**Section 916.40 Filing Procedures**

a) Certificate of Compliance. Each company doing business in the State of Illinois shall submit with each filing a Certificate of Compliance, as described in Section 916.50 and Exhibit A.

b) Forms Review. Each company shall file with the Director for approval each new policy form in a searchable text PDF before it is issued or delivered in this State. Each filing shall be submitted directly through SERFF and shall include each of the following:

1) A detailed description of:

A) the purpose for the policy form and the manner in which it will be marketed; and

B) a cross-reference SERFF tracking number for identical submissions made by affiliated companies.

2) The policy forms:

A) The text of each policy form shall be made out in "John Doe" fashion, bracketing any appropriate variable material. The form number shall appear in the lower left-hand corner of the policy form to be approved.

B) A combination form shall be submitted in two separate filings. Each filing must be identified with a unique company tracking number and must have an accurate TOI and Sub-TOI selected.

3) Informational filings must contain a detailed description of:

A) The purpose of submitting the informational filing; and

B) The form number, date of approval, state/company filing number and/or SERFF tracking number for the form to which the informational filing relates.

c) Riders and Endorsements. Riders or endorsements that unilaterally reduce benefits, and are attached to a policy subsequent to the date the policy is issued, shall be reviewed and approved by the Director prior to their issuance or delivery.

d) Replacement Filings. A new policy form that replaces or is substantially similar to a previously approved policy form must have a redlined version submitted detailing the revisions made to the previously approved policy form. A new policy form replacing a form previously approved, when the new policy form bears the same form number as the previously approved form, shall be accompanied by:

1) a statement that the filing is a replacement;

2) the State tracking/company tracking number and/or SERFF tracking number of the previously approved form and the date of the previous approval; and

3) a statement that the previously approved policy form was never issued.

e) Rates

1) Individual and group Medicare supplement policy form filings and individual and group long-term care policy form filings shall be accompanied by rates providing a description of the classification of risks and the premium rates. Data demonstrating the calculation of the rates shall accompany each individual accident and health policy form. The rate data must be submitted in a separate SERFF filing.

2) Any insurance company, health maintenance organization or health service plan authorized to offer health insurance coverage, as that term is defined in the Illinois Health Insurance Portability and Accountability Act [215 ILCS 97] (HIPAA), must file all proposed rate increases with the Department prior to use. All rate filings must be submitted electronically through the Health Rate Review Web Portal.

f) Credit Policies. Individual and group credit policy form filings shall be accompanied by the rate filing that provides a description of the classification of risks and the premium rates. Data demonstrating the calculation of the rates shall accompany each credit policy form.

g) Filing Fee. Fees are paid through Electronic Funds Transfer through SERFF upon submission of the SERFF Filing.

h) Policy Form Withdrawal

1) Filings submitted for the withdrawal of policy forms shall include a letter of explanation providing the form numbers to be withdrawn, along with the SERFF Tracking Number or Company Tracking/State Tracking Number under which the form was originally approved.

2) Health insurance contracts subject to HIPAA shall include requirements set forth in 50 Ill. Adm. Code 2025.

i) Multiple Company Filings. The form language and form numbers in multiple company filings must be identical, and filing fees must be submitted through Electronic Funds Transfer for each form filed for approval by each company.

(Source: Amended at 39 Ill. Reg. 16152, effective December 3, 2015)