



DEPARTMENT OF INSURANCE

Capitol Complex

1665 Hot Springs Road, No. 152

Carson City, Nevada 89710

(702) 687-4270

mailed

BULLETIN NUMBER 92-001

May 8, 1992

SELF-CERTIFICATION OF CERTAIN LIFE AND HEALTH POLICY FILINGS

Effective immediately the Department of Insurance will accept for approval certain policy form filings that are certified as complying with Title 57 of the Nevada Revised Statutes, Nevada Administrative Code and Bulletins. Subject to the limitations in this bulletin, such filings will be deemed approved upon receipt.

The following policy types and their related riders, amendments and endorsements may be filed on a self-certified basis:

1. All types of individual and group life insurance products;
2. All types of individual and group annuity products;
3. All types of individual and group health insurance products except:
 - (a) Policy forms delivered to out-of-state discretionary associations and trusts;
 - (b) Medicare supplement forms and their rates; and
 - (c) Long-term care forms and their rates and home health care forms.

The exceptions noted in item 3 above will be fully reviewed as they have been in the past. In addition to those exceptions the following are also exempt from self-certification and will require a full review for approval:

1. All policy forms, rates, and contracts submitted for approval by Nevada domestic companies;
2. The rates and premium calculation methods submitted with all credit life and disability forms; and
3. All requests for rate increases on individual health forms.

The Department reserves the right to review any filing permitted to be self-certified by this bulletin. Reviews will be conducted on forms that contain unusual provisions and benefits or where the submitting company may not be in compliance with applicable statutes and regulations. In these instances the Department may conduct a partial review and decline the filing with an instruction to the company to reexamine its materials for full compliance. See: NRS 687B.120.

All other requirements regarding the filing of policy forms remain the same.

1. Filings must be made in accordance with the instructions of Bulletin No. 87-4 adopted December 4, 1987.
2. Filings must be accompanied by the appropriate filing fee as prescribed by NRS 680B.010.
3. Approval required by NRS 688B.030 and NRS 689B.026 of out-of-state policies delivered to discretionary groups may still be self-certified using the LH-100 (10/87) form and the requirements of the accompanying Attachment A.

Self-certified filings submitted in accordance with this bulletin must include a letter of transmittal with the following, signed by a corporate officer of the submitting insurance company:

State of Nevada
Affidavit of Self-certification Compliance

Re: Form Number _____

We certify that these forms comply with Title 57 of the Nevada Revised Statutes, Nevada Administrative Code and Bulletins. The Department of Insurance reserves the right to declare this approval void pursuant to NRS 687B.120.

So certified this _____ day of _____, 19__.

Signature

Title

Name of Insurance Company

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If you have any questions regarding this bulletin, please call the Life and Health Section of the Department.



TERESA P. FRONCEK RANKIN, J.D., CPCU
Commissioner of Insurance



DEPARTMENT OF INSURANCE

Capitol Complex
1665 Hot Springs Road, No. 152
Carson City, Nevada 89710
(702) 687-4270

December 8, 1992

Ronald F. Foll
Associate Corporate Counsel
FHP, Inc.
9900 Talbert Avenue
Fountain Valley, CA 92708-5153

Re: Opinion No. 70692.GP

Dear Mr. Foll:

Thank you for writing Sharen Weaver and informing her of your intention to self-certify product filings under Bulletin 92-001. Ms. Weaver referred your letter to me for response.

Bulletin 92-001 permits self-certification of certain life and health insurance policies. Though the bulletin does not specify products of life and health insurance companies, that is the clear intention. The Department of Insurance did not contemplate, nor does it interpret the indemnity language of the bulletin to include products and coverages offered by health maintenance organizations.

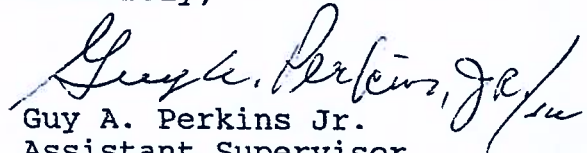
Therefore, FHP, Inc. may not submit its product filings with self-certifications of compliance. The department will fully review such filings. FHP, Inc. may not implement any products or rates until the department grants formal approval pursuant to NRS 695C.200.

Your letter also incorrectly connects Bulletin 87-4 for self-certification purposes. This does not apply to FHP filings. The same is true of the right reserved by the department to review any self-certified filing made under Bulletin 92-001. Those references and provisions only affect life and health insurers permitted to self-certify.

Ronald E. Foll
December 8, 1992
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Please let us know if we may further assist you in this matter.

Sincerely,


Guy A. Perkins Jr.
Assistant Supervisor
Life & Health Section

/GAP

Opinion File: NRS 695D.200; Bulletin 92-001; Bulletin 87-4
Topic: Forms Filing
NRS 695C.200

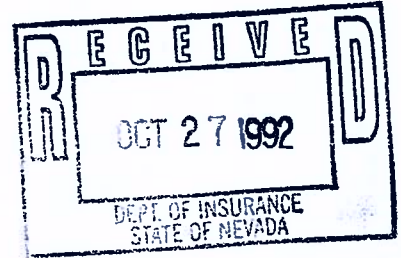
b:\opinion\70692.gp



Laurel or Peggy Log as PR and assign to Guy P.

