



**Missouri Department of Commerce & Insurance  
Insurance Market Regulation Division  
Property and Casualty Section**

<https://insurance.mo.gov/industry/filings/checklists/documents/CommercialCasualtyFilingChecklist10-2018.pdf>

Company Name:

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Lead Form # as it appears in SERFF:

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**This list is in no way an exhaustive or complete statement of all requirements and provisions that might be applicable. This checklist is a representation of general provisions and objections and should not be construed as a legal position or legal advice. Please refer to the statutes and regulations for exact wording of requirements or prohibitions. The language within the Missouri Statutes and Regulations always prevails over this checklist.**

<b>Description of Provisions for Commercial General Liability Type of Insurance (TOI) codes applicable to 17.0</b>			
<b>Review Requirements</b>	<b>Reference</b>	<b>Comments</b>	<b>Location in Contract (page and section #) If Applicable</b>

**Filing Requirements**

Filing Fees	<a href="#">374.230 (6) RSMo</a>	Filings can now be funded through EFT. The general filing fee is \$150.00 per line, for each company. As long as the filing is still open, EFT payment can be submitted.	
Withdraw from an entire line of insurance	<a href="#">379.886 RSMo</a>	Requires insurers to notify Director 90 days in advance of canceling or non-renewing a line of business	

**Forms**

Application	<a href="#">375.936 RSMo</a>	Prohibits insurers from asking applicants if they have ever been cancelled or non-renewed by prior insurer	
Form filings – effective date	<a href="#">379.321 RSMo</a> <a href="#">20CSR 500-4.100</a>	Filings must be received by the Department within 10 days of the effective date	
Cancellation Notice	<a href="#">379.883 RSMo</a>	60 days prior to the effective date of cancellation	
Nonrenewal-Notice of	<a href="#">379.883 RSMo</a>	60 days prior to the effective date of nonrenewal	



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Cancellation/ Nonrenewal – Reasons for	<a href="#">379.883(3) RSMo</a>	Insurer's actual reason to be sufficiently clean and specific. An assignment or transfer among affiliated insurers within a group is not considered a cancellation/nonrenewal	
Cancellation/ Nonrenewal – Policyholder right to claims history	<a href="#">379.884 RSMo</a>	Within 30 days of a written request, the insurer shall provide to the insured a statement of claims history for 3 years prior to the date of cancellation; or total claims history if policy has been in effect less than 3 years	
Cancellation/ Nonrenewal – Mailing requirement	<a href="#">379.885 RSMo</a>	Proof of mailing to the named insured at his last known address	
Mandatory endorsement (name, address, phone)	<a href="#">375.924(1) RSMo</a>	Requires policies to provide the name, address and telephone number of the insurer for easy access by insured.	
Missouri Property & Casualty Guaranty Association	<a href="#">375.772 RSMo</a>	Requires policies to include a guaranty fund endorsement.	
Claim Reporting	<a href="#">20 CSR 100-1.020(1)(D)</a>	Insurer cannot deny claim for failure of insured to provide notice of claim within a specified time frame	
Claims Made	<a href="#">20 CSR 500-1.800</a>	Retroactive date not <i>required</i> at policy issue. However, once a retroactive date is established, it may not be changed after policy inception except as required or requested by the insured.	
Electronic Delivery of Insurance Documents	<a href="#">379.011 RSMo</a>	Insurers sending notices or documents electronically shall obtain recipient's consent to be sent electronically.	
Reduction of Coverage	<a href="#">379.321.6(8)</a>	10 day notice for material restriction or reduction in coverage not specifically requested by the insured, required by law or based on the altered nature or extent of the risk insured.	

**Loss Settlement Provisions**

Acknowledging claims/settlement provisions	<a href="#">375.1000-1007 RSMo</a> & <a href="#">20 CSR 100-1.020-1.050</a>	Misrepresentation of policy provisions, failure to acknowledge pertinent communications, standards for prompt investigation of claims, standards for prompt, fair and equitable settlement of claims; insurers cannot deny coverage if a claim is not reported within a specific time period.	
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Appraisal	<a href="#">20 CSR 500-1.100</a>	When the insured and company fail to agree on the ACV or the amount of a loss, then, on written demand of either, each shall select a competent appraiser.	
Arbitration	<a href="#">435.350 RSMo</a> & Case Law – Standard Sec. Life Ins. Co. v. West 127 F.Supp.2d 1064 W.D. MO.,2000	Arbitration hearing to be held in county where adverse party resides or has a place of business.	
Statute of limitation	<a href="#">516.110 RSMo</a>	10 years	

**Rate**

Rate filings	<a href="#">379.321 RSMo</a>	Rate, rate plans, modifications and manuals of classifications shall be filed with the Department for informational purposes only; however, the Director retains authority over excessive, inadequate or unfairly discriminatory rates	
Rate, rate plan and rate system	<a href="#">379.890 RSMo</a> & <a href="#">20 CSR 500-4.100</a>	Sets forth standards for filing a commercial casualty insurance rate, rating plan or rating system; supporting actuarial data requirement.	
Rate standard	<a href="#">379.470 RSMo</a>	Rates shall not be excessive, inadequate, or unfairly discriminatory.	
Consent to Rate – (A Rate)	<a href="#">379.888.1(1) RSMo</a>	Defines "A Rates" as being those rates individually determined based on judgment because neither a rate service organization nor the insurer has established a manual rates	
Consent to Rate – (A Rate)	<a href="#">20CSR500-4.300</a>	Sets out standards for using "Consent to Rate"	
Deviation from rating organization	<a href="#">379.326 RSMo</a>	Deviations from rating organizations shall be filed with the director and are effective upon the date of filing.	
Fees	<a href="#">379.356 RSMo</a> & <a href="#">375.052 RSMo</a>	Incidental fees for premium installments, late payments, policy reinstatement, or other similar services specifically provided for by law or regulation are allowed.	
Rating organization filings	<a href="#">20 CSR 500-4.200(4)</a>	Insurers adopting loss costs filed by a rating organization must file Exhibit A, B & C	
Rebates	<a href="#">379.356 RSMo</a>	Prohibits rebating	



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Schedule Rating	<a href="#">20 CSR 500-4.100</a>	Rating plans are prohibited to have a credit/debit greater than 25% based on risk characteristics	
Premium notification	<a href="#">379.321.6(6) RSMo</a>	Requires insurers to send a notice to the agent of record and insured 60 days prior to the expiration date of a policy when the insurer will only renew the policy with a premium increase of 25% or more.	

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