

Secretary of the State File Number

6238

Regulation of the
Department of Insurance
Concerning

State Tracking Number

Regulations adopted after July 1, 2013, become effective upon posting to the Connecticut eRegulations System, or at a later date if specified within the regulation.

Posted to the Connecticut eRegulations System on **April 4, 2017**

EFFECTIVE DATE

April 4, 2017

Approved by the Attorney General on

January 5, 2017

Approved by the Legislation Regulation Review Committee on

March 28, 2017

Electronic copy with agency head certification statement electronically submitted to and received by the Office of the Secretary of the State on

March 31, 2017

The text of this approved regulation will be published in the Connecticut Law Journal

Form ICM-ECOPY (NEW 6/2015)
State of Connecticut
Secretary of the State



IMPORTANT NOTICE FOR CONNECTICUT STATE AGENCIES
This form should be used only for regulations first noticed *on and after March 23, 2015*.

Electronic Copy Certification Statement

(Submitted in accordance with the provisions of section 4-172 of the Connecticut General Statutes)

Regulation of the
Insurance Department
Concerning
State Tracking Number

Approved by the Legislative Regulation Review Committee: **March 28, 2017**

eRegulations System Tracking Number: **PR-2016-076**

I hereby certify that the electronic copy of the above-referenced regulation submitted herewith to the Secretary of the State is a true and accurate copy of the regulation approved in accordance with sections 4-169 and 4-170 of the *Connecticut General Statutes*.

And I further certify that in accordance with the approval of Legislative Regulation Review Committee, all required technical corrections, page substitutions and deletions, if any, have been incorporated into said regulation.

In testimony whereof, I have hereunto
set my hand on **March 29, 2017**.

Katharine L. Wade

Katharine L. Wade
Commissioner
Insurance Department

**State of Connecticut
Regulation of
Insurance Department
Concerning
State Tracking Number**

Section 1. Section 38a-430-2 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 38a-430-2. Filing procedure

Any insurer required pursuant to Section 38a-430 of the Connecticut General Statutes to file a copy of a form with the Commissioner for approval, shall comply with the following standards:

(a) **Filing.**

(1) Filing shall be done electronically through SERFF or any subsequent corresponding system adopted by the National [Associate] Association of Insurance Commissioners or the Commissioner. All fields in SERFF shall be filled out appropriately and accurately for each filing.

(2) If one or more elements within a filing vary by member company within a group of companies, the filer shall file separately for each insurer within the group.

(3) The electronic filing shall contain a descriptive caption. The caption shall include a brief description of the type of filing, and any applicable form identification number. All subsequent correspondence to the Insurance Department on the filing shall include the caption in the identical format as it was displayed in the original electronic filing and a reference to the previous filing's [SERFF] State tracking number, in addition to the date of the original filing transmittal document and the Department's file number, if known.

(4) All SERFF submissions shall include the following information in the filing description:

(A) A list of the documents submitted therewith;

(B) A brief outline of proposed changes;

(C) The approval sought;

(D) The proposed effective date; and

(E) Whether the form sought to be approved by the Commissioner is subject to the requirements of the Insurance Plain Language Act, Chapter 699a of the Connecticut General Statutes.

(b) Every form filing shall be completed in "John Doe" fashion.

(c) (1) Every form filing subject to the requirements of the Insurance Plain Language Act, Chapter 699a of the Connecticut General Statutes, shall be accompanied with a certificate signed by an officer of the insurer, that the form complies with the Insurance Plain Language Act.

(2) The certificate required by subdivision (1) of this subsection shall be in the following form:

(NAME OF COMPANY)

(COMPANY ADDRESS)

This is to certify that the forms listed below are in compliance with Chapter 699a of the Connecticut General Statutes.

[1.] A. Option Selected

_____ 1. Policy and its related forms are scored for the Flesch reading ease test as one unit and the combined score is _____.

_____ 2. Policy and its related forms are scored separately for the Flesch

reading ease test. Scores for the policy and each form are indicated below:

Form Form Number Flesch Score

B. Test Option Selected

- _____ 1. Test was applied to entire policy form(s).
 _____ 2. Test was applied on sample basis. Form(s) contain(s) more than 10,000 words. Copy of form(s) enclosed indicating word samples tested.

C. Standards for Certification

A checked block indicates the standard has been achieved.

