

INSURANCE

Pete Ricketts

Governor

Bruce R. Ramage

Director

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A Message from the Director....

2020—A Year in Review from the Department of Insurance



Bruce R. Ramage
Director of Insurance

The year 2020 will be long-remembered for the impact the COVID-19 pandemic had on individuals, businesses and government. On a personal note, I would like to call out the Nebraska Department of Insurance team members for finding ways to meet with the resulting challenges, while still maintaining a high level of service to those that rely on the department’s services and regulatory duties.

Virtual meetings, remote computing, social distancing and personal protective equipment were things we gave little thought to prior to the onset of the pandemic. Team members quickly learned to adapt and embraced such necessary measures to stay safe while still performing their responsibilities.

As earlier reported, my upcoming retirement and departure as Director is scheduled to occur in April 2021. Working with the Nebraska Department of Insurance team, others within state government, the National Association of Insurance Commissioners’ team, and serving Nebraskans for the last 36 plus years has been an honor of which I will always be proud.

Nebraska’s insurance industry serves Nebraska well, providing security and peace of mind. The role of the Department of Insurance in providing regulatory oversight will continue to develop as new products, services and companies emerge.

PROPERTY & CASUALTY DIVISION

Form & Rate Filing Guidance

The division's fourth quarter guidance document, "Private Passenger Auto Form and Rate Filing Requirements" has been posted to the NDOI website.

The fourth quarter guidance document, "**Private Passenger Auto Form and Rate Filing Requirements**," has been developed and posted to the Department's website. All of the division's guidance documents can be found at www.doi.nebraska.gov under "Insurers/Property and Casualty Information.."

Crop-Hail Filing Procedures Revised

*The amended bulletin now reads, "Cash discounts not to exceed three percent will be permitted if the premium is **postmarked or received** by August 30."*

The Department's company bulletin, CB-142 (Amended), "Filing Procedures for Crop-Hail and Crop-Hail Production Plan Rating Systems," was amended effective January 14, 2021. The revision addresses the receipt of payment in order to receive the cash discount and allows additional time for the mail service. The bulletin's January 2021 revision is on page five, which now reads, "Cash discounts not to exceed three percent will be permitted if the premium is **postmarked or received** by August 30." A copy of CB-142 (Amended) can be viewed [here](#).

LIFE & HEALTH DIVISION

Interest Rate on Death Proceeds

The interest rate to be paid on death proceeds not paid within 30 days of receipt of proof of death is 2.107%, effective October 15, 2020.

The interest rate to be paid on death proceeds not paid within 30 days of receipt of proof of death is 2.107%, effective October 15, 2020. Pursuant to [Neb. Rev. Stat. §44-3,143](#), interest shall accrue from the date of receipt of proof of death to the date of payment at the rate calculated pursuant to section 45-103 in effect on January 1 of the calendar year in which occurs the date of receipt of proof of death.

The court sets the rate, and the court may change the rate during the year, but the rate in effect on January 1 applies to death claims. Click [here](#) to view the court's website showing Judgment Interest Rates.

Implementation of Portal for Processing External Reviews

On December 7, Director Ramage issued a **Notice** to all insurance carriers writing major medical and short-term limited duration health insurance in Nebraska regarding implementation of the portal for processing external reviews.

The Health Carrier External Review Act applies to all health carriers, with exceptions listed at Neb. Rev. Stat. § 44-1304(2). Generally speaking, the Act creates a right for insureds to obtain an independent review of a health carrier's denial of a claim that involves medical decision-making; for example, a denial based on medical necessity or a denial stating that the requested service or treatment is experimental or investigational.

The right to an external appeal is only available after the insured has appealed a denied claim with the insurer and received a "final adverse determination," as defined at § 44-1303(22) or after a utilization review completed using the process set forth in the Utilization Review Act.

The External Review Act prescribes duties for the Department of Insurance (Department), health carriers, and Independent Review Organizations (IROs) that have historically been performed via mailing paper forms, fax machines, or HIPAA-compliant secure email. The Department has developed a secure portal to process external reviews electronically, focused on achieving the following:

- Faster expedited external review dispositions;
- Automated submissions with fewer applications returned to the insured as incomplete or incorrect;
- Common information sharing and increased transparency for all stakeholders;
- Reduction in manual steps for all stakeholders; and
- Increased ease of use for healthcare providers seeking to obtain an approval for their patients.

