THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF CONSUMER AFFAIRS AND BUSINESS REGULATION
DIVISION OF INSURANCE
280 FRIEND STREET, BOSTON 02114
(617) 727-7189

January 18, 1991

SRB BULLETIN 91-01

To: All Life Insurers Currently Licensed in the Commonwealth of Massachusetts

From: Susan K. Scott, Acting Commissioner S.K.S.

Re: Filing Requirements pursuant to 211 CMR 35.00

This bulletin supplements the Division of Insurance Bulletins regarding 211 CMR 35.00, which prohibits discrimination in insurance on the basis of race, color, religion, sex, marital status or national origin. The regulation took effect on September 1, 1988.

The October 12, 1989 Bulletin amended the July 1, 1988 Bulletin, by allowing companies to select up to three mortality table blends: companies may select one blend for nonforfeiture calculations and/or maximum cost of insurance rates in individual life insurance products and another single blend for all annuity products and life insurance settlement options which involve life contingencies. A third single proportion unisex blend may be elected for nonforfeiture calculations and/or maximum cost of insurance rates in joint life products.

In the October 12, 1989 Bulletin, the Commissioner also stated that all previously-approved unisex products used for new issue must incorporate the newly selected mortality table blends in their products by January 1, 1991. Furthermore, companies using any life forms modified by rider to comply with 211 CMR 35.00 and the Division bulletins interpreting 211 CMR 35.00 must also resubmit policy forms incorporating unisex language by January 1, 1991.

This bulletin is to remind insurers of these requirements. Those companies which have submitted revised policy forms, but have yet to receive approval, may continue to use the ridered forms until the revised products receive approval.

For those companies which have not submitted revised filings and are therefore not in compliance with 211 CMR 35.00, the Division's Policy Review Section will review requests for extensions of the January 1, 1991 deadline on a case-by-base basis. Each company seeking such an extension must submit a written explanation of the reasons needed and an expected date of compliance, along with a list of policy form and rider numbers, form types, and prior dates of unisex approval.