

SERFF General Instructions for Property and Casualty Filings

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General Information

These general instructions do not supersede the requirements of Texas laws and regulations governing the business of insurance. TDI provides them to assist insurers in submitting SERFF filings. Insurers are required to be aware of and comply with all Texas laws and regulations. Please review the general instructions for changes or updates.

Status in Domicile

Not Applicable

Multiple Companies Allowed On Filings?

PC: Yes

LAH: No

Effective Date Rules

- You may use policy forms and endorsements upon approval by the Texas Department of Insurance.
- You may use rates and rules for lines regulated under Insurance Code Chapter 2251 on or after the date they are filed. See Insurance Code Chapter 2053 for effective date rules for workers' compensation.

Change of Effective Date Requests

- Notification of a change in effective dates is not required for policy form, endorsement, and certificates of insurance filings.
- Notification is required on effective date changes for rate, manual rule, rate/rule, underwriting guideline, and credit scoring model filings. You may request a change in effective date using a post submission update.
- In the event that a rate/rule filing will not be implemented on the effective dates shown in SERFF, companies are responsible for notifying TDI of the revised effective dates. Failure to provide timely notification of a change in effective dates may result in a violation of Texas Insurance Code Chapter 2251, Subchapter C.

Information Links

The Property and Casualty Filings Made Easy Guide is an aid to making property and casualty filings in Texas. You may download or view the guide by clicking the link below. Filers should use the most current editions of these forms.

Filings Made Easy Rule

[http://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac_view=5&ti=28&pt=1&ch=5&sch=M&div=4&rl=Y](http://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=5&ti=28&pt=1&ch=5&sch=M&div=4&rl=Y)

Filings Made Easy Guide

<http://www.tdi.texas.gov/pubs/pc/rspceasy.html>

P&C Filing Review Requirement Checklists

<http://www.tdi.texas.gov/commercial/pcckindx.html>

Texas Insurance Code

<http://www.statutes.legis.state.tx.us>

Texas Administrative Code

[http://texreg.sos.state.tx.us/public/readtac\\$ext.viewtac?tac_view=4&ti=28&pt=1](http://texreg.sos.state.tx.us/public/readtac$ext.viewtac?tac_view=4&ti=28&pt=1)

Form filings are approved or disapproved by the director of the Property and Casualty Lines Office. <http://www.tdi.texas.gov/commercial/pcapproval.html>

Available Filing Modes

Filing Type	All Lines Except Mortgage Guaranty/Mortgage Guaranty Pool*
Policy Forms	Prior Approval
Endorsements	Prior Approval
Rates/Rules	File & Use
Credit Scoring Models	File & Use
Underwriting Guidelines	Use & File
Certificates of Insurance	Prior Approval

*See Insurance Code Ch. 3502 for filing modes for mortgage guaranty/mortgage guaranty pool.

Fees

Fee Information

Is there a fee? No

Filing Public Access

Public Access Detail

Filings become public: At submission

The public can view a filing through SERFF Filing Access at:

<http://www.tdi.texas.gov/company/serff/index.html>, or by submitting an open records request.

To the extent that a filing submitted through SERFF includes contact information, the filer affirmatively consents to the release and disclosure of the contact information, including any email addresses. The filer also certifies that each person associated with an email address that appears in the filing has affirmatively consented to the release and disclosure of that email address.

Confidentiality Requests

Confidentiality requests are allowed.

Explanation

To protect confidential documents from public view, companies must designate such documents as confidential in SERFF by clicking the appropriate box when uploading the documents. It is the responsibility of the company uploading the document to SERFF to ensure that confidential documents are protected by clicking the appropriate box. Simply labeling an individual document as “confidential,” “proprietary,” or other words denoting privacy will not prevent a document’s disclosure to the public. Companies must click on the appropriate box to prevent documents from being publicly available. TDI will not perform this function.

Under the Texas Public Information Act, the public has the right to know that a company submitted a filing. Therefore, TDI does not allow companies to declare an entire filing confidential. If TDI receives a filing through SERFF marked confidential in its entirety, it will override the confidentiality designation. TDI will also override any schedule tabs marked confidential. Companies will then need to use the confidential feature in SERFF to designate any subsequently submitted documents it believes are confidential to prevent them from being publically available. TDI will not perform this function.

TDI will not be responsible and will not be liable, nor will it indemnify or hold harmless any company, filer, or other party whatsoever, in connection with the public's access to or release of any filing or other information due to a failure to correctly use SERFF to protect confidential documents.

Underwriting Guidelines

The Texas Department of Insurance issued Commissioner's Bulletin #B-0021-15 on September 11, 2015, regarding the confidentiality of underwriting guidelines.

<http://www.tdi.texas.gov/bulletins/2015/b-0021-15.html>

Personally Identifiable Information (PII)

PII is information that can be used either alone or in combination to distinguish an individual's identity.

