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April 15, 2020

BULLETIN NO. 1098

Premium Credits and Refunds Pursuant to DOI Filing Guidance Notice 2020-B

On April 13, 2020, the Division of Insurance issued attached Filing Guidance Notice 2020-B, entitled “Guidelines for Filings Associated with COVID-19 Refunds or Premium Credits.” Assigned Risk Companies are advised that refunds or premium credits afforded pursuant to filings made in accordance with Filing Guidance Notice 2020-B shall apply to all policyholders, regardless if written voluntarily or assigned through MAIP.

Questions may be directed to John Metcalfe, CAR Director of Residual Market Services, at jmetcalfe@commauto.com.

NATALIE A. HUBLEY
President

Attachment



COMMONWEALTH OF MASSACHUSETTS
Office of Consumer Affairs and Business Regulation
DIVISION OF INSURANCE

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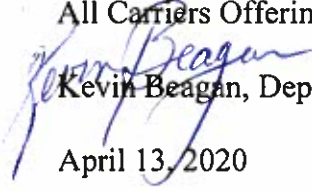
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AND BUSINESS REGULATION

GARY D. ANDERSON
COMMISSIONER OF INSURANCE

Filing Guidance Notice 2020 – B
Property and Casualty Insurance

TO: All Carriers Offering Automobile Policies (“Carriers”)
FROM:  Kevin Beagan, Deputy Commissioner
DATE: April 13, 2020
RE: Guidelines for Filings Associated with COVID-19 Refunds or Premium Credits

The purpose of this Notice is for the Division of Insurance (“DOI” or “the Division”) to provide guidance as Carriers look to implement COVID-19 refunds or premium credits.

The Coronavirus Risk and Automobile Insurance

The public health and societal impact resulting from the spread of COVID-19 has dramatically impacted the Commonwealth and the nation. Government and business leaders have taken steps to safeguard the general public and well-being of the Commonwealth’s citizens, including the imposition of certain social distancing and work-at-home rules in order to prevent the spread of COVID-19. The disease and the societal response to COVID-19 has imposed unique risks to our insurance market that Massachusetts has not faced for at least a generation.

With the economic impact of COVID-19, the Division issued Bulletin 2020-05 (“Flexibility in the Issuance and Administration of Insurance”) to notify Carriers - regardless of the line of coverage - to work closely with covered persons to explore any and all feasible means to maintain existing coverage during this public health emergency. In response, many Carriers, in addition to exploring changes to the timing of premium payments, have looked to distribute automobile policyholder refunds or premium credits for changes relevant to the work-at-home orders, where there are significantly fewer cars travelling on the Commonwealth’s roads and highways.

Where companies are looking to process such refunds or premium credits, the Division is sending this filing notice to remind Carriers to submit form filings to the Division that will be used to notify covered persons about the refund or premium credit, and rule filings, where appropriate, if the refund or premium credit is only being provided to policyholders who meet certain actuarially appropriate criteria.

While the Division does not expect that Carriers would be submitting rate filings to process such refunds or premium credits - since Carriers are not altering the rates being charged for coverage - if a carrier finds that it needs to submit a rate filing, the Division reminds each Carrier of Division filing instructions, including Property & Casualty Filing Guidance Notices 2008-C and 2013-A.

Filings

Please be aware that the Division is instituting processes to expedite the review of all filings being made to implement COVID-19 refunds and premium credits as described in Filing Guidance Notice 2020-B. The filing should be sent via the System for Electronic Rate and Form Filing (“SERFF”), under the appropriate insurance type.

The filing must be made via SERFF and include:

- (1) a Filing Description field beginning with the phrase “COVID-19 Adjustment”;
- (2) a filing fee of \$75 per policy as required for a form filing.

The DOI will review all COVID-19 filings to ensure that they are clear and appropriate and will promptly respond to Carriers making such filings.

Contact

Any questions about this Filing Guidance Notice should be directed to either Sheri Cullen, Director of Policy Form Review, at (617) 521-7359 or to Sheri.Cullen@mass.gov, or Kevin Beagan, Deputy Commissioner, at (617) 521-7323 or to kevin.beagan@mass.gov.