



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

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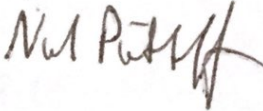
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**Filing Guidance Notice 2020 – D**  
**Accident and Sickness Insurance**

TO: All Carriers Offering Dental Insurance Policies (“Carriers”)  
FROM: Niels Puetthoff, Director of Bureau of Managed Care   
DATE: May 27, 2020  
RE: Guidelines for Filings Associated with Dental Insurance COVID-19 Refunds or Premium Credits

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The purpose of this Notice is for the Division of Insurance (“DOI” or “the Division”) to provide guidance as Carriers look to implement COVID-19 refunds or premium credits.

**The Coronavirus Risk and Dental Insurance**

The public health and societal impact resulting from the spread of COVID-19 have dramatically impacted the Commonwealth and the nation. Government and business leaders have taken steps to safeguard the general public and well-being of the Commonwealth’s citizens, including the imposition of certain social distancing and work-at-home rules in order to prevent the spread of COVID-19. The disease and the societal response to COVID-19 have imposed unique risks to our insurance market that Massachusetts has not faced for at least a generation.

With the economic impact of COVID-19, the Division issued Bulletin 2020-05 (“Flexibility in the Issuance and Administration of Insurance”) to notify Carriers - regardless of the line of coverage - to work closely with covered persons to explore any and all feasible means to maintain existing coverage during this public health emergency. In response, a number of Carriers, in addition to exploring changes to the timing of premium payments, have looked to distribute dental policyholder refunds or premium credits for changes relevant to the work-at-home orders, where there may have been significantly fewer patients receiving non-emergency dental services.

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Where companies are looking to process such refunds or premium credits, the Division is sending this filing notice to remind Carriers that such refunds or premium credits should be on a nondiscriminatory basis for all who paid earned premiums during the identified period.

Carriers are to submit form filings to the Division that will be used to notify covered persons about the refund or premium credit, and rule filings, where appropriate, if the refund or premium credit is only being provided to policyholders that meet certain actuarially appropriate criteria. The Division does not expect that Carriers would be submitting rate filings to process such refunds or premium credits - since Carriers are not altering the rates being charged for coverage.

**Filings**

Please be aware that the Division is instituting processes to expedite the review of all filings being made to implement COVID-19 refunds and premium credits as described in Filing Guidance Notice 2020-D. The filing should be sent via the System for Electronic Rate and Form Filing (“SERFF”), under the appropriate insurance type.

The filing must be made via SERFF and include:

- (1) a Filing Description field beginning with the phrase “COVID-19 Adjustment”;
- (2) a filing fee of \$75 per policy as required for a form filing.

The DOI will review all COVID-19 Adjustment filings to ensure that they are clear and appropriate, and the Division will promptly respond to Carriers making such filings.

**Contact**

Any questions about this Filing Guidance Notice should be directed to either Niels Puetthoff, Director of the Bureau of Managed Care, at (617) 521-7326 or [Niels.Puetthoff@mass.gov](mailto:Niels.Puetthoff@mass.gov); or to Kevin Beagan, Deputy Commissioner, at (617) 521-7323 or [kevin.beagan@mass.gov](mailto:kevin.beagan@mass.gov).