Examples of personally identifiable information include:

- (1) any individual policyholder identification, including name, address, phone, or email;
- (2) social security numbers;
- (3) insurance policy numbers;
- (4) drivers' license, identification card, vehicle identification, and license plate numbers;
- (5) debit, credit card, bank account, and routing numbers; and
- (6) health information about individuals.

****See [Appendix](#) for additional examples****

Do not submit filings containing PII. A filing with PII will be removed from public view and some or all of the filing must be withdrawn or rejected.

TRIA2015 – Terrorism Risk Insurance Program Reauthorization Act of 2015

Texas requires TRIA forms to be filed per individual line of insurance. However, disclosure forms may be filed as interline. All filings should be made in accordance with the requirements contained in the TDI's Property and Casualty Filings Made Easy Guide. You can find the guide on TDI's website at <http://www.tdi.texas.gov/pubs/pc/rspceasy.html>. Companies may use the NAIC expedited SERFF filing transmittal document.

TDI File Number

The TDI file number is the number that TDI assigns to a filing and includes:

- TDI link number;
- TDI number; and
- state tracking number.

Before Submitting a Filing

Each company should verify that:

- they have a Certificate of Authority to write business in Texas,
- the certificate contains the correct company name, and
- the company is authorized to write the line of business in Texas.

If a filing is made for a company that is not authorized to write in Texas, or if the company name does not match the Certificate of Authority, the filing will be rejected. The company must use the correct TOI and Sub-TOI when submitting filings.

When an original policy form filing has been submitted through SERFF and the company has withdrawn with the intent to resubmit within six months, please contact the review specialist to reopen the filing before resubmitting through SERFF. Otherwise, you will need to submit a new filing.

All company rate information fields must be completed on the Rate/Rule Schedule tab.

Filers may request a post submission update on open or closed filings. TDI will review the request and allow or disallow the changes.

Filing Types

Texas requires separate filings for each filing type.

Filing Types	Filing Type Instructions
Policy Form (PF)	Use ONLY for filings that contain an insurance policy or references a previously approved filing that contained an insurance policy. PF would be the correct filing type even when a policy is submitted or referenced with other types

	of forms, such as endorsements, declarations, applications, disclosures, policyholder notices, etc.
Endorsement (EN)	Use for filings that contain any other type of form or forms, EXCEPT an insurance policy. This would include endorsements, declarations, applications, disclosures, policy notices, etc. Endorsement filings must include information regarding each endorsement's use; for example, the type of risk or risks for which the endorsement will apply.
Rate/Rule (RT/RU)	Effective for filings on and after December 1, 2017 – Use for filings that contain rates, fees, rules, and supplementary rating information, including tiering, classifications, territory codes and definitions, and other information used to determine the applicable premium for an insured.
Rate (RT) <i>Inactive after 11/30/2017</i>	This filing type will no longer be available after November 30, 2017 – Use for filings that contain rates, fees, rating rules, and supplementary rating information, including tiering, classifications, territory codes and definitions, and other information used to determine the applicable premium for an insured.
Manual and Form Rules (MR) <i>Inactive after 11/30/2017</i>	This filing type will no longer be available after November 30, 2017 – Use for filings that contain manual rules, which are rules regarding how forms and endorsements are used. After November 30, 2017, all rules should be filed as a Rate/Rule (RT/RU) filing type.
Credit Scoring Model (CS)	Use for filing credit scoring models for personal insurance.
Underwriting Guidelines (UG)	Use for filing underwriting guidelines. If your underwriting guidelines contain rates, fees, rules, and supplementary information, including tiering, classifications, territory codes and definitions, and other information used to determine the applicable premium for an insured, you must submit these in a rate/rule filing.
Certificates of Insurance (CI)	Use for filing certificates of insurance.

Attachment Information and File Formats Accepted

You must submit attachments in PDF format (Adobe version 4.0 or higher). However, you may attach an Excel spreadsheet as long as you also submit a duplicate PDF version.

If the filing information is placed in the Filing Description section of Filing at a Glance, you are not required to submit a cover letter.

Form Schedule and Rate/Rule Schedule

Attach each form as a separate line item in the Form Schedule tab. Please show the complete name without abbreviations of the forms/endorsements in the Form Schedule, regardless of its length. All items must include a form number.

Submit a table indicating whether each form or endorsement is optional, mandatory, or conditional mandatory. Use the following definitions:

Form Usage	Description	Example
Optional	The form or endorsement will be used only if the insured chooses to add it to the insured's policy.	Optional – Personal Articles Endorsement
Mandatory	The form or endorsement will be required on all policies.	Mandatory – Special Provisions – Texas
Conditional Mandatory	The form or endorsement will be required under certain situations.	Conditional Mandatory – Cosmetic Damage for Metal Roofs Exclusion

List the forms or endorsements in a table in the same order, with the same names and form numbers as they are listed on the Form Schedule. Add a separate item under the Supporting Documentation tab. Name the item “Form Usage Table” and attach the table.

