



COMMONWEALTH OF MASSACHUSETTS
Office of Consumer Affairs and Business Regulation
DIVISION OF INSURANCE

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BULLETIN 2009-10

TO: Insurers Offering Life Insurance Policies and Annuity Contracts in Massachusetts

FROM: Nonnie S. Burnes, Commissioner of Insurance

DATE: July 24, 2009

RE: Filing Requirements for War Exclusions in Life Insurance Policies

The purpose of this Bulletin is to inform all life insurers admitted to do business in the Commonwealth of Massachusetts of the Division of Insurance's ("Division") policy regarding exclusions for war in life insurance policies issued in Massachusetts. This Bulletin replaces Bulletin 2006-04, which has been withdrawn. It does not apply to the sale of life insurance policies to an individual known to be a service member at the time of sale, as that term is defined in 211 CMR 27.04. Regulation 211 CMR 27.00, *Military Sales Practices* governs the sale of life insurance policies to service members in the Commonwealth.

Exclusions for War

No policy of life insurance shall be delivered or issued for delivery in the Commonwealth if it contains provisions or endorsements which exclude or restrict liability for death caused in a certain or specified manner or occurring while the insured has a specified status; except, that a policy, endorsement, exclusion, or rider may contain provisions excluding or restricting coverage as specified therein in the event of death under the following condition:

Death as a result of war or an act of war, if the cause of death occurs while the insured is serving in the military, or within six (6) months after termination of service in the military forces.

"War", as used in this Bulletin, includes, but is not limited to, declared war, and armed aggression by one or more countries resisted on orders of any other country, combination of countries or international organization.

"Act of War", as used in this Bulletin, means any act peculiar to military, naval or air operations in time of war.

"Military", as used in this Bulletin, includes persons serving on active, Reserve and Guard duty.

Policy Filing Requirements

Insurers are required to make any necessary amendments to policy forms on file with the Division to ensure that all forms are consistent with the requirements outlined in this Bulletin. All filings submitted for this purpose are to comply with general filing instructions as outlined in the System for Electronic Rate and Form Filing ("SERFF").

Questions regarding this Bulletin should be directed to Ed Charbonnier, Director of Policy Form Review, at (617) 521-7481 or Edward.charbonnier@state.ma.us.