

Bulletin 16

**CASUALTY FILING REQUIREMENTS –
MEMBERS AND SUBSCRIBERS OF RATING ORGANIZATIONS**

August 5, 1964

A question has been raised as to the proper manner a company may file with the Department, its rules, rate schedules and rating plans for a risk classification or a division of a risk classification when the rating bureau of which the company is a member or subscriber has not and does not contemplate making a filing of rules, rate schedules and rating plans for such risk classification or division of a risk classification.

Indiana Code 27-1-22-4 of the Indiana Insurance Code provides that every insurer shall file with the Department every manual of classification, rules, rates, every rating plan and every modification of any of the foregoing which it proposes to use.

Indiana Code 27-1-22-4(f) provides that an insurer may satisfy its obligation to make such filings by becoming a member of, or a subscriber to, a licensed rating organization which makes such filings, and by authorizing the Department to accept such filings on its behalf.

In this instance we are dealing in the general area of liability insurance but more specifically with malpractice and professional liability insurance, a division of liability insurance.

Since the rating bureau of which the interested company is a member or subscriber does not have a filing with the Department for the specific class of insurance involved, the interested company is in no position to authorize the Department to accept the rating bureau filing in behalf of the company.

Therefore, until a filing is made by the rating bureau with this Department, it is a requirement of the Indiana Insurance Code, 27-1-22-4 that the company shall file its rates, etc., with the Department. This will apply to any classifications or division of classifications for which a rating bureau, of which the company is a member or subscriber, does not make filings in behalf of its members or subscribers.

It is requested that all rating bureaus advise their members and subscribers of the content of this bulletin.

Harry E. McClain
Insurance Commissioner