The secure portal will notify all linked parties when a case status changes or when additional supporting documentation is attached.

Because the secure portal will replace several functions prescribed by statute, the Notice provides assurance to patients, healthcare providers, insurers, and IROs that certain statutory notice requirements will be met through use of the secure portal. Those notices do not need to be duplicated by mailing full copies of certain applicable forms, sending health records via regular or electronic mail, or sending notifications or documents via facsimile. The statutory notice requirements are discussed in detail in the Notice.

To view a full copy of the Notice that has been posted to the Department's website, click [here](#).

Questions concerning this Notice may be directed to Laura Arp, Administrator of Life and Health Policy at [**laura.arp@nebraska.gov**](mailto:laura.arp@nebraska.gov).

PRODUCER LICENSING DIVISION

Windows 8 or Newer Operating System Required for Use By Test Takers

Prometric will no longer support the use of the Windows 7 operating system within their ProProctor remote assessment platform.

With Microsoft ending support of the Windows 7 operating system, Prometric will no longer support its use within their ProProctor remote assessment platform. Test takers will now be required to use the Windows 8 operating system or a more recent version. To make sure test takers are informed of this change, Prometric has updated its candidate-facing materials and communications to reflect the new system requirements, including:

- The **ProProctor user guide**, which provides step-by-step instructions for candidates to make sure they meet all system requirements; and
- The **ProProctor Candidate FAQ** page on Prometric.com.

Test takers will now be required to use the Windows 8 or newer operating system.

Information will also be posted on Prometric's LinkedIn and Twitter accounts highlighting these changes, so sharing your platforms is encouraged.

Prometric has resources available to address candidate issues and ensure that it provides a seamless candidate experience. Candidates can find support for their program by visiting **www.prometric.com/test-takers/search** and searching for their program.

For issues downloading or running the ProProctor application, candidates can contact Prometric's tech support team via its ehelppage at **ehelp.prometric.com/proproctor/s/**.

Agency License Renewal Process

Agency licenses will expire on April 30, 2021.

All agency renewals must be completed by April 30, 2021—the date agency licenses will expire.

You will receive a renewal notice in your agency email, so please make sure that the Department has an updated email address. The fastest and easiest way to renew your agency license is online at **www.nipr.com**, or if you prefer you can print the email renewal notice and mail it in with your renewal fee.

Please remember that all agency renewals must be completed by April 30, 2021.

All licensed producers who work for an agency that has changed its address are required to update their business addresses separately

The date for Nebraska to waive proctor requirements for continuing education self-study online courses has been extended until further notice.

CB-142 (Amended) was issued on January 14, 2021 to update the cash discount receipt date, and now reads, "...is postmarked or received by August 30."

Agency Change of Address

If an agency address has changed, the address can be updated by sending in the revisions with the renewal notice or by sending an email to doi.licensing@nebraska.gov.

Please note that all licensed producers who work for an agency that has changed its address are required to update their business addresses separately.

Waiver Extended Until Further Notice

The date for Nebraska to waive proctor requirements for continuing education self-study online courses has been extended from December 31, 2020, until further notice.

Reminder: For education providers needing to change a classroom course to a webinar, Nebraska may be able to add a webinar option to any classroom course that has already been approved. Please email a request to doi.licensing@nebraska.gov for review and approval.

Questions regarding this Notice should be directed to Kevin Schlautman at kevin.schlautman@nebraska.gov.

LEGAL DIVISION

Regulation Update

Company Bulletin

CB-142 (AMENDED) - FILING PROCEDURES FOR CROP-HAIL AND CROP-HAIL PRODUCTION PLAN RATING SYSTEMS

CB-142 (Amended) was issued on January 14, 2021 to update the cash discount receipt date. Cash discounts not to exceed three percent will be permitted if the premium is **postmarked or received** by August 30. The percentage amount of the discount must be stated in the company's rate filing and policy form.

A full copy of **CB-142 (Amended)**, dated January 14, 2021, can be found on the Department's website at doi.nebraska.gov.

