



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

<https://insurance.mo.gov/industry/filings/checklists/documents/CommercialPropertyFilingsChecklist10-2018.pdf>

Company Name: _____

Lead Form # as it appears in SERFF: _____

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.

Description of Provisions for Commercial Property			
Type of Insurance (TOI) codes applicable to 1.0, 9.0 and 27.0			
Review Requirements	Reference	Comments	Location in Contract (page and section #) If Applicable

Filing Requirements

Filing Fees	374.230 (6) RSMo	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	379.886 RSMo	Requires insurers to notify Director 90 days in advance of canceling or non-renewing a line of business	

Forms

Application	375.936 RSMo	Prohibits insurers from asking applicants if they have ever been cancelled or non-renewed by prior insurer	
Form filings – effective date	20CSR 500-4.100	Filings must be received by the Department within 10 days of the effective date	Form filings – effective date
Cancellation/ Nonrenewal	20 CSR 500-1.100	10 days for nonpayment of premium, otherwise 30 day notice is required	
Mandatory endorsement (name, address, phone)	375.924(1) RSMo	Requires policies to provide the name, address and telephone number of the insurer	
Missouri Property & Casualty Guaranty Association	375.772 RSMo	Requires policies to include a guaranty fund endorsement.	
Claim Reporting	20 CSR 100-1.020(1)(D)	Insurer cannot deny claim for failure of insured to provide notice of claim within a specified time frame	



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

<https://insurance.mo.gov/industry/filings/checklists/documents/CommercialPropertyFilingsChecklist10-2018.pdf>

Loss Settlement Provisions

Acknowledging claims/settlement provisions	375.1000-1007 RSMo & 20 CSR 100-1.020-1.050	Misrepresentation of policy provisions, failure to acknowledge pertinent communications, standards for prompt investigation of claims, standards for prompt, fair and equitable settlement of claims	
Appraisal	20 CSR 500-1.100	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	435.350 RSMo & Case Law – Standard Sec. Life Ins. Co. v. West 127 F.Supp.2d 1064 W.D. MO.,2000	Mandatory binding arbitration prohibited in contracts of insurance.	
Statute of limitation	516.110 RSMo	10 years	
Electronic Delivery of Insurance Documents	379.011 RSMo	Insurers sending notices or documents electronically shall obtain recipient's consent to be sent electronically.	
Reduction of Coverage	379.321.6(8)	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.	

Rate

Rate filings	379.321 RSMo	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 standard	379.470 RSMo	Rates shall not be excessive, inadequate, or unfairly discriminatory.	
Consent to Rate – (A Rate)	379.888.1(1) RSMo	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)	20CSR500-4.300	Sets out standards for using "Consent to Rate"	
Deviation from rating organization	379.326 RSMo	Deviations from rating organizations shall be filed with the director and are effective upon the date of filing	
Fees	379.356 RSMo & 375.052 RSMo	Incidental fees for premium installments, late payments, policy reinstatement, or other similar services specifically	



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

<https://insurance.mo.gov/industry/filings/checklists/documents/CommercialPropertyFilingsChecklist10-2018.pdf>

		provided for by law or regulation are allowed	
Rating organization filings	20 CSR 500-4.200(4)	Insurers adopting loss costs filed by a rating organization must file Exhibit A, B & C	
Rebates	379.356 RSMo	Prohibits rebating	
Schedule Rating	20 CSR 500-4.100	Rating plans are prohibited to have a credit/debit greater than 25% based on risk characteristics	
Premium notification	379.321.6(6) RSMo	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 premium will only be renewed with an increase of 25% or more	

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.**