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Insurance Commissioner



Delaware Department of Insurance

General Filing Instructions

Personal & Commercial

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State of Delaware Insurance Department General Filing Instructions

The following section addresses general filing instructions for all Personal and Commercial rate and form filings.

- 1. Form Filing Authority/Scope of Authority:**
Forms are filed in accordance with Title 18, Del. C., Chapter 2712. See Department website for filing documents:
<https://insurance.delaware.gov/ratesforms/>
- 2. Form Filing Basis:**
Delaware is a file and use state with the authority to disapprove. If you elect to DEEM a filing per Title 18, Del. C., Chapter 2712(b), **please send an email to rate@delaware.gov for questions and comments.**
- 3. Rate Filing Basis:**
Delaware is a prior approval state with the authority to disapprove per Title 18, Del. C., Chapter 2506(c). The filing may not become effective and deemed to meet the statutory requirements of this chapter until the earlier of the Commissioner's approval of the filing or the expiration of the timeframe provided in the Commissioner's notice of extended review. **Please send an email to rate@delaware.gov for questions and comments.**
- 4. Status in Domicile:**
Approval from state of domicile is not required, but status may be requested.
- 5. Fee information:**
 - a. Filing fees are **\$150** per *form*, per company, per line of insurance. *Rates* are **\$100** per filing, per line of insurance. *Rules* submissions are **\$150** per filing, per company, per line of insurance.
***No insurer shall be required to pay more than \$2,000 per form filing pursuant to House Bill 242 effective July 17, 2019. For form filings made on a group-wide basis, the \$2,000 cap is applicable to each insurer.*
 - b. Filings outsourced for actuarial review per Title 18 Del. C. Chapter 7 §714 will incur additional cost.
 - c. Informational filings without policy forms are accepted without a fee.
 - d. Previously filed policy forms that are modified are considered as "amended" filings and will require a fee.
 - e. Objection Letters not responded to within 30 days will be closed and fees will not be refunded.
 - f. Inadequate filing fees not corrected within 21 days will be closed and fees will not be refunded.

6. Required Filing Documents and Information:

a. P+C State Specific Forms are required.

7. Rate Filings

All rate filings must include a thorough Filing Description, which includes documentation supporting the request for a rate increase or decrease. Please review Forms and Rates Bulletin 23.

8. Additional Form Filings Requirements

Identify changes – For any issuers who are **NOT** submitting new forms, the DOI requests that any changes to the forms be clearly marked and tracked to identify the changes from the previous filings.

9. Withdrawing Entire Product or Program

If a Company intends to withdraw an **entire product or program** in Delaware, please submit a formal letter of intent through SERFF to include:

- Total Annual Premium loss,
- Number of DE insured's that will be affected,
 - List by LOB (if more than 1) and,
 - Geographical location (county) and,
- Reason for withdrawal,
- Is the withdrawal specific to Delaware or are other states impacted,
- The Effective date of program withdraw.

Contact Information:
Rates & Forms Analyst
Rate@delaware.gov