- _____ 1. The policy text achieves a minimum score of 45 on the Flesch reading ease test in accordance with the option chosen in Section A above.
 _____ 2. It is printed in not less than ten point type, one point leaded. (This does not apply to specification pages, schedules and tables.)
 _____ 3. The layout and spacing of the policy separate the paragraphs from each other and from the border of the paper.
 _____ 4. The section titles are captioned in bold face type or otherwise stand out significantly from the text.
 _____ 5. Unnecessarily long, complicated or obscure words, sentences, paragraphs or constructions are not used in the policy.
 _____ 6. The style, arrangement and overall appearance of the policy give no undue prominence to any portion of the policy or to any endorsement or riders.
 _____ 7. A table of contents or an index of the principal sections is included in the policy. (This applies only if the policy has more than 3,000 words or consists of more than 3 pages.)

(COMPANY NAME)

_____ By: _____
 (Date) (Title)

(d) Each form filing other than those involving group life, group annuities and group accident and health insurance, shall be accompanied with the rates that will be used in connection with such form.

(e) When an insurer makes reference to another document in its filing, it shall include a copy or provide the tracking number for the referenced document.

(f) The Insurance Department is obligated to collect, pursuant to Section 12-211 of the Connecticut General Statutes, form filing fees from foreign or alien insurers, if the state or foreign country in which they are domiciled imposes such and larger fees upon Connecticut's domestic insurers. Accordingly, each insurer domiciled in any other state or jurisdiction which requires such fees shall remit the equivalent filing fee (in the form of a check made payable to the Treasurer, State of Connecticut or electronically through SERFF) together with each such filing submitted. The insurer shall also represent and certify that the fee payment remitted is the same amount required by its domiciliary state or jurisdiction.

Sec. 2. Section 38a-481-2 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 38a-481-2. Filing procedure

Any insurer required pursuant to Section 38a-481 of the Connecticut General Statutes to file a copy of a form with the Commissioner for approval, shall comply with the following standards:

(a) Filing.

(1) Filing shall be done electronically through SERFF or any subsequent corresponding system adopted by the National [Associate] Association of Insurance Commissioners or the Commissioner. All fields in SERFF shall be filled out appropriately and accurately for each filing.

(2) If one or more elements within a filing vary by member company within a group of companies, the filer shall file separately for each insurer within the group.

(3) The electronic filing shall contain a descriptive caption. The caption shall include a brief description of the type of filing, and any applicable form identification number. All subsequent correspondence to the Insurance Department on the filing shall include the caption in the identical format as it was displayed in the original electronic filing and a reference to the previous filing's [SERFF] State tracking number in addition to the date of the original filing transmittal document and the Department's file number, if known.

(4) All SERFF submissions shall include the following information in the filing description:

(A) A list of the documents submitted therewith;

(B) A brief outline of proposed changes;

(C) The approval sought;

(D) The proposed effective date; and

(E) Whether the form sought to be approved by the Commissioner is subject to the requirements of the Insurance Plain Language Act, Chapter 699a of the Connecticut General Statutes.

(b) Every form filing shall be completed in "John Doe" fashion.

(c) (1) Every form filing subject to the requirements of the Insurance Plain Language Act, Chapter 699a of the Connecticut General Statutes, shall be accompanied with a certificate signed by an officer of the insurer, that the form complies with the Insurance Plain Language Act.

(2) The certificate required by subdivision (1) of this subsection shall be in the following form:

(NAME OF COMPANY)

(COMPANY ADDRESS)

This is to certify that the forms listed below are in compliance with Chapter 699a of the Connecticut General Statutes.

A. Option Selected

_____ 1. Policy and its related forms are scored for the Flesch reading ease test as one unit and the combined score is _____.

_____ 2. Policy and its related forms are scored separately for the Flesch reading ease test. Scores for the policy and each form are indicated below:

Form	Form Number	Flesch Score

B. Test Option Selected

_____ 1. Test was applied to entire form(s).

_____ 2. Test was applied on sample basis. Form(s) contain(s) more than 10,000 words. Copy of form(s) enclosed indicating word samples tested.

C. Standards for Certification

A checked block indicates the standard has been achieved.

_____ 1. The policy text achieves a minimum score of 45 on the Flesch reading ease test in accordance with the option chosen in Section A above.

_____ 2. It is printed in not less than ten point type, one point leaded. (This does not apply to specification pages, schedules and tables.)

_____ 3. The layout and spacing of the policy separate the paragraphs from each other and from the border of the paper.

_____ 4. The section titles are captioned in bold face type or otherwise stand out significantly from the text.

_____ 5. Unnecessarily long, complicated or obscure words, sentences, paragraphs or constructions are not used in the policy.

