

| | | | |
|--|---------------------------|------------------------------|---------------|
| LINE OF BUSINESS: | Financial Guaranty | LINE(S) OF INSURANCE: | CODES: |
| CODE: | 10 | Financial Guaranty | 10 |
| IF CHECKLIST IS NOT APPLICABLE, PLEASE EXPLAIN | | | |

| REVIEW REQUIREMENTS | REFERENCES | DESCRIPTION OF REVIEW STANDARDS / REQUIREMENTS |
|---|--|--|
| GENERAL REQUIREMENTS FOR ALL FILINGS | | |
| EFFECTIVE DATE | | Policies effective at 12:01 AM Standard Time |
| ELECTRONIC FILINGS | Insurance Bulletin 360 Title 24-A § 2304-A Rate filings Title 24-A § 2412 Filings, approval of forms | Maine requires that all rate and form filings be filed electronically through the NAIC's System for Electronic Rate and Form Filings (SERFF). See also Bureau of Insurance Bulletin 360 Electronic Submissions of Rate and Form Filings. Enter New Business and Renewal effective dates under the General Information tab in SERFF. |
| FILING SUBMISSION | Title 24-A § 2412 Filings, approval of forms Title 24-A § 2304-A Rate filings | Form filing requirements. Rate filing requirements. |
| LINE OF AUTHORITY | Financial Guaranty | Must have requisite certificate of authority to transact business before submitting rate/rule/form filing |
| PRIOR APPROVAL FILE & USE | Title 24-A – §2304-A , Rate filings Title 24-A - §2412 . Filing, approval of forms | |
| SIDE BY SIDE COMPARISON | | Please provide a marked-up copy of the existing rate/rule page(s) or forms being revised highlighting all changes by underlining additions and striking through deletions. |
| THIRD PARTY FILERS AUTHORITY | Title 24-A - §2412 . Filing, approval of forms Title 24-A - §2304-A . Rate filings | Must include authorization to communicate directly with third party filers. |
| FORMS - POLICY PROVISIONS | | |
| ACCESS TO COURTS | Title 24-A - §2433 . Jurisdiction of courts, limitation of actions | Maine Courts have jurisdiction. |
| ACTION AGAINST COMPANY | Title 24-A - §2433 . Jurisdiction of courts, limitation of actions | Insured must be given 2 years from date of loss to bring suit against insurer. Foreign insurers. |
| AMBIGUOUS & MISLEADING | Title 24-A - §2413 . Grounds for disapproval | |
| APPLICATIONS | Title 24-A - §2411 . Representations in applications Title 24-A - §2412 . Filing, approval of forms Title 24-A - § 2186 Insurance Fraud Prevention | All statements are considered representations not warranties Must file applications only if to be made part of the policy. The Maine Fraud Warning must appear permanently affixed on all applications (i.e. new business, renewal, supplemental, etc...) |

| | | |
|-----------------------------|--|--|
| ARBITRATION | Title 24-A § 2433 . Jurisdiction of courts, Limitation of actions. | Arbitration must take place in the Maine County in which the policy was issued for delivery. |
| DISCRIMINATION | Title 24-A - §2162 . Unfair discrimination, rebates prohibited -- property, casualty, surety insurance | Restrictions on policy provisions relating to benefits not associated with loss and reductions in premium association with savings and expenses |
| FICTITIOUS GROUPS | Title 24-A - §2172 . Fictitious groups prohibited | Prohibited |
| FRAUD WARNING | Title 24-A - §2186 . Insurance fraud prevention | Statutory (or substantially similar) wording must be included on all applications (i.e. new business, renewal, supplemental, etc...) and claim forms |
| GROUP POLICIES | Title 24-A - §2951 . Group property and casualty insurance Rule Chapter 375 | See Rule 375 and Title 24-A Chapters 37 & 40-A for eligibility. |
| MANUSCRIPT ENDORSEMENTS | Title 24-A - §2412 . Filing, approval of forms | Manuscript forms must be filed. Each manuscripted change is subject to review and can be filed as a consent to form filing pursuant to 24-A § 2308(2) . |
| PAYMENT OF LOSS TIME PERIOD | Title 24-A - §2436 . Interest on overdue payments | Payment within thirty days and interest on overdue payments of 1.5% per month |
| PRIOR APPROVAL FILE & USE | Title 24-A - §2412 . Filing, approval of forms | Statute contains a deemer provision |
| PRIVACY NOTICE | Title 24-A - §2206 . Notice of insurance information practices | See Title 24-A, Ch.24 generally for insurance information and privacy protection. |
| SIGNATURES | Title 24-A - §2416 . Execution of policies | |
| SUBROGATION | Title 24-A - §2910-A . Subrogation; medical payments coverage Title 24-A, §3002 : Standard fire policy required; exceptions | Policy may not provide for subrogation or priority over an insured for medical payments |
| SUIT | Title 24-A - §2433 . Jurisdiction of courts, limitation of actions | Maine courts must have jurisdiction. Insured must be given two years to bring suit against insurer. |
| TERRORISM | Insurance - Bulletin 348 | Permitted |
| VOIDANCE | Title 24-A - §2411 . Representations in applications | Do not allow insurers to void coverage for concealment, misrepresentation or fraud except in compliance with Maine case law. See American Home Assurance Co. v. Ingeneri, 479 A.2d 897 (Me. 1984). |
| WARRANTIES | Title 24-A - §2411 . Representations in applications | Statements on applications are deemed to be representations, not warranties |