

**11 NCAC 12 .0329 SUBMISSION REQUIREMENTS: FORM AND RATE FILINGS**

Any insurer, as defined by G.S. 58-1-5(3), that files with the Commissioner for review or approval product forms of life, annuity, accident and health, multiple employer welfare arrangements or managed care provider contract forms and supporting documents, or premium rates, shall comply with the following:

- (1) Include a cover letter, or the NAIC Adopted Uniform Transmittal Document in lieu thereof, that:
  - (a) Includes the name and address of the submitting company.
  - (b) States the company issuing the form.
  - (c) Includes the toll-free telephone number and valid electronic e-mail address of the filer.
  - (d) Provides a unique identifying form number of each form submitted and its descriptive title.
  - (e) Indicates whether the form is new or a form revision.
  - (f) Identifies, for any revised forms, the form being replaced by its form number, assigned tracking number, and approval date.
- (2) Submitted either via:
  - (a) Paper.
  - (b) Electronic E-Mail compressed in Adobe Acrobat.
  - (c) The National Association of Insurance Commissioners system for electronic rate and form filings (SERFF).
- (3) Using the following forms and formats:
  - (a) Variable text or benefit ranges shall be in brackets.
  - (b) If applications, riders, endorsements or certificates are filed separately, the filer shall indicate policy forms with which they are used.
  - (c) Rates by age and mode of payment, including a signed actuarial memorandum, shall be attached to each form requiring a premium.
  - (d) Forms shall include a unique form number located in the lower left-hand corner of the first page.
  - (e) Filing shall be comprised of one clean copy of the entire submission.
  - (f) Electronic submissions shall be formatted in Portable Document Format Adobe Acrobat.
  - (g) Red-line side by side comparisons shall be provided with initial submissions that are revising previously-approved forms. An officer of the company shall provide a statement certifying that no changes, other than those red-lined, were made to the form(s).
  - (h) Red-line side by side comparisons shall be provided with each resubmission of forms revised during the review process as requested by the Commissioner.
- (4) Rates:
  - (a) Individual or non-group accident and health products subject to Chapter 58 of the General Statutes shall demonstrate and describe the development of the requested premium. All 30 of the State's "Additional Data Requirements" as required in 11 NCAC 16 .0205 shall be addressed.
  - (b) Credit involuntary unemployment insurance, credit life, credit accident and health, and credit property products subject to Article 57 of Chapter 58 of the General Statutes shall demonstrate and describe the development of the requested premium. All applicable data elements as required in 11 NCAC 16. 0400 or 16 .0500 shall be addressed;
  - (c) Health maintenance organizations subject to Article 67 of Chapter 58 of the General Statutes shall demonstrate and describe the development of the requested premium. All data elements as required in 11 NCAC 16 .0400 and 16 .0600 shall be addressed;
  - (d) Service Corporations subject to Article 65 of Chapter 58 of the General Statutes shall demonstrate and describe the development of the requested premium adjustment in accordance with sound actuarial principles and standards.
- (5) No form or rate shall be deemed approved by statute unless the filer provides the Commissioner with written notice.
- (6) Submissions that have been disapproved and are not brought into compliance within 60 days of initial receipt shall be closed. File closure shall not prevent revised subsequent submissions but such will be treated as a new filing.
- (7) The Commissioner may reject and disapprove incomplete submissions.

*History Note:* Authority G.S. 58-2-40; 58-51-1; 58-51-95; 58-54-20; 58-54-35; 58-55-30; 58-55-31; 58-57-30; 58-58-1; 58-65-1; 58-65-40; 58-67-50; 58-67-150;  
Eff. July 1, 2006;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1, 2018.