_____ 6. The style, arrangement and overall appearance of the policy give no undue prominence to any portion of the policy or to any endorsement or riders.

_____ 7. A table of contents or an index of the principal sections is included in the policy. (This applies only if the policy has more than 3,000 words or consists of more than 3 pages.)

(COMPANY NAME)

_____ By: _____
(Date) (Title)

(d) Each form filing other than those involving group accident and health insurance, shall be filed separately in coordination with the classification of risks and the premium rates, or in the case of cooperatives or assessment companies, the estimated cost that will be used in connection with such form.

(e) When an insurer makes reference to another document in its filing, it shall include a copy or provide the tracking number for the referenced document.

(f) The Insurance Department is obligated to collect, pursuant to Section 12-211 of the Connecticut General Statutes, form filing fees from foreign or alien insurers, if the state in which they are domiciled imposes such and larger fees upon Connecticut's domestic insurers. Accordingly, each insurer domiciled in any other state or jurisdiction which requires such fees shall remit the equivalent filing fee (in the form of a check made payable to the Treasurer, State of Connecticut or electronically through SERFF) together with each such filing submitted. The insurer shall also represent and certify that the fee payment remitted is the same amount required by its domiciliary state or jurisdiction.

Sec. 3. Section 38a-640-2 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 38a-640-2. Filing procedure

Any society required pursuant to Section 38a-640 of the Connecticut General Statutes to file a copy of a form with the Commissioner for approval, shall comply with the following standards:

(a) Filing.

(1) Filing shall be done electronically through SERFF or any subsequent corresponding system adopted by the National [Associate] Association of Insurance Commissioners or the Commissioner. All fields in SERFF shall be filled out appropriately and accurately for each filing.

(2) The electronic filing shall contain a descriptive caption. The caption shall identify the society and include a brief description of the type of filing, and any applicable form identification number. All subsequent correspondence to the Insurance Department on the filing shall include the caption in the identical format as it was displayed in the original electronic filing and a reference to the previous filing's [SERFF] State tracking number, in addition to the date of the original filing transmittal document and the Department's file number, if known.

(3) All SERFF submissions shall include the following information in the filing description:

- (A) A list of the documents submitted therewith;
- (B) A brief outline of proposed changes;
- (C) The approval sought;
- (D) The proposed effective date; and

(E) Whether the form sought to be approved by the Commissioner is subject to the requirements of the Insurance Plain Language Act, Chapter 699a of the Connecticut General Statutes.

(b) Every form filing shall be completed in “John Doe” fashion.

(c) (1) Every form filing subject to the requirements of the Insurance Plain Language Act, Chapter 699a of the Connecticut General Statutes, shall be accompanied with a certificate signed by an officer of the society, that the form complies with the Insurance Plain Language Act.

(2) The certificate required by subdivision (1) of this subsection shall be in the following form:

(NAME OF COMPANY)

(COMPANY ADDRESS)

This is to certify that the forms listed below are in compliance with Chapter 699a of the Connecticut General Statutes.

A. Option Selected

_____ 1. Policy and its related forms are scored for the Flesch reading ease test as one unit and the combined score is _____.

_____ 2. Policy and its related forms are scored separately for the Flesch reading ease test. Scores for the policy and each form are indicated below:

Form	Form Number	Flesch Score

B. Test Option Selected

_____ 1. Test was applied to entire form(s).

_____ 2. Test was applied on sample basis. Form(s) contain(s) more than 10,000 words. Copy of form(s) enclosed indicating word samples tested.

C. Standards for Certification

A checked block indicates the standard has been achieved.

_____ 1. The policy text achieves a minimum score of 45 on the Flesch reading ease test in accordance with the option chosen in Section A above.

_____ 2. It is printed in not less than ten point type, one point leaded. (This does not apply to specification pages, schedules and tables.)

_____ 3. The layout and spacing of the policy separate the paragraphs from each other and from the border of the paper.

_____ 4. The section titles are captioned in bold face type or otherwise stand out significantly from the text.

_____ 5. Unnecessarily long, complicated or obscure words, sentences, paragraphs or constructions are not used in the policy.

_____ 6. The style, arrangement and overall appearance of the policy give no undue prominence to any portion of the policy or to any endorsement or riders.

_____ 7. A table of contents or an index of the principal sections is included in the policy. (This applies only if the policy has more than 3,000 words or consists of more than 3 pages.)

(SOCIETY NAME)

_____ By: _____

(Date)

(Title)

(d) Each form filing shall be accompanied with the schedule of premium rates that will be used in connection with such form.

