

LINE OF BUSINESS: Other Lines of Business

LINE(S) OF INSURANCE  
Service Contract

CODES  
33.0004

Code: 33.0000

IF CHECKLIST IS NOT APPLICABLE, PLEASE EXPLAIN:

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REVIEW REQUIREMENTS	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS	LOCATION OF STANDARD IN FILING
GENERAL REQUIREMENTS FOR ALL FILINGS			
Filing Fees	<a href="#">36 O.S. 348.1</a>	Form filings-\$50.00 for each individual insurer.	
Postage Requirements	<a href="#">O.R. 365:15-1-3 (b) (8)</a>	No submissions shall be accepted which arrive at the offices with postage due. No submissions will be returned unless the necessary postage accompanies the same.	
Re-submittal of Disapproved or Rejected Filings	<a href="#">O.R. 365:15-1-3 (b) (17)</a>	All resubmitted filings shall be presented to the Insurance Commissioner in the same manner required by this subchapter for an original filing. In addition the cover letter or filing memorandum addressed to the Insurance Commissioner shall state the full and complete history of the filing, the reason for disapproval, and the factors, that distinguish the resubmittal to warrant reconsideration.	
Side Comparisons for revised Contracts	<a href="#">O.R. 365:15-1-3(b)(9)(D)</a>	A complete description and full explanation of the changes made by the filing including, reasoning therefore, illustrative examples, including "John Doe" specimen form, and a comparison of currently approved and proposed materials.	
Third Party Filers Authorization		Must include letter of authorization.	

REVIEW REQUIREMENTS	REFERENCE	DESCRIPTION OF REVIEW STANDARDS REQUIREMENTS	LOCATION OF STANDARD IN FILING
Filing Submission		We accept all lines of business and all filing types through SERFF; as such, we expect SERFF insurers to submit all filings through the SERFF system. We cannot maintain both a SERFF filing system and a paper filing system for an insurer. As such, paper filings will be rejected and the forms, rates, loss costs or rules attached to the paper filing will not be available for use in Oklahoma until resubmitted, reviewed and finalized through the SERFF system.	
Approve	<a href="#">15 O.S. 141.13 (A) (B)</a>	<p>No service warranty form or related form shall be issued or used in this state unless the form has been filed with and approved by the Insurance Commissioner.</p> <p>Each filing of a form shall be made not less than thirty (30) days in advance of its issuance or use. At the expiration of thirty (30) days from date of filing, a form so filed shall be deemed approved unless prior thereto it has been affirmatively disapproved by written order of the Commissioner.</p>	
Disapprove of Contract	<a href="#">15 O.S. 141.13 (E)</a>	<p>The Commissioner shall disapprove any form filed pursuant to this section if the form:</p> <ol style="list-style-type: none"> <li>1. Violates the Service Warranty Act;</li> <li>2. Is misleading in any respect; or</li> <li>3. Is reproduced so that any material provision is substantially illegible.</li> </ol>	
Disclosure Statement	<a href="#">15 O.S. 141.21</a>	A service warranty shall contain a disclosure statement containing substantially the following information: "This is not an insurance contract. Coverage afforded under this contract is not guaranteed by the Oklahoma Insurance Guaranty Association".	
Unfair Discrimination	<a href="#">O.R. 365: 15-1-9</a>	Prohibits unfair discrimination.	

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Withdrawal of Pending Filings	<a href="#">O.R. 365: 15-1-3(b)(10)</a>	Pending filings may be withdrawn by the filing entity upon notice to the Insurance Department prior to the approval or disapproval thereof. The notice shall include reasons for the withdrawal.	
Withdrawal or Discontinue writing	<a href="#">O.R. 365: 15-1-18</a>	<p>Any insurer desiring to withdraw from the state or discontinue the writing of certain classes of insurance or programs in this state or transferring policyholders between admitted companies within the same insurance holding company system shall give ninety (90) days notice in writing to the Rate and Form Compliance Division of the Insurance Department and shall state in writing its reasons for such action. The ninety (90) days notice is inclusive of, and not in addition to, any other notice requirement per line of business. The insurer shall also provide the following information:</p> <ol style="list-style-type: none"> <li>(1) The number of policyholders affected;</li> <li>(2) The number of insurance agents affected;</li> <li>(3) The date the insurer will cease writing new business;</li> <li>(4) The date the insurer will start non-renewing insurance policies;</li> <li>(5) The date the insurer will transfer policyholders;</li> <li>(6) Whether the insurer has made arrangements with another insurer to pick up the renewals; if applicable;</li> <li>(7) The lines of insurance on which the insurer plans to concentrate; and</li> <li>(8) Whether the insurer anticipates re-entering the market.</li> </ol>	
Cancellation	<a href="#">15 O.S. 141.13 (C)</a>	Each service warranty contract shall contain a cancellation provision. In the event the contract is canceled by the warranty holder, return of the provider fee shall be based upon ninety percent (90%) of the unearned pro rata provider fee less the actual cost of any service provided under the service warranty contract. In the event the contract is canceled by the association, return of premium shall be based upon one hundred percent (100%) of unearned pro rata provider fee less the actual cost of any service provided under the service warranty contract.	

<p>Provider/Administrator</p>	<p><a href="#">15 O.S. 141.13 (D)</a></p>	<p>Service contracts shall state the name, address and license number of the service warranty association and shall identify any administrator if different from the service warranty association, the service contract seller and the service contract holder to the extent that the name of the service contract holder has been furnished by the service contract holder.</p> <p>For service contracts issued on and after July 1, 2017, the identity of the service warranty association and its license number shall either be preprinted on the service contract or added by printer at the time of sale so consumers can clearly identify the obligor of the service contract.</p> <p>Information to be printed at the time of sale shall be indicated as such at the time the service contract is filed for approval and a "Jane Doe" specimen shall accompany the service contract illustrating how the service contract will look after printing.</p>	