

Nebraska Department of Insurance

**DWELLING FIRE**

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 are 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.
<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. See Nebraska Rate and Form Act.
Applications	<a href="#">NE Statute 44-7508.01</a>  Guidance Document <a href="#">IGD-C2</a>	Must be filed if coverage is bound.  Cannot refuse to write based solely on previous cancellation.

Filing and Policy Requirements	Statutory and Regulatory Reference	Requirement Description
<b>Form Filing Requirements</b>		
Arbitration	<a href="#">NE Statute 25-2602.01</a>	Uniform arbitration
Nebraska Property & Liability Insurance Guaranty Association Act	<a href="#">NE Statute 44-2401 – 44-2418</a>	Provides a method for the payment of certain claims against insolvent insurance companies, as defined in sections 44-2401 to 44-2418 to avoid unnecessary delay in payment of such claims, to avoid financial loss to claimants or to policyholders, to assist in the detection and prevention of insurer insolvencies, and to provide an association of insurers against which the cost of such protection may be assessed in an equitable manner.
Cancellation & Non-renewal	<a href="#">Nebraska Statute 44-522</a>	Sixty-day notice is required for cancellation or nonrenewal. Ten-day notice is required for nonpayment of premium.
Loss Settlement	<a href="#">NE Statute 44-1536 – 44-1544</a> <a href="#">NE Statute 44-501.02</a>	Unfair Property and Casualty Settlement Practices Rule Valued Policy Law
Fraud & Misrepresentation	<a href="#">NE Statute 44-358</a>	Policies; misrepresentation; 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 received the filing – not sooner.
Pricing	<a href="#">NE Statute 44-354</a> <a href="#">NE Statute 44-7705</a>	Policies; special fees are prohibited. Insurers; credit information
Additional criteria required	<a href="#">NE Statute 44-7508</a>	Include any necessary information (i.e., loss development, trend, market analyses, etc.) necessary to explain and justify the changes being made. Clearly show the requested change versus the indicated change and provide an adequate explanation when the request differs significantly from the indicated. Mutual exclusive criteria.