

Review requirements	Reference	Description of review standards requirements	Location of standard in filing (or check the box)	
Requirements, continued	OAR 836-010-0011 As required on SERFF or our Web site	<p>We prefer the revision date to be part of the form number. Do not add the edition date to both the Form Number column and the Edition Date column. The Form Type column and the Action Specific Data column must be completed correctly. When submitting revised documents provide the previous Oregon Filing Number and the form number, including the edition date of the previously approved form.</p> <p>Rates and rules must be submitted under the Rate and Rule tab. The Actuarial Memorandum must be submitted under the Supporting Documentation tab. Other filing requirements as listed below, or other documentation used to assist us in our review, should be submitted under the Supporting Documentation tab under the correct heading. If submitting a paper filing, please see #9 below.</p> <ol style="list-style-type: none"> 1. Transmittal form. (Required when submitting a paper filing only.) 2. A Filing Description under the General Information tab or a Cover letter or Filing Memorandum under the Supporting Documentation tab that explains the intent or purpose of the forms/rules/rates. 3. Third-party filer's letter of authorization if applicable. 4. Signed Certificate of Compliance, Form 440-3894. 5. For form submissions, has a comparison document (annotated, highlighted, red-lined, or side-by-side) been provided for each previously approved form? Submit document/s under the Supporting Documentation tab. 6. The rates and/or rules are attached to the Rate Schedule tab. An actuarial documentation that provides an overview of the contents of the filing, and the reasons and procedures used to support the rate change has been attached to the Supporting Documentation tab. 7. Each form being filed for approval is attached to a separate Schedule Item under the Form Schedule tab. 8. Attach to the Supporting Documentation tab, those approved amendatory endorsements which bring the forms into compliance with Oregon statutes. 9. When submitting a paper filing, send two complete sets of the entire filing. Include a self-addressed, stamped envelope that is large enough to return the second copy of the filing. <p>NOTE: This checklist does not need to be submitted with the filings. However, it may be requested by the reviewer. Please use this document as a tool to help you comply with our requirements.</p>	<p>Yes</p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p>N/A</p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>

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Policy Documentation	ORS 742.003(1), ORS 737.205	Included in this filing for review: 1. New or revised policy. 2. Endorsements. 3. Application. 4. Rates and rules. (Crop/hail only).	Yes N/A <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Requirements	ORS 742.048(2)	No policy has been issued or will be issued upon the forms in this filing until approved.	Yes N/A <input type="checkbox"/> <input type="checkbox"/>
FORMS			
Access to courts	ORS 742.061	Attorney fees - If a claim settlement is not made within six months and action is brought to court, should the plaintiff's recovery exceed the amount of payment made by the defendant, the court will set attorney fees to be paid as part of the costs of legal action and any appeal.	
Application	ORS 742.013 ORS 742.016	Claims cannot be denied based upon information provided by the insured, or on behalf of an insured, unless the signed application is made part of the policy and the information is material to the policy including acceptance of risk or hazard insured or the information is fraudulent. If the application is attached to, or made part of the policy, prior approval is required.	Yes N/A <input type="checkbox"/> <input type="checkbox"/>
Appraisal	ORS 742.232 <i>Molodyh v Truck Insurance Exchange.</i> 304 Or. 290, 744P.2d 992 (1987)	All policies that include the peril of fire contain a provision that if the insured and the insurance company do not agree on the actual cash value or the amount of loss, then, upon mutual agreement, each will select an appraiser and notify the other of the appraiser selected within 20 days of such disagreement. The appraisers shall follow the procedures in ORS 742.232. Each appraiser shall be paid by the party selecting the appraiser and the expenses of appraisal and umpire shall be paid by the parties equally.	
Arbitration	ORS 36.600-36.740	Voluntary arbitration is permitted by the Oregon Constitution and statutes after all internal appeals have been exhausted and can be binding upon consent of the covered insured. <i>(If the policy provides for arbitration when claim settlement cannot be reached, the enrollee may elect arbitration by mutual agreement at the time of the dispute. Arbitration takes place under the laws of Oregon or another agreed-upon procedure. Arbitration must be held in the insured's county and state.)</i>	
Bankruptcy	ORS 742.031	Aircraft - The policy includes a bankruptcy provision similar to that in ORS 742.031.	

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Cancellation & Non-renewal	ORS 742.224(2)	If the policy includes the peril of fire, then the policy requires 10 days written notice prior to cancellation for premium nonpayment and 30 days written notice for any other cancellation reason.	
	ORS 742.023(1)(e)(f)	The policy clearly defines the cancellation refund method.	
	ORS 742.224(1)	If the policy includes the peril of fire, it contains a provision that the policy may be canceled at any time at the request of the insured. It also states that when the policy has been surrendered, the premium over and above the customary short rates will be refunded back to them. Refunds must be made within a reasonable time.	
	ORS 742.224(3)	In a policy that includes the peril of fire, when the insurer sends notice of cancellation it states that the excess of paid premium above the pro-rata premium for the expired time, if not tendered with the notice, will be refunded on demand.	
Discrimination	ORS 746.015	A policy does not unfairly discriminate in insuring against risks of essentially the same degree of hazard.	
	ORS 106.300 thru ORS 106.340, Bulletin 2008-2, OAR 836-081-0010	A provision that recognizes a Domestic Partnership is included in the policy. Terms and provisions in the Insurance Code and in rules adopted under the Code that refer to or indicate the marital relationship, its dissolution and dependents in a marital relationship will apply in the same manner to domestic partnerships, to their dissolution and to dependents in the partnership.	
Defense costs	ORS 742.063	Aircraft - A liability form providing that defense costs are included within the stated policy limits contains a statement disclosing that these costs are included within policy limits.	
Exclusions	ORS 742.005(2), ORS 742.023(1)(c)	The policy clearly identifies the exclusions and limitations on the coverage.	Confirm <input type="checkbox"/> <input type="checkbox"/>
Fraud	ORS 742.013 ORS 742.208 Bulletin INS 2010-3	If the policy has fraud, concealment, misrepresentation language, then the application is required to include a fraud warning. If one is included, it is general in nature and does not state that the applicant is "guilty" of fraud, but that he or she "may be" guilty of fraud. Fraud or misstatement warnings that mention criminal or civil penalties must avoid definite statements of the criminal nature of an act, guilt, or possible penalties. A warning that specifies that knowingly providing false information "may be" a crime, which "may be" grounds for criminal or civil penalties is appropriate.(continued on next page)	

