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Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND
PROFESSIONAL REGISTRATION
Division 200—Insurance Solvency and Company Regulation
Chapter 1—Financial Solvency and Accounting Standards

JUL 15 2009

SECRETARY OF STATE
ADMINISTRATIVE RULES

20 CSR 200-1.030 Financial Statement and Electronic Filing

Purpose of Amendment: The purpose of this amendment is to repeal the requirements that certain foreign insurers file a hard copy of their financial statements with the National Association of Insurance Commissioners and a hard copy of the jurat page of such statements with the department.

PURPOSE: This rule prescribes forms to be followed in proceedings before the Department of Insurance regarding annual statements and effectuates or aids in the interpretation of sections 287.710, 354.105, 354.435, 354.720, 375.041, 375.786, 375.1030, 375.1037, 375.1047, 375.1082, 375.1252, 376.350, 376.370, 376.1012, 376.1092, 376.1093, 377.100, 377.380, 378.350, 379.105, 380.051, 380.482, 382.110, 383.030 and 384.021, RSMo.

(1) Each health services corporation, health maintenance organization (HMO), stock or mutual life insurance company, assessment or stipulated premium plan life insurance company, fraternal benefit society, stock or mutual insurance company other than life, Chapter 383 assessment company, reciprocal and eligible surplus lines insurer and each accredited or qualified reinsurer shall file a sworn annual statement on or before March 1 of each year, for its business and affairs for the year ended the next previous December 31, in accordance with the National Association of Insurance Commissioners (NAIC) Annual Statement Blank and the instructions for it, or in accordance with any other form as the director expressly permits to the entity. This statement also shall be prepared in accordance with the applicable accounting standards or principles approved by the NAIC, published in the *Accounting Practices and Procedures Manual*, *Valuation of Securities* or *Examiner's Handbook*, or a combination of these, except where the applicable provisions of Chapters 354 and 374.385, RSMo, or other specific rules expressly provide otherwise.

~~(A) For entities not domiciled in Missouri, one (1) hard copy of the annual statement shall be filed with the NAIC's office in Kansas City, Missouri, and with the Missouri Department of Insurance's office in Jefferson City a sworn and signed jurat page only, in the form provided by the department.~~

~~(B)~~ For entities domiciled in Missouri, one (1) signed original and one (1) hard copy of the annual statement shall be filed with the Missouri department's office in Jefferson City and one (1) hard copy shall be filed with the NAIC's Kansas City office; provided, however, that for domiciled companies doing business in seventeen (17) or more states, for life and health insurers writing fifty (50) million dollars or more in gross premium, and for property and casualty insurers writing thirty (30) million dollars or more in gross premium, an additional hard copy also shall be filed with the NAIC's office in Kansas City, Missouri, but only upon the written request of the NAIC. The annual statements should be signed by officers of the company as required by applicable Missouri law.

~~(2)~~ **(B)** Each entity, **whether foreign or domestic**, shall file electronically all annual statement information with the NAIC's office in Kansas City, Missouri. The electronic filing shall be prepared under the NAIC's guidelines.

~~(3)~~ **(2)** Each health services corporation, HMO, stock or mutual life insurance company, assessment or stipulated premium plan life insurance company, fraternal benefit society, stock or mutual insurance company other than life, Chapter 383 assessment company, reciprocal and eligible surplus lines insurer shall file, in addition to the sworn annual statement required in section (1), three (3) quarterly statements for its business and affairs for the quarters ending, respectively, the next previous March 31, June 30 and September 30, in accordance with the NAIC Quarterly Statement Blank and the instructions for it, or in accordance with any other forms as the director expressly permits to the entity.