*Th. SW
11-3-92*

October 20, 1992



Ms. Sharen Weaver
Supervisor
Life and Health Section
Department of Insurance
1665 Hot Springs Road, #152
Carson City, Nevada 89710

Re: Self-Certification of FHP, Inc. Filings Under State of Nevada Department of Insurance Bulletin No. 92-001

Dear Ms. Weaver:

As we discussed on October 19, 1992, FHP, Inc. ("FHP") interprets the State of Nevada Department of Insurance (the "Department") Bulletin No. 92-001 (the "Bulletin") as authorizing self-certified filings by FHP of its evidences of coverage, group service agreements, and related forms. Moreover, FHP interprets the Bulletin as permitting FHP to use such documents upon receipt by the Department, with the understanding that the Department may review the filing and may reject the filing and/or demand modification if a filing is deemed to be out of compliance with Nevada law.

The above interpretation is based on language in the Bulletin which authorizes the self-certified filing of all types of individual and group health insurance products with certain exceptions, such as Medicare supplement and long-term care forms. The Bulletin does not expressly exclude filings by a health maintenance organization, such as FHP. In addition, the Bulletin goes on to state that self-certified filings should be made in accordance with Bulletin No. 87-4. Please note that Bulletin No. 87-4 expressly includes filings by health maintenance organizations, such as FHP.

The Bulletin further states that self-certified filings will be deemed approved upon receipt. However, the Department expressly reserves the right to review and decline any self-certified filing. As a result, it is my opinion that, under the provisions of the Bulletin, FHP can use its self-certified filings upon receipt by the Department. Of course, FHP acknowledges that the Department may review the filing and may reject the filing and/or demand modification if the Department considers the filing to be out of compliance with Nevada law.

In conclusion, based on our understanding of Bulletin No. 92-001, it is FHP's intent to self-certify its filings of evidences of coverage and group service agreements, and related forms, and to commence using such documents upon receipt by the Department. FHP acknowledges the Department's right to review any such filings and agrees to comply with the Department's directions resulting from any such review of its filings.

I would be happy to discuss these issues in more detail upon request.

Sincerely,



Ronald E. Foll
Associate Corporate Counsel

REF:ss

cc: Pat Stewart

RF0494.ltr

S.W. - for your review and approval.
Thanks,
28

OPINION REQUEST WORK ORDER

DJE 11/30/92

NAME OF WRITER: GUY PERKINS DATE: 10/28/92

NAME OF DOCUMENT: B:\PEND-OP\OPR 706 92.(your initials)

TO: DEPUTY COMMISSIONER: date 12-1-92

1. not approved: _____ date: _____
(back to writer for corrections)

NOTES TO WRITER: _____

TO: DEPUTY COMMISSIONER : date _____

Completed 12/8/92

1. not approved: _____ date: _____
(back to writer for corrections)

NOTES TO WRITER: _____

2. approved: MC date: 12-2-92
(on to Commissioner for her approval)

TO: COMMISSIONER: date: _____

1. not approved: _____ date _____

NOTES TO WRITER AND/OR M. GRIFFIN: _____

2. approved: [Signature] (back to writer, letter attached

Writer's secretary to make all copies; Original opn. request and copy of writer's response to Dep. Comm's secretary with copies for opinion files; 2 for every statute & topic noted (1 for CC, 1 for LV) and one for circulation.

Deputy Commissioner's Secretary : _____ Computer _____ Log _____
Opinion files _____ Distribute _____

*Laura please
Log as OPR
assign to
Guy P.
MWSW
10/22/92*

FAX COVER SHEET

**FHP, INC.
LAW DEPARTMENT**

9900 Talbert Avenue, Fountain Valley, CA, 92708
Phone: (714) 378-5033
FAX: (714) 378-5049 (First Floor, Corporate)

TO: Sharen Weaver

FROM: RONALD E. FOLL
ASSOCIATE CORPORATE COUNSEL

Number of pages: 4 (including cover sheet)

DATE: 10-20-92

TIME: _____

MESSAGE:

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS PRIVILEGED AND CONFIDENTIAL AND INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF YOU ARE NEITHER THE INTENDED RECIPIENT NOR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THIS MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISCLOSURE, COPYING, DISTRIBUTION OR THE TAKING OF ANY ACTION IN RELIANCE ON THE CONTENTS OF THIS TELECOPIED INFORMATION IS STRICTLY PROHIBITED.

IF YOU HAVE RECEIVED THIS TELECOPY BY MISTAKE, PLEASE IMMEDIATELY CALL SHERRY AT (714) 378-5688

fax



October 20, 1992

Ms. Sharen Weaver
Supervisor
Life and Health Section
Department of Insurance
1665 Hot Springs Road, #152
Carson City, Nevada 89710

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revision
self-cert.*

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Sincerely,



Ronald E. Foll

Associate Corporate Counsel

REF:ss

cc: Pat Stewart

RF0494.ltr

**bcc: Tom Anderson
Annette Fisher
John Fritz
Mike Weinstock
Bob Murphy**