**Section 929.30 Filing Requirements**

a) All companies writing medical liability insurance are subject to this Section. Each company must file with the Director, in a manner prescribed in this Section, under its own name.

b) Rates – A company must file on its own behalf all rates for medical liability insurance, and:

1) File copies of a Rate Submission Letter using System for Electronic Rate and Form Filing (SERFF) or in another electronic format approved by the Director. This filing must include:

A) The name of the company making the filing;

B) FEIN of the company making the filing;

C) Identification of the classes of medical liability insurance to which the filing applies;

D) Notification of whether the filing is new or supersedes a present filing. Identification of all changes in superseding filings, as well as identification of all superseded filings is required;

E) The effective date of use; and

F) Certification by an officer of the company and a qualified actuary that the company's rates are based on sound actuarial principles and are not inconsistent with the company's experience.

2) Company Rate Information shall be completed for each company when a filing is being submitted that includes:

A) Overall % Indicated Change.

B) Overall % Rate Impact – This is the statewide average percentage change to the accepted rates for the coverages included for each company.

C) Written premium change for this program – This is the statewide change in written premium based on the proposed overall percentage rate impact for each company.

D) Number of policyholders affected for this program – This is the number of policyholders affected by the overall percentage rate impact for each company.

E) Written premium for this program – This is the statewide written premium for each company.

F) Maximum % Change.

G) Minimum % Change.

3) Maintain documentary data on rate development and changes in order that it be available for review by the Director.

c) Rules – A company must file with the Director, in a manner prescribed in this subsection (c), all underwriting rule manuals that contain rules for applying rates or rating plans, plans for the gathering of statistics or the reporting of statistics to statistical agencies, classifications, or other such schedules used in writing medical liability insurance. A company may file directly or in conjunction with an advisory organization.

1) A company filing directly must file using SERFF. The filings must include:

A) The name of the company making the filing;

B) The FEIN of the company making the filing;

C) Identification of the classes of medical liability insurance to which the filing applies;

D) Notification as to whether the filing is new or supersedes a present filing. Identification of all changes in all superseding filings is required. The preferred format for identifying changes is to underline the new wording and overstrike the deleted or changed language and give an explanation for the changes being made;

E) The effective date of use; and

F) Certification by an officer of the company and a qualified actuary that the company's rate rules are based on sound actuarial principles and are not inconsistent with the company's experience.

2) A company filing in conjunction with an advisory organization must file in accord with this subsection (c)(2).

A) A company that has authorized an advisory organization to file required materials on the company's behalf must have on file a Rule Authorization Letter, which must include:

i) The name of the company's authorized advisory organization.

ii) The kinds of insurance for which the filing is being made.

iii) Authorization clause or language.

iv) Effective date of authorization.

B) A company deviating from the advisory organization's rules as they have been filed on behalf of the company by the advisory organization under Section 929.30(c)(2)(A) must file with the Director:

i) The manual rule number, which must be the same as the rule number being replaced.

ii) The effective date of use.

iii) Certification of an officer of the company and a qualified actuary that the company's rates are based on sound actuarial principles and are not inconsistent with the company's experience.

C) A company making a filing under this subsection (c)(2) that wants an effective date different from that of the advisory organization's advisory effective date must file either:

i) Manual size exception pages in duplicate establishing an automatic uniform delayed effective date applicable to all future advisory organization rule revisions; or

ii) Copies of the Advisory Organization Checking Slip, in duplicate, establishing a special effective date for a particular advisory organization rule revision.

d) All medical liability rate and rule manuals shall contain separate, clearly marked sections for rates and rules according to class or classes of insurance, such as physicians and surgeons, allied health, nursing homes, hospitals, nurses, dentists and chiropractors. The rate and rule manuals shall also contain a comprehensive table of contents or index at the front of each manual.

e) All filings must be received using SERFF by the Illinois Department of Insurance, Property and Casualty Compliance Unit, 320 W. Washington, Springfield, Illinois 62767 no later than 30 days after their effective date. Filings will be considered received during the regular business hours from 8:00 am through 5:00 pm Central Standard Time (CST), Monday through Friday, excluding holidays.

f) In addition to the filings required in this Section, the Director may require the filing of statistical data and any other pertinent information necessary to determine the manner the company used to set the filed rates and the reasonableness of those rates, as well as the manner of promulgation and the acceptability or unacceptability of a filing for rules, minimum premiums, rates, forms or any combination of those items. An insurer shall provide the data or information within 14 calendar days after the Director's request.

g) Groups, associations, organizations or companies authorized to engage in joint underwriting and joint reinsurance activities are prohibited from establishing underwriting rules with respect to rates that in any way inhibit a company from individually underwriting any risks.

(Source: Amended at 39 Ill. Reg. 392, effective December 19, 2014)