



COMMONWEALTH OF MASSACHUSETTS
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DIVISION OF INSURANCE

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Filing Guidance Notice 2019-B
PROPERTY AND CASUALTY COVERAGE

TO: Insurers and Rating Organizations (“Filing Companies”) Submitting
Forms of Property and Casualty Insurance for Issue and Delivery in
Massachusetts

FROM: Sheri Cullen, Director, Policy Form Review

DATE: May 14, 2019

RE: Interline Filing Procedures

The purpose of this notice is for the Division of Insurance (“Division”) to advise Filing Companies of the guidelines for filing certain policy forms and/or rate/rules for multiple property and/or casualty product lines, commonly referred to as “Interline.” The provisions of this notice supersede those in Filing Guidance Notice 2009-H.

Definition of Interline Form: The Division considers an Interline Form to be any form of property and casualty insurance, bearing either no premium or a flat dollar charge but otherwise having no impact on the cost of an insurance policy, that is intended for use with policies across more than one personal or commercial Sub-Type of Insurance (“Sub-TOI”) as defined in the NAIC’s Uniform Property and Casualty Product Coding Matrix (“Matrix”) without a change of form number. The Division may also consider policy jackets, declarations pages, schedule pages and signature pages, as well as applications and disclosure notices when required to be filed, that are intended for use with policies across more than one personal or commercial Sub-TOI to be Interline Forms. Please note that forms intended for use with Commercial Automobile, Workers’ Compensation, and Private Passenger Automobile insurance policies may not be considered Interline Forms and must be filed separately. Also, forms intended for use only within a Commercial Package Policy may not be considered Interline Forms.

Definition of Interline Rule: The Division considers an Interline Rule to be any rule governing the use of an Interline Form that is encoded on the same manual or exception page across all lines of business with which the Interline Form will be used. The Division also considers the manual or exception pages governing premium installment payment plans intended for use with policies across more than one personal or commercial Sub-TOI to be Interline Rules.

Interline Filing Procedure: Interline filings may contain multiple Interline Forms and/or Rules in each filing provided there is no flat dollar charge associated with the submitted forms. An Interline Form that does bear a flat dollar charge may be considered an Interline Form, but will require a separate Interline filing as a Form/Rate/Rule. Furthermore, Interline Forms that have an associated Rule should be filed Interline together in a Form/Rule filing whenever possible, in accordance with the Massachusetts General Instructions.

All Interline Form and/or Rule filings are to be submitted under the Matrix Sub-TOI 35.0001 Personal Interline or 35.0002 Commercial Interline, and are subject to the minimum requirements set forth in Bulletin 2008-08 and the Massachusetts General Instructions. Each Interline Form filing is subject to a fee of \$75.00 per Filing Company, and each Interline Rule filing in a filing to a fee of \$150.00 per Filing Company, in accordance with the provisions of Bulletin 2008-19. An Interline Form and/or Rule may be filed for use by multiple Filing Companies within the same filing. Interline Forms and Rules may, at the discretion of the Filing Company(ies), be filed either according to this Interline Filing Procedure, or in separate filings among the several Sub-TOIs to which they will apply.

The Division prefers that Interline Forms and Rules do not reference any lines of business on the form or rule itself; however, Interline Forms and Rules that do reference the lines of business on the form or rule itself must be filed according to this Interline Filing Procedure. An Interline Form may not reference only one line of business in any case

Separation of Personal and Commercial Lines: The provisions of M.G.L. 175, §2B stipulate minimum readability requirements for every “policy form” as defined in that statute. This definition of “policy form” exempts from those minimum readability requirements “any form for casualty and property insurance which is issued to insure a business, professional or governmental operation.” For this reason, a single form cannot be submitted to the Commonwealth in the same filing for use with both personal and commercial lines of property and casualty insurance. Therefore, when submitting Interline filings, Sub-TOI 35.0000 Personal/Commercial Interline will not be available for use.

Prohibition of Pre-emptive Filing: The provisions of M.G.L. 175, §22A stipulate that the forms of policies of property and casualty insurance must be filed with the Division before delivery and issuance in the Commonwealth. The provisions of M.G.L. 175, §192 extend this requirement to “all forms of riders, endorsements, and applications designed to be attached to such policy forms and when so attached to constitute a part of the contract.” For this reason, the Division cannot place any Interline Form on file for use with policies that have not been filed previously with the Division. Therefore, when submitting Interline Form filings, the Form Utilization List required by Bulletin 2008-08 must reflect only forms of insurance that have been placed on file by the Division.

If you have any questions regarding this Filing Guidance Notice, please contact Sheri Cullen, Director, Policy Form Review at (617) 521-7359 or Sheri.Cullen@mass.gov.