

Nebraska Department of Insurance

MORTGAGE GUARANTY

Filing and Policy Requirements	Statutory and Regulatory Reference	Requirement Description
General Filing Requirements		
SERFF filing required	Guidance Document IGD-C9	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	NE Statute 44-150	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	NE Statute 44-1521 to 44-1535	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.
Form Filing Requirements		
Forms	NE Statute 44-7513	All forms must be filed and approved prior to use.
Filing Standards	Guidance Document IGD-C9 NE Statute 44-7501 – 44-7535	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	NE Statute 44-7513	Must be filed if coverage is bound.
Arbitration	NE Statute 25-2602	Uniform Arbitration
Cancellation & Nonrenewal	NE Statute 44-522	Sixty-day notice is required for cancellation or nonrenewal. Ten day notice is required for nonpayment of premium
Loss Settlement	Title 210, Chapter-60	Unfair Property and Casualty Settlement Practices Rule
Fraud & Misrepresentation	NE Statute 44-358	Policies; misrepresentations; warranties, conditions effect

Rate Filing Requirements		
Rates	NE Statute 44-7506 NE Statute 44-7508.01 NE Statute 44-7511	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
Additional criteria required	NE Statute 44-7508	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.