Case Summary

Jeremy Kaiser v Allstate Indemnity Company, 307 Neb. 562, ___ N.W.2d___ (October 23, 2020)

Jeremy Kaiser (“Kaiser”), rental home owner, filed a claim with Allstate Indemnity Company (Allstate) via a rental insurance policy alleging that his tenants caused damage to the home by using or producing methamphetamine (“meth”). Most direct physical loss was covered, however, Allstate claimed this loss was not covered under a policy exclusion. The district court of Douglas County granted Allstate’s motion for summary judgment as the loss was excluded under the policy. The Supreme Court (“Court”) affirmed.

The property in question was rented in April 2012 through May 2013. Kaiser was notified of potential drug-related activity at the home in February 2013. After the tenants voluntarily vacated in May 2013, he found evidence of meth use. A company hired by Kaiser conducted tests discovering meth residue and vapor throughout the home. The company recommended the home be decontaminated prior to leasing again. Kaiser submitted a claim to Allstate and it was denied. Kaiser commissioned the decontamination. After the house was fit for rental, Kaiser filed a breach of contract and bad faith complaint against Allstate alleging the claim should have been covered as vandalism and malicious mischief. Allstate answered, and cross-motions for summary judgment were denied for lack of competent evidence of the cause of damage. Kaiser’s amended complaint alleged that he lacked “sufficient knowledge” to determine the property loss was caused by the meth use or production but indicated production and/or use could have occurred as soon as April 2012. Allstate’s answer cited policy exclusions as affirmative defenses. The exclusions included, but were not limited to, property loss caused by: toxic vapors, gasses, chemicals, pollutants; contamination; “smog, smoke from the manufacturing of any controlled substance...,” vandalism and acts of the tenant. If the acts of the tenant resulted in sudden and accidental direct physical loss caused by smoke, there may be coverage. However, smoke from the manufacture of controlled substances is an exception. The district court granted Allstate’s second summary judgment motion. Appeals followed.

The Allstate policy was presumed to be an all perils policy as all risks were impliedly covered “except those expressly addressed in the policy’s exclusion paragraphs.” Therefore, the insured’s initial burden to show damage occurred is presumed met and damage was not disputed. Then the insurer must provide the “applicability of an exclusion under the policy as an affirmative defense.”

Allstate showed the contamination and subsequent loss was caused by meth vapor or residue and there was a policy exclusion. Kaiser alleged contamination was ambiguous. The Court stated that an insurance policy is a contract and, as such, terms are given their plain and ordinary meaning. Contamination is clearly defined in standard dictionaries. In addition, Kaiser, the company who identified the issue, and the restoration company found contamination. The Court did not find contamination was ambiguous.

If the affirmative defense is proven, the burden returns to the insured to show there is an exception to the exclusion. Kaiser argued that vandalism, “sudden and accidental (emphasis added) direct physical loss caused by fire...” applied as an exception to the exclusion. The exception for “acts of a

Case Summary (Cont.)

tenant” included sudden and direct physical loss caused by smoke. Kaiser was required to show “sudden and accidental.” The Court relied on *Dutton-Lainson Co. v Continental Ins. Co.*, 271 Neb. 810, 716 N.W.2d 87 (2006) where “sudden and accidental” was construed and both requirements are necessary for that exception. In *Dutton-Lainson*, the Court found that loss from pollution occurring over 37 years was not sudden. The definition of sudden may vary but in *Dutton-Lainson* sudden was an abrupt release of a pollutant. In this case, loss occurring over a year was not sudden. Because the Court determined the damage was not sudden, it was not necessary to determine if it was accidental.

Finally, the district court found that meth product as stated by Allstate’s expert caused the damage. Kaiser argued meth use was the cause. The Court found it was immaterial whether it was use or production as the damages were caused by meth vapors and residue. The Supreme Court affirmed the district court order granting Allstate’s motion for summary judgment.

Medical Malpractice Surcharge Set for 2021

A hearing was held before the Director of Insurance on November 19, 2020, as required by Neb. Rev. Stat. § 44-2830, to consider adjusting the amount of surcharge for 2021.

On the basis of the public hearing giving due regard to the size of the existing Fund, the number and size of potential claims against the Fund, the number of participating providers, change in the cost of living, and sound actuarial principles, the Director set the surcharge for the year 2021, effective January 1, 2021, at fifty percent (50%) for all health care providers.