(e) When a society makes reference to another document in its filing, it shall include a copy or provide the tracking number for the referenced document.

(f) The Insurance Department is obligated to collect, pursuant to Section 38a-11(b) of the

Connecticut General Statutes, form filing fees from foreign or alien societies, if the state in which they are domiciled imposes such and larger fees upon Connecticut's domestic societies. Accordingly, each society domiciled in any other state which requires such fees shall remit the equivalent filing fee (in the form of a check made payable to the Treasurer, State of Connecticut or electronically through SERFF) together with each such filing submitted. The society shall also represent and certify that the fee payment remitted is the same amount required by its domiciliary state or jurisdiction.

Sec. 4. Section 38a-651-2 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 38a-651-2. Filing procedure

Any insurer required pursuant to Section 38a-651 of the Connecticut General Statutes to file a copy of a form with the Commissioner for approval, shall comply with the following standards:

(a) **Filing.**

(1) Filing shall be done electronically through SERFF or any subsequent corresponding system adopted by the National [Associate] Association of Insurance Commissioners or the Commissioner. All fields in SERFF shall be filled out appropriately and accurately for each filing.

(2) If one or more elements within a filing vary by member company within a group of companies, the filer shall file separately for each insurer within the group.

(3) The electronic filing shall contain a descriptive caption. The caption shall include a brief description of the type of filing, and any applicable form identification number. All subsequent correspondence to the Insurance Department on the filing shall include the caption in the identical format as it was displayed in the original electronic filing and a reference to the previous filing's [SERFF] State tracking number, in addition to the date of the original filing transmittal document and the Department's file number, if known.

(4) All SERFF submissions shall include the following information in the filing description:

(A) A list of the documents submitted therewith;

(B) A brief outline of proposed changes;

(C) The approval sought;

(D) The proposed effective date; and

(E) Whether the form sought to be approved by the Commissioner is subject to the requirements of the Insurance Plain Language Act, Chapter 699a of the Connecticut General Statutes.

(b) Every form filing shall be completed in "John Doe" fashion.

(c) (1) Every form filing subject to the requirements of the Insurance Plain Language Act, Chapter 699a of the Connecticut General Statutes, shall be accompanied with a certificate signed by an officer of the insurer that the form complies with the Insurance Plain Language Act.

(2) The certificate required by subdivision (1) of this subsection shall be in the following form:

(NAME OF COMPANY)

(COMPANY ADDRESS)

This is to certify that the forms listed below are in compliance with Chapter 699a of the Connecticut General Statutes.

A. Option Selected

_____ 1. Policy and its related forms are scored for the Flesch reading ease test as one unit and the combined score is _____.

_____ 2. Policy and its related forms are scored separately for the Flesch reading ease test. Scores for the policy and each form are indicated below:

Form Form Number Flesch Score

B. Test Option Selected

- _____ 1. Test was applied to entire form(s).
 _____ 2. Test was applied on sample basis. Form(s) contain(s) more than 10,000 words. Copy of form(s) enclosed indicating word samples tested.

C. Standards for Certification

A checked block indicates the standard has been achieved.

- _____ 1. The policy text achieves a minimum score of 45 on the Flesch reading ease test in accordance with the option chosen in Section A above.
 _____ 2. It is printed in not less than ten point type, one point leaded. (This does not apply to specification pages, schedules and tables.)
 _____ 3. The layout and spacing of the policy separate the paragraphs from each other and from the border of the paper.
 _____ 4. The section titles are captioned in bold face type or otherwise stand out significantly from the text.
 _____ 5. Unnecessarily long, complicated or obscure words, sentences, paragraphs or constructions are not used in the policy.
 _____ 6. The style, arrangement and overall appearance of the policy give no undue prominence to any portion of the policy or to any endorsement or riders.
 _____ 7. A table of contents or an index of the principal sections is included in the policy. (This applies only if the policy has more than 3,000 words or consists of more than 3 pages.)

(COMPANY NAME)

_____ By: _____
 (Date) (Title)

(d) Each form filing shall be accompanied with the schedule of premium rates that will be used in connection with such form.

(e) The Insurance Department is obligated to collect, pursuant to Section 12-211 of the Connecticut General Statutes, form filing fees from foreign or alien insurers, if the state or foreign country in which they are domiciled imposes such and larger fees upon Connecticut's domestic insurers. Accordingly, each insurer domiciled in any other state or jurisdiction which requires such fees shall remit the equivalent filing fee (in the form of a check made payable to the Treasurer, State of Connecticut or electronically through SERFF) together with each such filing submitted. The insurer shall also represent and certify that the fee payment remitted is the same amount required by its domiciliary state or jurisdiction.

