

Nebraska Department of Insurance

**COMMERCIAL INLAND MARINE**

Filing and Policy Requirements	Statutory and Regulatory Reference	Requirement Description
<b>General Filing Requirements</b>		
SERFF filing required	Guidance Document <a href="#">IGD-C9</a>	As of May 1, 2010 all filings submitted to Nebraska are required to be submitted electronically, using the NAIC System for Electronic Rate and Form Filing. Contact person: Connie Van Slyke, 402-471-4647
Retaliatory Fees	<a href="#">NE Statute 44-150</a>	Nebraska is a retaliatory state and all fees, premium taxes, deposits, and other charges will be charged at the rate in Nebraska Law or the rate charged by the domiciliary state, whichever is higher.
Unfair Trade Practices Act	<a href="#">NE Statute 44-1521 – 44-1535</a>	Purpose is to regulate unfair trade practices in the business of insurance, in accordance with the intent of the Congress of the United States as expressed in Public Law 79-15, by defining, or providing for the determination of, all acts and practices in this state which constitute unfair trade practices and by prohibiting the acts and practices so defined or determined.
Underwriting Decisions	Guidance Document <a href="#">IGD-C2</a>	Underwriting refusals based solely on previous non-renewal, rejection, or cancellation of property and casualty business – the Department’s position is that additional information seeking the reasons for past nonrenewals, rejections or cancellations should be solicited.
<b>Form Filing Requirements</b>		
Forms	<a href="#">NE Statute 44-7506</a> <a href="#">NE Statute 44-7508.01</a>	File & Use – Filings must contain an effective date. The effective date can be the same as the day the Department receives the filing – not sooner
Filing Standards	Guidance Document <a href="#">IGD-C9</a>  <a href="#">NE Statute 44-7501 – 44-7535</a>	Nebraska Filing Bulletin – When revising currently approved forms, a comparison of the existing form should be included with all changes clearly identified (red-lined copies). An insurer does not need to file forms and endorsements that an advisory organization has filed on its behalf. Submit forms lists whenever forms are changed, added, or removed.  Nebraska Rate and Form Act
Applications	<a href="#">NE Statute 44-7508.01</a>	Must be filed if coverage is bound.
Arbitration	<a href="#">NE Statute 25-2602.01</a>	Uniform Arbitration.
Cancellation & Non-Renewal	<a href="#">NE Statute 44-522</a>	Sixty day notice is required for Cancellation or Non-Renewal Ten day notice is required for Nonpayment of Premium
Loss Settlement	<a href="#">NE Statute 44-501.02</a> <a href="#">Title 210, Chapter 60</a>	Valued Policy Law Unfair Claim Settlement Act

	<a href="#">NE Statute 44-1536 – 44-1544</a>	
Fraud & Misrepresentation	<a href="#">NE Statute 44-358</a>	Policies; misrepresentations; warranties; conditions, effect
<b>Rate Filing Requirements</b>		
Rates	<a href="#">NE Statute 44-7506</a> <a href="#">NE Statute 44-7508</a>	File & Use – Filings must contain an effective date. The effective date can be the same as the day the Department receives the filing – not sooner
Pricing	<a href="#">NE Statute 44-354</a> <a href="#">NE Statute 44-7509</a>	Policies; Special fees prohibited. Rating Flexibility – insurers may increase or decrease premiums on an individual basis up to 40%
Additional criteria required	<a href="#">Title 210, Chapter 17</a>	Underwriting Regulations