<http://www.tdi.texas.gov/forms/propertycas/pc424formusage.PDF>

Attach rate or rule pages to the Rate/Rule Schedule tab. Show the company exception/manual page numbers in the Rate/Rule Schedule. Be sure to indicate the rule number or page number being replaced, if applicable, and provide the previous TDI file number.

For underwriting guideline filings, attach your underwriting guidelines to the Rate/Rule Schedule tab. Indicate “new” or “replacement” under Rate Action. Be sure to indicate the rule number or page number being replaced, if applicable, and provide the previous TDI file number.

Additional information, including the redline copies of forms, rules, rates, and underwriting guidelines, must be submitted under the Supporting Documentation tab.

Information on the Elimination of Manual Rule Filings

- Implementation date – December 1, 2017
- TDI is eliminating the manual rule filing type and renaming the rate filing type. After December 1, 2017, filers must select rates and rules as a rate/rule (RT/RU) filing type.
- For manual rule filings submitted before December 1, 2017, filers must use the manual rule (MR) filing type.
- Filings pending a final disposition on December 1, 2017, will remain the filing type under which they were filed.
- Filers must submit information regarding the use of forms with the relevant policy form or endorsement filing. Do not submit manual pages in a form or endorsement filing.

Information on Reference Filings

Reference Filing – A filing submission adopting another insurance company’s or an advisory organization’s approved/accepted filing.

Beginning December 1, 2017, use the rate/rule filing type to reference any combination of rate/rule, rate, and manual rule filings.

If your reference filing also includes your company’s own policy forms or endorsements, you must attach those forms or endorsements to the filing. Do not attach the referenced forms.

Advisory organizations do not submit filings for their members in Texas. A company must file to affirmatively adopt an advisory organization’s approved/accepted filings. Do not submit filings to notify TDI of your company’s intention not to adopt a filing.

Filers should:

- Include the name of the insurance company or advisory organization.
- Include TDI file numbers or SERFF tracking numbers being referenced on item 6 of the State Specific tab or attach a list in the Supporting Documentation tab for several

numbers. For rate/rule filings referencing an advisory organization's filing, attach company exception pages. Do not attach loss costs or rules found in the advisory organization's filing.

- For rate/rule filings referencing another insurer's filing, attach all rates and rating information required under Insurance Code Section 2251.101, including information copied or derived from the referenced filing. Ensure all referenced information complies with current statutes and regulations before submitting a filing.
- Include proposed effective dates.

Filings should not include:

- a list of advisory organization tracking or circular numbers;
- a list of policy form/endorsement name and form number information; or
- the referenced policy form and endorsement attachments.

Show the reference filing information as illustrated below:

Examples: ISO, TDI State Tracking# S12221
 AAIS, TDI Link# 84602
 XYZ Company, TDI File# 9200110010
 ABC Company, SERFF Tracking# ABCD-6789101112

Lists of approved/accepted filings from advisory organizations are on TDI's website at:

<http://www.tdi.texas.gov/commercial/pccpadvs1.html>

<http://www.tdi.texas.gov/commercial/rspcref1.html>

For more information, contact: SERFF@tdi.texas.gov

Appendix

Examples of Personally Identifiable Information

TDI Documents

- Anything covered by an open records Previous Determination (no waiver of confidentiality from the requestor is required)
 - Prompt Release (ORD 684) Previous Determination:
 - Email addresses of members of the public (non-TDI people)
 - Policy numbers
 - Bank account and routing numbers

- Credit and debit card numbers
 - Texas driver's license number, Texas license plate number
 - W2 and W4 forms
 - I-9 form and attachments
 - Direct deposit authorization form
 - Agenda of a closed meeting
 - Fingerprints (biometric identifier)
- State Fire Marshal Office Previous Determination
- Fraud Previous Determination
- Financial Exam and Work Papers Previous Determination
- Health Enrollees Identifying Information
 - Insured's name, address, telephone number, birth date, social security number, and claim number
- Social Security Number of a Living Person (no waiver of confidentiality from the requestor is required).
- Social Security Number of an agent
- Medical Records including Medical Billing Records (prepared by a health care provider)
- Credit Reports/Collection Agency Letters
- Automobile Title Certification Applications
- Automobile Accident Reports
- Mortgage Applications
- Criminal History
- Pending Investigations

Property/Casualty Documents

- Personal Financial Information including premium amounts, limits of liability, claim settlement, damage estimates
- General Medical Information
- Finance/Retail Installment Agreements