Actions Taken Against Producers & Agencies

CAUSE NO.	ALLEGATION	DISPOSITION
A-2230 Dustin French Red Oak, IA NPN - 17200690	Violated <u>Neb. Rev. Stat. §§ 44-4059(1)(b), 44-4059(1)(h), 44-1525, 44-1525(11), 44-4054(8)</u> . Violated any insurance law or rule; used fraudulent, coercive, or dishonest trade practices; failed to respond to a written inquiry; failed to report legal name/address.	Order License Revoked 10/20/20
A-2231 Shemaiah Davis Omaha, NE NPN - 18693494	Violated <u>Neb. Rev. Stat. §§ 44-4059(1)(b), 44-4059(1)(e), 44-4059(1)(g), 44-4059(1)(h)</u> . Violated any insurance law or rule; committed intentional misrepresentation of an insurance contract; committed unfair trade practices; used fraudulent, coercive, or dishonest trade practices.	Consent Order \$2,000 fine 10/13/20
A-2232 Andrew Shader Fort Lauderdale, FL NPN – 16590171	Violated <u>Neb. Rev. Stat. §§ 44-4059(1)(g), 44-1524(1)</u> . Committed unfair trade practices; flagrant and conscious disregard of the Unfair Trade Practices Act or any insurance regulation or rule.	Consent Order \$500 fine 11/18/20

Actions Taken Against Producers & Agencies (cont.)

CAUSE NO.	ALLEGATION	DISPOSITION
A-2233 Benjamin Grote Papillion, NE	License application denial.	Order License Granted 11/13/20
NPN - 19659510		
A-2234 Jakeb Rasnake Clermont, FL	Violated <u>Neb. Rev. Stat. §§ 44-4059(1)(g), 44-4059(1)(h)</u> . Violated unfair trade practices; used fraudulent, coercive, or dishonest trade practices.	Consent Order License Revoked 11/30/20
NPN - 19045417		
A-2235 Patriot Underwriting Manager, Inc. Doylestown, PA	Violated <u>Neb. Rev. Stat. § 44-4908(1)</u> . Violated Managing General Agents Act.	Consent Order License Revoked 12/28/20
NPN - 100176875		
A-2236 Francisco Lopez Irving, TX	Violated <u>Neb. Rev. Stat. §§ 44-4059(1)(e), 44-4059(1)(g), 44-4059(1)(h), 44-1524(1), 44-1525(11)</u> . Violated unfair trade practices; used fraudulent, coercive or dishonest practices.	Order \$1,000 fine 12/15/20
NPN - 16577813		
A-2237 Mark Munger Council Bluffs, IA	Violated <u>Neb. Rev. Stat. §§ 44-1525(11), 44-4059(1)(b), 44-4059(1)(e), 44-4059(1)(g), 44-4059(1)(h)</u> . Failed to respond to Department inquiry; violated any insurance law or rule; committed misrepresentation of an insurance contract; violated unfair trade practices; used fraudulent, coercive or dishonest practices.	Consent Order \$1,000 fine 11/13/20
NPN - 15838770		
A-2238 Daniel Ochoa Omaha, NE	Violated <u>Neb. Rev. Stat. §§ 44-4059(1)(b), 44-4059(1)(g), 44-4059(1)(h), 44-1525(10)</u> . Violated any insurance law or rule; committed unfair trade practices; used fraudulent, coercive, or dishonest trade practices; false or fraudulent statement to obtain commission.	Order License Revoked 12/21/20
NPN - 16953512		

FRAUD DIVISION

2020 Insurance Fraud Statistics

The Insurance Fraud Prevention Division (IFPD) received 702 case referrals regarding potential violations of the Nebraska Insurance Fraud Act during 2020. Of the referrals received, 72% were submitted through the National Insurance Crime Bureau and 17% were submitted via the National Association of Insurance Commissioners' online fraud reporting system. The remainder were submitted by victims, concerned consumers, or law enforcement agencies. **Actual or potential** monetary losses, exceeding **\$15.8 million**, were reported during 2020.

Cases are evaluated based upon a number of criteria, including the statute of limitations, applicability of Nebraska statutes, and solvability factors. Upon completion of the case review, a status letter is sent advising the complainant of disposition. Of the case referrals investigated by the IFPD during 2020, 80% were property and casualty claims; 15% percent were life and health claims; 4% percent involved insurance agents or internal employees within the insurance industry; and 1% were considered other types.

