Trinidad Navarro
Commissioner

Delaware Department of Insurance

FORMS AND RATES BULLETIN NO. 38

TO: **ALL INSURANCE CARRIERS DOING BUSINESS IN DELAWARE**

RE: **Unnecessary Filings and Filing Fees**

DATED: **July 2nd, 2019**

The purpose of this bulletin is to stem the submission of unnecessary filings and filing fees by reminding carriers that the only fees that are required to be submitted are those fees that are set forth with specificity at 18 *Del. C.* Ch. 7.

Informational filings – no fee required: A fee should not be submitted with an informational filing. Examples of filings that fall in this category are:

- For property and casualty - filings that inform the Department of a delay or non-adoption of a rating organization's filing, or a delay in the adoption of a rate by a carrier; and
- For life and health – statements of variability, Medicare supplement refund calculation reports, long-term care rescissions and changes of company logos.

Withdrawal of a filing – fee refunds: If a carrier requests to withdraw a filing and that request is made prior to the Department taking any administrative action, the filing may be withdrawn and the fee refunded. A refund must be requested via email by the carrier within seven calendar days of the requested withdrawal. If the carrier requests that the filing be withdrawn after the Department has undertaken any action on the filing, a refund will not be processed.

Insufficient filing fee submitted – 7 days to correct: When a company filing fee is insufficient, the Department will advise the company of the deficiency via email and provide the company with seven calendar days to correct the deficiency but will not complete its review of the filing. If the company fails to correct the deficiency within the seven calendar days, the filing will be rejected and a refund will not be provided.

Carriers are encouraged to email RateDivision@delaware.gov BEFORE submitting a filing if they have questions regarding whether the filing is one that should be accompanied by a fee and to ascertain the correct fee amount.

This Bulletin shall be effective immediately and shall remain in effect unless withdrawn or superseded by subsequent law, regulation or bulletin.

Trinidad Navarro
Delaware Insurance Commissioner

NOTE: This Bulletin is intended solely for informational purposes. It is not intended to set forth legal rights, duties, or privileges, nor is it intended to provide legal advice. Readers should consult applicable statutes and rules and contact the Delaware Department of Insurance if additional information is needed.