)

1. Forms are subject to prior approval.^{2,7} In addition, submit the following:
PC Forms Certification.³

2. Rates are subject to prior approval.^{6,7,8}

3. Filing fees: Forms-\$20 Rates-\$50

D. Motorcycle

1. Forms are subject to compliance.² In addition, submit the following:
PC Forms Certification.³

2. Rates are subject to prior approval.^{6,7,8}

3. Filing fees: Forms-None Rates-\$20

V. MARINE

A. Ocean Marine

1. Forms are not subject to prior approval.

2. Rates are not subject to prior approval.

3. Filing fees: Forms-None Rates-None

B. Inland Marine

(A 30-day waiting period shall apply except as provided under §431:14-104(k), H.R.S.)

1. Forms are subject to compliance.² In addition, submit the following:
PC Forms Certification.³

2. Rates are subject to prior approval.^{6,7,8}

3. Filing fees: Forms-None Rates-\$50

VI. PROPERTY (FIRE)

(A 30-day waiting period shall apply except as provided under §431:14-104(k), H.R.S.)

A. Property (Other than Homeowners)

1. Forms are subject to compliance.² In addition, submit the following:
PC Forms Certification.³

2. Rates are subject to prior approval.^{6,7,8}

3. Filing fees: Forms-None Rates-\$50

B. Homeowners

(Follow the same requirements as under Section IV.B., Casualty-Homeowners.)

VII. SURETY (and FIDELITY)

(A 30-day waiting period shall apply except as provided under §431:14-104(k), H.R.S.)

A. Forms are subject to compliance.² In addition, submit the following:
PC Forms Certification.³

B. Rates are subject to prior approval.^{6,7,8}

C. Filing fees: Forms-None Rates-\$50

VIII. (MOTOR) VEHICLE

(A 30-day waiting period shall apply except as provided under §431:14-104(k), H.R.S.)

A. Private Passenger

1. Forms must be placed on file. The following are required:
 - a. All forms and an itemization of revisions.^{1,2,7}
 - b. PC Forms Certification.³
 - c. Mandatory coverages are subject to approval.
2. Rates are subject to prior approval.^{6,7,8}
3. Filing Fees: Forms-None/\$20⁴ Rates-\$50

B. Commercial

1. Forms must be placed on file. The following are required:
 - a. All forms and an itemization of revisions.^{1,2,7}
 - b. Mandatory coverages are subject to approval.
2. Rates are subject to prior approval.^{6,7,8}
3. Filing Fees: Forms-None Rates-\$50

C. Motorcycle

(Follow the same requirements as under Section IV.D., Casualty-Motorcycle.)

IX. TITLE

(A 30-day waiting period shall apply.)

- A. Forms are subject to prior approval. Submit the following:
 - a. All forms.¹
 - b. PC Forms Certification.³
- B. Rates are subject to inspection.
- C. Filing fees: Forms-\$20 Rates-None

OTHER LINKS: Visit Rate & Policy Filing Requirements applicable Forms links for the following:

Form RPA-PCMIFORM_CERT, PC Forms Certification, 7/2008
Form RPA-LAHFORM_CERT, LAH Forms Certification, 7/2008
Form RPA-D1 Disability Policy Forms, Revised 02/07
Form RPA-MS1 Medicare Supplement, Revised 02/07
Form RPA-MS2 Medicare Supplement Advertising, Revised 05/03
Form RPA-LIL Life Illustration Notification, 7/01

Visit www.naic.org/industry_home.htm
NAIC Uniform Product Coding Matrix

FOOTNOTES

- ¹All forms include policy, rider, endorsement, application, certificate of insurance, notice of proposed insurance, etc.
- ²Forms which limit or extend coverages must be filed pursuant to §431:14-105, H.R.S. The filing must include documentation addressing the impact on coverage benefits and premium rate levels. The responsibility for compliance with the Code rests with the insurance company. Any portion of the form in conflict with the Code will be construed and applied to conform to such law.
- ³Forms Certification [see [Forms RPA-LAHFORM_CERT](#) and [RPA-PCMIFORM_CERT](#)]. Unless otherwise indicated, policy forms in compliance with the Code are not required to be submitted when the contract meets the general readability requirements pursuant to §431:10-104, H.R.S. A specific statutory citation for exemption from readability is required pursuant to §431:10-103, H.R.S.
- ⁴Filing fee of \$20 is required for approval of readability scores lower than the minimum and must be in compliance with §431:10-107(b), H.R.S. requesting approval under §431:10-108(1),(2), or (3), H.R.S.
- ⁵Life Illustration Notification [Form RPA-LIL](#) is required for all applicable new policies/certificates pursuant to §431:10D-401 and 403, H.R.S. If a policy/certificate will be illustrated, a certification by the illustration actuary is also required pursuant to §431:10D-409(d)(2), H.R.S.
- ⁶Rate filings shall include manuals of classifications, rules, rates, rating plans, and rating schedules and every modification of any of the foregoing which the insurer proposes to use. All rate filings must be accompanied by detailed supporting documentation to justify all new, revised or amended rates, rules, etc. Except for rate filings in accordance with §431:14-104(k), (l) and (m), H.R.S., filings are open to public inspection.
- ⁷An insurance company is required to make independent filings. §431:14, H.R.S., prohibits a rating organization from setting rates; however, an authorized rating/advisory organization is permitted to furnish manuals (void of rates), loss costs data for the development of rates, and policy/endorsement forms to its members and subscribers. Such insurers shall submit a rate and/or form filing by an

See [Other Links](#) and Footnotes on Pages 8 and 9

appropriate reference to a rating/advisory organization's filing, if the insurer intends to use the rating/advisory organization's filing.

⁸Approval of a rate filing submitted by an insurer as being filed in accordance with §431:14-104(k) and (m), H.R.S., shall be returned to the insurer. The insurer shall have the duty to furnish such documents if requested to do so.

⁹Pursuant to §431:14-104(b) and §431:14-105(b), H.R.S., the commissioner may also request a printed version of an electronic filing to be submitted.

Authorized Rating/Advisory Organizations:

Life	none
Disability	none
Casualty	American Association of Insurance Services (AAIS) Hawaii Insurance Bureau, Inc. (HIB) Insurance Services Office, Inc. (ISO) National Council on Compensation Insurance, Inc. (NCCI) National Crop Insurance Services, Inc. (NCIS)
Inland Marine	American Association of Insurance Services (AAIS) Insurance Services Office, Inc. (ISO)
Property	American Association of Insurance Services (AAIS) Hawaii Insurance Bureau, Inc. (HIB)
Surety	Hawaii Insurance Bureau, Inc. (HIB)
(Motor) Vehicle	AIPSO Hawaii Insurance Bureau, Inc. (HIB)
Title	none