R-39 Rev. 02/2012

Statement of Purpose

The purpose is to facilitate the Insurance Department review of form and rate filings by making the filings easier to identify for the Insurance Department and easier to submit for the filer.

Form Agency-Cert-PR-TR-ICM (NEW 6/2015)
 State of Connecticut
 Secretary of the State



IMPORTANT NOTICE FOR CONNECTICUT STATE AGENCIES
 This form is to be used for proposed permanent and technical amendment regulations only and must be completed in full.

AGENCY CERTIFICATION

Insurance Department

Proposed Regulation Concerning

State Tracking Number

eRegulations System Tracking Number PR2016-076

I hereby certify the following:

(1) The above-referenced **regulation** is proposed pursuant to the following statutory authority or authorities: **CGS Section 38a-8 (c)**.

For technical amendment regulations proposed without a comment period, complete #2 below, then skip to #8.

(2) As permitted by Section 4-168(h) of the *Connecticut General Statutes*, the agency elected to proceed without prior notice or hearing and posted the text of the proposed technical amendment regulation on eRegulations System website on _____

For all other non-emergency proposed regulations, complete #3 - #7 below, then complete #8)

(3) The agency posted notice of intent with a specified comment period of not less than 30 days to the eRegulations System website on **November 10, 2016**.

(4) *(Complete one)* No public hearing held or was required to be held. **OR** One or more public hearings were held on: <<**select and enter dates**>>.

(5) The agency posted notice of decision to move forward with the proposed regulation to the eRegulations System website on **December 14, 2016**.

(6) *(Complete one)* No comments were received. **OR** Comments were received and the agency posted the statements specified in subdivisions (2) and (3) of CGS Section 4-168(e) to the eRegulations System website on <<**select and enter date**>>.

(7) The final wording of the proposed regulation was posted to the eRegulations System website on **November 10, 2016**.

(8) Subsequent to approval for legal sufficiency by the Attorney General and approval by the Legislative Regulation Review Committee, **the final regulation shall be effective**

(Check one and complete as applicable)

When posted to the eRegulations System website by the Secretary of the State.

OR On _____

(Date must be a specific calendar date not less than 11 days after submission to the Secretary of the State)

Katherine L. Wade
 SIGNED
(Head of Board, Agency or Commission, or duly authorized deputy)

Commissioner
 OFFICIAL TITLE

12/14/16
 DATE

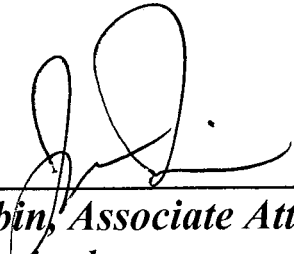
**OFFICE OF THE ATTORNEY GENERAL
REGULATION CERTIFICATION**

Agency Insurance Department

REGULATION NUMBER PR2016-076

This Regulation is hereby APPROVED by the Attorney General as to legal sufficiency in accordance with Connecticut General Statutes Section 4-169.

DATE: 1/5/2017

Signed: 
Joseph Rubin, Associate Attorney General
Duly Authorized

The Connecticut General Assembly

Legislative Regulation Review Committee

Senator Paul Doyle
Senate Chair



Representative Christie Carpino
House Chair

Official Record of Committee Action

March 28, 2017

Agency: Insurance Department
Description: State Tracking Number
LRRC Regulation Number: 2017-001
eRegulation Tracking Number: PR2016-076

The above-referenced regulation has been

Approved with Technical Corrections

by the Legislative Regulation Review Committee in accordance
with CGS Section 4-170.

Kirstin L. Breiner
Committee Administrator



State of Connecticut
Office of the Secretary of the State

Confirmation of Electronic Submission

Re: Regulation of the Insurance Department concerning State Tracking Number
eRegulations System Tracking Number PR2016-076
Legislative Regulation Review Committee Docket Number 2017-001

The above-referenced regulation was electronically submitted to the Office of the Secretary of the State in accordance with Connecticut General Statutes Section 4-172 on March 31, 2017.

Said regulation is assigned Secretary of the State File Number 6238.

The effective date of this regulation is April 4, 2017.

A handwritten signature in black ink that reads "Denise W. Merrill".

Denise W. Merrill
Secretary of the State
April 4, 2017

By:

/s/ Kristin M. Karr
Kristin M. Karr
Administrative Law
Information Systems Manager