JOINT COMMITTEE ON

JUL 15 2009

ADMINISTRATIVE SERVICES

(A) ~~For entities not domiciled in Missouri, one (1) hard copy of each quarterly statement shall be filed with the NAIC's office in Kansas City, Missouri, and with the Missouri Department of Insurance's office in Jefferson City a sworn and signed jurat page only, in the form provided by the department.~~

~~(B)~~ For entities domiciled in Missouri, one (1) signed original and one (1) hard copy of each quarterly statement shall be filed with the Missouri department's office in Jefferson City and one (1) hard copy shall be filed with the NAIC's Kansas City office; provided, however, that for domiciled companies doing business in seventeen (17) or more states, for life and health insurers writing fifty (50) million dollars or more in gross premium, and for property and casualty insurers writing thirty (30) million dollars or more in gross premium, an additional hard copy also shall be filed with the NAIC's office in Kansas City, Missouri, but only upon the written request of the NAIC. The quarterly statements should be signed by three (3) officers of the company.

~~(4)~~ **(B)** Each entity, **whether foreign or domestic**, shall file electronically all quarterly statement information with the NAIC's office in Kansas City, Missouri. The electronic filing shall be prepared under the NAIC's guidelines.

~~(5)~~ **(3)** To the extent a hard copy is required by this rule to be filed with the Missouri Department of Insurance, such filings for the respective quarters shall be mailed on or before May 15, August 15 and November 15 of each year.

~~(6)~~ **(4)** This rule will apply to filing of the annual and quarterly statements and electronic filings beginning with the year ending December 31, 1992, to be filed by March 1, 1993, as well as all future years.

~~(7)~~ **(5)** All entities domiciled in Missouri shall place bar code labels on the following documents that are required to be filed with the Missouri Department of Insurance:

- (A) Annual statement and all exhibits required by the NAIC;
- (B) Quarterly financial statements (due three (3) times a year);
- (C) Audited financial report;
- (D) Qualification letter;
- (E) Application to Renew Certificate of Authority;
- (F) Notification of Insurers/Trust Agreement form (third-party administrators);
- (G) Premium Tax Form (including quarterly assessment notices);
- (H) Actuarial certification included with annual statement filing;
- (I) Management Discussion and Analysis form;
- (J) Basket clause investments listing;
- (K) Electronic data processing equipment listing;
- (L) Risk-based capital report;
- (M) Supplemental compensation exhibit;
- (N) Affidavit of stock ownership;
- (O) Form B and C holding company registration statement;
- (P) Form B inter-company agreements supplement; (Q) Certificate of Valuation (form MO 375-0420);
- (R) Title Insurance Premium Reserve;
- (S) Actuarial opinion summary;
- (T) Reinsurance attestation supplement;
- (U) Reinsurance summary supplement; and
- (V) Any other documents determined by the director.

~~(8)~~ **(6)** All entities not domiciled in Missouri shall place bar code labels ~~on the following documents that are required to be filed with the Missouri Department of Insurance:~~

- (A) All annual and quarterly sworn and signed jurat pages; and

~~(B) Any other documents determined by the director]~~ only on such documents as ordered by the director.

[(9)] (7) A master sheet of bar code labels will be provided once a year. If the master sheet or any part thereof has to be reproduced for any reason, a fee of ten dollars (\$10) will be charged. This fee, along with a written request for a replacement set of labels, must be received by the department before the replacement set of labels will be provided. A document will not be considered filed unless the proper bar code label is affixed thereto. Loss of any bar code label(s) and a request for a replacement set of labels will not excuse the late filing of any documents and appropriate penalties will be imposed for any late filings.

AUTHORITY: sections 354.120, 354.723, 374.045, and 380.561 RSMo 2000 and section 354.485, RSMo Supp. 2008.

PUBLIC COST: This proposed amendment will not cost public entities more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing will be held on this proposed amendment at 10:00 a.m. on September 22, 2009. The public hearing will be held at the Harry S Truman State Office Building, Room 530, 301 West High Street, Jefferson City, Missouri. Opportunities to be heard at the hearing shall be afforded to any interested person. Interested persons, whether or not heard, may submit a written statement in support of or in opposition to the proposed amendment, until 5:00 p.m. on September 29, 2009. Written statements shall be sent to Mary Erickson, Department of Insurance, Financial Institutions and Professional Registration, P.O. Box 690, Jefferson City, Missouri 65102.

SPECIAL NEEDS: If you have any special needs addressed by the Americans With Disabilities Act, please notify us at (573) 751-2619 at least five (5) working days prior to the hearing.