Upon completion of a case investigation, the IFPD makes a determination to close the case for one of the following reasons: unfounded allegations, insufficient evidence for prosecution, or sufficient evidence to forward the information to a prosecutor for consideration in filing a criminal violation of the Nebraska Insurance Fraud Act. Before sending a case for a prosecutor's review, the IFPD prepares an investigative summary report outlining the circumstances of the investigation.

2020 Cases Sent for Criminal Prosecution: 11 Cases / 11 Suspects

2020 Convictions: 13 Cases / 13 Suspects

2020 Restitution: 3 Cases / \$46,377.34

Cases referred to the IFPD for investigation had venue in 59 Nebraska counties. Douglas, Lancaster, and Sarpy Counties accounted for 72% of the cases.

Staff Updates

The IFPD will be under new leadership beginning February 1, 2021, with **Kimberly Church** taking charge as the division chief. Kim began her law enforcement career with the Lincoln Police Department, serving as a police officer, where she investigated a variety of criminal violations and developed an interest in conducting fraud investigations. Kim left the police department and focused on fighting fraud from the civil side, working within the special investigation unit of a national insurer.

In February 2014, Kim's careers merged as she joined the Nebraska Department of Insurance to conduct criminal insurance fraud investigations. Since then, Kim has earned a Master's degree in Business Leadership and obtained professional designations for insurance law, insurance fraud investigations, health care fraud investigations, state leadership and project management. Kim welcomes your contact at kimberly.church@nebraska.gov.

Staff Updates (cont.)

John McGahan joined the division on December 28, 2020, as an insurance fraud investigator. John brings with him diverse investigative and training experience from his 30 years as an officer with the Lincoln Police Department and a deputy with the Lancaster County Sheriff's Office.

John may be contacted at john.mcgahan@nebraska.gov and is available to assist you with any questions.

Suspected Fraudulent Claims—What Will You Do?

The year 2020 has proven that perhaps things are not as predictable as we would like. Whether you were in private business, or the public sector, all have seen the need for change in the workplace. Fraudsters love change because it provides new opportunities and some of these "needs for change" have provided just that. Organized criminal activity finds insurance fraud to be a profitable enterprise. This type of activity does not need to be international in nature - it can be as simple as an individual, or local group, perpetuating an auto bodily injury jump-in scheme. Investigators need to evolve and enhance their skills faster and better than the fraudsters. Denying a claim suspected to be fraudulent does little harm to organized activity.

Social media can play an important role in gathering information and determining relationships. Data mining can also provide a valuable tool for discovering and reviewing an individual's claim history. Investigators should look for relationships and ask questions. No one opposes addressing a legitimate claim when proper coverage is in place.

As an example, a recent IFPD investigation involved an individual with a diverse and extensive claim history. The claimant's modus operandi included an aggressive and threatening approach with claims handlers and supervisors that proved to be very profitable. When considering the claimant collected nearly \$250,000 in claim proceeds over the past three or four years, it would appear that profit is the motive. One claim involved a number of claimants with settlements being mailed to one specific address; the claim settlement checks were deposited to one account; and the individual had been arrested for a prior fraudulent property loss—all of which are clues. In addition, while on probation for the loss, the claimant "lost" the same item again, was insured through the same insurer, and received payment.

Let's work together to combat insurance fraud when presented with suspected fraudulent claims. The Department's IFPD can be reached at DOI.FraudPrevention@Nebraska.gov.

Anti-Fraud Messages Delivered to Nebraskans

Consumer education is a key element to prevent insurance fraud. The IFPD utilized free videos, available to members of the Coalition Against Insurance Fraud, to design and televise anti-fraud messages delivered to Nebraska consumers.

Nebraska Educational Telecommunications (NET) is a statewide-network of public radio and television stations reaching 99% of Nebraska homes. The IFPD contracted with NET to advance our anti-fraud messages, which were aired during PBS news programming, potentially reaching a diverse audience of 911,000 viewers in the state.

Court Actions

Douglas County District Court, Case CR20-913

State v. Jeffrey D. Peszulik

Jeffrey Peszulik was a licensed Nebraska insurance agent as well as a business owner. When Mr. Peszulik's insurance company conducted a routine audit of his business, he provided several certificates of liability insurance for sub-contractors. It was found the 12 certificates Mr. Peszulik presented were fraudulent without any proof of liability for his sub-contractors. Mr. Peszulik pled no contest to an amended count of criminal attempt of a Class IV felony, a Class I misdemeanor, and was sentenced to one year probation along with associated costs.