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Fraud, continued	ORS 742.013 ORS 742.208 Bulletin INS 2010-3	<p>Fraud or misstatement warnings that mention denial of recovery as a possible consequence of an omission, concealment, misstatement or misrepresentation must disclose that in order to deny a claim on this basis, the insurer must demonstrate that the misinformation was material to the content of the contract, that the insurer relied upon this information, and that the misinformation was either provided fraudulently or was material to the risk or hazard assumed by the insurer.</p> <p>Fraud or misstatement warnings that mention cancellation, voiding, or rescission of a policy as possible consequences of an omission, concealment, misstatement or misrepresentation must disclose the line-specific statutory limits to these remedies. Insurers should review Bulletin INS 2010-3 and the Insurance Code to determine whether their statements comply.</p>	
Legibility of forms	ORS 742.005(2)	<p>The forms are clear and understandable in the presentation of premiums, labels, descriptions of the contents, title, headings, backing, and other indication (including restrictions) in the provisions. The information is clear and understandable to the consumer and is not unintelligible, uncertain, ambiguous, abstruse, or likely to mislead.</p> <p>The policy does not contain inconsistent, ambiguous or misleading clauses, or contain exceptions and conditions that unreasonably affect the risk purported to be assumed in the general coverage of the policy</p>	<p>Yes No</p> <p><input type="checkbox"/> <input type="checkbox"/></p>
Loss settlements	ORS 742.053(2)	Insurers must furnish a proof of loss form when requested in writing by a person claiming to have a loss under the policy. An insured must have at least 90 days from the date the form is furnished to complete the form and submit it.	
Misrepresentation /misstatements	ORS 742.013, ORS 742.208	A provision in the policy, or the application, makes it clear that statements made by the insured, in the absence of fraud, are representations and not warranties.	
Policy period	ORS 742.048	The policy states that coverage commences at 12:01 a.m. on the policy effective date, unless a binder states otherwise.	
Rebates	ORS 746.035, ORS 746.045	Are inducements or rebates specified in the policy? If "yes," explain in the cover letter and identify the location in the policy and rating plan.	
Requirements	ORS 742.240	A provision is in a policy that includes the peril of fire that informs the insured they must have complied with all the requirements of the policy in order to bring suit against the company. The policy must also contain a provision that law suits must be brought within 24 months after loss.	

CROP/HAIL ONLY: RATE, RULE, RATING PLAN, CLASSIFICATION, AND TERRITORY FILING REQUIREMENTS

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Discrimination	ORS 746.015, OAR 836-081-0010	Rates, rating plans, and rating systems do not discriminate unfairly in the availability of insurance and application of rates.	Yes <input type="checkbox"/> No <input type="checkbox"/>
Fictitious groups	ORS 737.600	If filing a fictitious group for rate purposes, the group meets the requirements of ORS 737.600(3)(f) for mass-marketing plans.	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
Rebates	ORS 746.035, ORS 746.045	Are inducements or rebates specified in the policy? (If “yes,” explain in the cover letter and identify the location in the rule.)	Yes <input type="checkbox"/> No <input type="checkbox"/>
Ratemaking generally			
Credibility	ORS 737.310, OAR 836-010-0021	1. Provide all data used and judgments made. 2. Provide description of methodology used.	
Fees, service charges, taxes	ORS 737.310, OAR 836-010-0021	Provide cost-accounting justification on initial filings and subsequent changes.	
Loss valuation	ORS 737.310, OAR 836-010-0021	Premiums: 1. Earned premium and earned premium at present rates for each coverage or combined coverages using the extension of exposures or on level factors. 2. A rate level history. 3. Adjustment for inflation. 4. State whether data is on a basic or total-limits basis.	
	ORS 737.310, OAR 836-010-0021	Loss data: 1. Each year and coverage includes: 2. Earned exposures. 3. Incurred losses. 4. Loss development factors. 5. Description of the methodology used to derive the loss development factors. 6. Unallocated loss adjustment expense. 7. Allocated loss adjustment expenses. 8. Ultimate incurred losses and loss adjustment expenses. 9. Trend factors. 10. Trended ultimate incurred losses and loss adjustment expense.	
		If losses are separated into catastrophic and non-catastrophic, a description of the method used to separate losses.	

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Investment income	ORS 737.310, OAR 836-010-0021	1. Cash flow method <i>or</i> 2. Alternative method showing amount of investment income earned on loss, LAE, and unearned premium reserve to earned premium.	
Underwriting profit & contingencies	ORS 737.310, OAR 836-010-0021	1. Oregon data for commission and brokerage.	
		2. Countrywide data for general and other acquisition expenses as reported in the <i>Insurance Expense Exhibit</i> .	
		3. Oregon data for taxes, licenses, and fees.	
		4. Expense trend.	
		5. Historic experience.	