

CR 88-100

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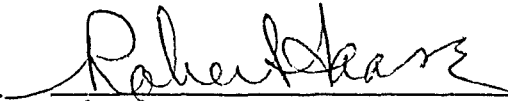
STATE OF WISCONSIN )  
 )  
OFFICE OF THE COMMISSIONER OF INSURANCE)

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Robert D. Haase, Commissioner of Insurance and custodian of the official records of said Office, do hereby certify that the annexed order amending rules relating to hearings following insurance form disapproval and to prima facie incidence factors used to calculate credit insurance plan case rates was issued by this Office.

I further certify that said copy has been compared by me with the original on file in this Office and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have  
hereunto subscribed my name in the  
City of Madison, State of Wisconsin,  
this 18<sup>th</sup> day of October, 1988.

  
\_\_\_\_\_  
Robert D. Haase  
Commissioner of Insurance

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OFFICE OF WISCONSIN  
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12-188

JUDICIAL CLERK  
SECRETARY OF STATE

ORDER OF THE COMMISSIONER OF INSURANCE

To amend Ins 3.25 (8) (c) and Ins 3.25 (17) (d), relating to hearings following disapproval of an insurance form and to prima facie incidence factors used to calculate case rates for credit insurance plans.

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ANALYSIS PREPARED BY THE OFFICE OF THE COMMISSIONER OF INSURANCE

Statutory authority: ss. 601.41 (3) and 424.602, Stats.

Statutes interpreted: ss. 601.62 (3) (a), 601.415 (9), 601.42, 623.06, 625.11, 625.12, 631.20, and 632.44 (3), Stats.

Ins 3.25 (8) (c), relates to the Commissioner's notification to credit life and credit accident and sickness insurers when an insurance form is disapproved. The rule currently provides that the notice shall state that a hearing will be granted within 20 days after a written request by the insurer. The rule should state that a hearing will be granted within 30 days after written request by the insurer. With this change, the rule will conform to s. 601.62 (3) (a), Stats., which provides that the Commissioner shall hold a hearing not less than 10 nor more than 30 days after service of a demand for hearing.

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JOSIAS EA. PULLER  
SECRETARY OF STATE

457R1  
10/04/88

Ins 3.25 (17) (d) includes a worksheet to be used in determining the deviation factor necessary to calculate case rates for certain credit insurance policies. Within that worksheet, the list of prima facie incidence factors for retroactive and nonretroactive accident and sickness plans are reversed. This proposed rule will correct these factors to reflect those originally developed to ensure a more accurate determination of the deviation factor.

These rules have no fiscal effect and do not affect small business.

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SECTION 1. Ins 3.25 (8) (c) is amended to read:

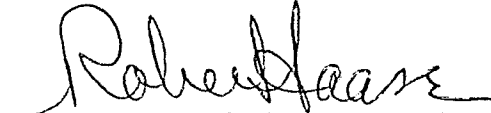
Ins 3.25 (8) (c) If the commissioner notifies the insurer that the form is disapproved, the insurer shall not issue or use the form. The notice shall specify the reason for the disapproval and state that a hearing will be granted ~~within~~ not less than 10 nor more than 20 30 days after a request in writing by the insurer.

SECTION 2. The prima facie incidence factors for credit accident and sickness insurance plans appearing in the deviation factor determination worksheet in Ins 3.25 (17) (d) are amended to read:

14 Day Non Retroactive	<del>0.05980</del> <u>0.05200</u>
14 Day Retroactive	<del>0.05200</del> <u>0.05980</u>
30 Day Non Retroactive	<del>0.03543</del> <u>0.03081</u>
30 Day Retroactive	<del>0.03081</del> <u>0.03543</u>

EFFECTIVE DATE. Pursuant to s. 227.22 (2), Stats., these rules shall be effective on the first day of the month commencing after the date of publication.

Dated at Madison, Wisconsin, this 18<sup>th</sup> day of October, 1988.

  
\_\_\_\_\_  
Robert D. Haase  
Commissioner of Insurance



State of Wisconsin \ OFFICE OF THE COMMISSIONER OF INSURANCE

Tommy G. Thompson  
Governor

Robert D. Haase  
Commissioner of Insurance

Robert M. Elconin  
Deputy Commissioner

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123 West Washington Avenue  
P.O. Box 7873  
Madison, Wisconsin 53707  
(608) 266-3585

DATE: October 18, 1988

TO: Gary Poulson

FROM: Fred Nepple, General Counsel  
Office of the Commissioner of Insurance

SUBJECT: Section Ins 3.25, Wis. Adm. Code, Clearinghouse No. 88-100

Enclosed are two copies of an Order of the Commissioner of Insurance amending the above-captioned rule relating to hearings following insurance form disapproval and to correct the prima facie incidence factors used to calculate credit insurance plan case rates.

FN:LH:mle  
Enclosure  
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