Gage County District Court, Case CR20-75

State v. Treyton J. Hinton

Treyton Hinton was charged in Gage County with one felony count of insurance fraud after purchasing a policy for his newly acquired vehicle and then filing a hail claim. The investigation revealed Mr. Hinton had purchased a previously salvaged hail damaged vehicle that had not been repaired. Mr. Hinton was convicted of a Class IV felony. His sentence included 18 months' probation, plus related fees including court costs.

Lancaster County Court, Case CR20-3901

State v. Denita L. Wilkinson

Denita Wilkinson had purchased a broad form named driver insurance policy. Sometime later, Ms. Wilkinson alleged she was the driver in an accident in order to obtain liability coverage for the loss. The insurer became suspicious upon interviewing the claimant. It was found Ms. Wilkinson's daughter was the driver at the time of the accident. The felony count of insurance fraud was amended to a Class I misdemeanor. Ms. Wilkinson pled no contest and was fined \$150 and associated court costs.

Sarpy County District Court, Case CR19-931

State v. Michael F. McKernan

Michael McKernan faced felony charges relating to his dry-cleaning business being destroyed in a gas explosion in October 2018. Mr. McKernan was found guilty of one felony count of arson and one felony count of burning to defraud an insurer. Mr. McKernan was sentenced to two years' incarceration for the arson count and one year incarceration for the felony count burning to defraud an insurer, which will be served concurrently at the Nebraska Department of Corrections. Mr. McKernan was also ordered to pay \$658.48 in court costs. Following release, Mr. McKernan will serve 24 months' probation (arson) and 12 months' probation (burning to defraud an insurer) which will be supervised by the Office of Probation Administration, with the terms to run concurrently.

United States District Court Nebraska, Case 4:20CR3115

United States of America v. Codie D. Malesker

Codie Malesker was an insurance agent, partner in a construction company and board member of his church when he was indicted on mail and wire fraud charges pursuant to an investigation conducted by the Insurance Fraud Prevention Division. Mr. Malesker is accused of filing false claims as well as using his various positions to divert insurance proceeds paid pursuant to legitimate claims.



2021 Annual Insurance Fraud Conference

The IFPD looks forward to your attendance at its 21st annual conference planned for August 4, 2021. This year's conference will be held at Mahoney State Park, one of Nebraska's premier parks, conveniently located between Lincoln and Omaha. The IFPD is actively working to develop an agenda that participants will find beneficial in their fraud fighting efforts.

The annual conference provides general ethic continuing education credits for licensed Nebraska insurance producers and CLE hours for attorneys licensed by the Nebraska State Bar Association.

The conference brochure is tentatively scheduled to be emailed in late May.

CONSUMER AFFAIRS DIVISION

Staff Update

John Marinovich joined the Department's consumer affairs division in January, 2021, as an insurance investigator. John will be working primarily with life and health concerns. He can be reached at john.marinovich@gov.

Consumer Information Posted to Website

Understanding Your Health Plan's Deductible—provides an explanation and guidance on the amount an insured may pay before an insurance company pays. The **consumer alert** was posted to the NDOI website on October 29, 2020.

Understanding Your Prescription Benefits—provides guidance on how insurers often use a "formulary" that lists what medicines will be covered and how much of the cost an insured will pay. The **consumer alert** was posted to the NDOI website on October 30, 2020.

Understanding Health Insurance Referrals and Prior Authorizations—provides guidance for health plans that require referrals or prior authorization before services are received from health care providers other than a primary care provider (PCP). The **consumer alert** was posted to the NDOI website on December 17, 2020.

Summary of Benefits and Coverage—provides guidance on how the Summary of Benefits and Coverage (SBC) can be a tool to use in helping understand what is covered and how much an insured will pay when health care services are needed. The **consumer alert** was posted to the NDOI website on December 28, 2020.

EXAMINATION DIVISION

Premium Tax Forms and Instructions

The updated 2020 Premium Tax forms and instructions have been posted to the Department's website at doi.nebraska.gov. Click [here](#) to obtain the forms. Please make sure to review the updated instructions and forms prior to filing.

Please note, the Signature Page requires notarization of the filing. Due to the ongoing restrictions associated with the COVID pandemic, for the 2020 filing, we will accept the signature page without a Notary if circumstances prevent you from obtaining notarization. The filing, however, must still be attested to and signed by an officer of the company. The Department additionally reserves the right to request a notarized copy in the future, if necessary.

The Department encourages all companies to file their 2020 Premium Tax Return electronically through OPTins. More information on using OPTins can be found at www.optins.org.

Questions on premium tax may be directed to Kristy Hadden at kristy.hadden@nebraska.gov or 402-471-0373.

Surplus Lines Electronic Filings Encouraged

The Department implemented the use of OPTins for an electronic filing option beginning with third quarter surplus lines 2020 filings. The Department appreciates everyone who has chosen that option for their method of filing and is encouraged by the positive feedback that has been received. The Department encourages electronic filings. The following information may be helpful for fourth quarter and subsequent filings:

- Please make sure your National Producer Number is used on the filing if it is different than your Nebraska license number. We are tracking everything by NPN now.
- Our forms have been updated to accommodate OPTins, links to those forms can be found on our [website](#). Please ensure you are only using the updated version of the form even if you are still filing manually.
- With the updated forms, there is an excel file and an attestation. This attestation must be signed and submitted for EVERY surplus lines license even if it is a zero filing.
- Zero filers may still email their filing to DOI.Surpluslines@nebraska.gov; however, you must email the updated excel file (as an excel worksheet) and the signed attestation as a PDF.
- Due to ongoing restrictions associated with the COVID pandemic, digital signatures for Fourth Quarter 2020 filings will be accepted.

OPTins is a NAIC supported web program that can be used for electronic filing and payment submission. You can find more information at www.optins.org.

Questions on surplus lines may be directed to doi.surpluslines@nebraska.gov or to Kristy Hadden at kristy.hadden@nebraska.gov or 402-471-0373.

Pre-Need Examinations Completed During Fourth Quarter, 2020

Apfel Funeral Home
Brockhaus-Howser-Fillmer Funeral Home
Bullock-Long Funeral Home
Chamberlain Chapel
Heafey Hoffman Dworak Cutler Mortuaries & Crematory
St. John's Cemetery Association

Financial Examinations Completed During Fourth Quarter, 2020

Summit Specialty Insurance Company (qualifying exam)

Financial examination reports become public documents once they have been placed on official file by the Department. The most current report of financial examination can now be found on the Department's website at www.doi.nebraska.gov. Copies can be obtained from the Department at a cost of \$.50 per page.



**2021 NAIC Committee Assignments
 for Nebraska**

- ☆ Member Financial Regulation Standards and Accreditation (F) Committee
- ☆ Vice Chair International Insurance Relations (G) Committee
- ☆ Co-Vice Chair Climate and Resiliency (EX) Task Force
- ☆ Member Financial Stability (EX) Task Force
- ☆ Member Innovation and Technology (EX) Task Force
- ☆ Member Long-Term Care Insurance (EX) Task Force
- ☆ Member Special (EX) Committee on Race and Insurance
- ☆ Member Audit Committee
- ☆ Member Life Actuarial (A) Task Force
- ☆ Member Health Actuarial (B) Task Force
- ☆ Vice Chair Regulatory Framework (B) Task Force
- ☆ Member Senior Issues (B) Task Force
- ☆ Member Title Insurance (C) Task Force
- ☆ Member Antifraud (D) Task Force
- ☆ Member Producer Licensing (D) Task Force
- ☆ Member Accounting Practices and Procedures (E) Task Force
- ☆ Member Capital Adequacy (E) Task Force
- ☆ Member Examination Oversight (E) Task Force
- ☆ Member Receivership and Insolvency (E) Task Force
- ☆ Member Reinsurance (E) Task Force
- ☆ Member Valuation of Securities (E) Task Force
- ☆ Member NAIC/Consumer Liaison Committee



Department Calendar

- Jan. 28:** Insurtech on the Silicon Prairie Speaker Series 2
What's Next with Wearables and Insurance?
1:30-2:15 CST/2:30-3:15 EST—See siliconprairienebraska.com
- Feb. 15:** Department Closed – President's Day
- Feb. 18:** Insurtech on the Silicon Prairie Speaker Series 3
How Does Underwriting and Risk Modeling With Big Data Really Work?
2:00-3:00 CST/3:00-4:00 EST—See siliconprairienebraska.com
- April 30:** Department Closed – Arbor Day Observed
- May 31:** Department Closed – Memorial Day