

COMMISSIONER OF INSURANCE

37

Chapter Ins 3

CASUALTY INSURANCE

Ins 3.01	Accumulation benefit riders attached to health and accident policies	Ins 3.22	Bail bond insurance
Ins 3.02	Automobile fleets, vehicles not included in	Ins 3.23	Franchise accident and sickness insurance
Ins 3.04	Dividends not deducted from premiums in computing loss reserves	Ins 3.25	Credit life insurance and credit accident and sickness insurance
Ins 3.07	Rules in chapter Ins 4, FIRE AND ALLIED LINES INSURANCE, applicable to casualty insurance	Ins 3.26	Unfair trade practices in credit life and credit accident and sickness insurance
Ins 3.09	Mortgage guaranty insurance	Ins 3.27	Advertisements of and deceptive practices in accident and sickness insurance
Ins 3.11	Multiple peril insurance contracts	Ins 3.28	Solicitation, underwriting and claims practices in individual and franchise accident and sickness insurance
Ins 3.12	Membership fees and policy fees	Ins 3.29	Replacement of accident and sickness insurance
Ins 3.13	Individual accident and sickness insurance	Ins 3.30	Change of beneficiary and related provisions in accident and sickness insurance policies
Ins 3.14	Group accident and sickness insurance	Ins 3.31	Eligibility for and solicitation, underwriting and claims practices in group, blanket and group type accident and sickness insurance
Ins 3.15	Blanket accident and sickness insurance	Ins 3.32	Title insurance; prohibited practices
Ins 3.17	Reserves for accident and sickness policies	Ins 3.35	Wisconsin health care liability insurance plan
Ins 3.18	Total consideration for accident and sickness insurance policies	Ins 3.36	Statistical reports - health professional liability insurance
Ins 3.19	Group accident and sickness insurance insuring debtors of a creditor	Ins 3.37	Future medical expense funds
Ins 3.20	Substandard risk automobile physical damage insurance for financed vehicles		
Ins 3.21	"In the same industry", definition of		

Ins 3.01 Accumulation benefit riders attached to health and accident policies. Except where such rider is used only on a policy replacing the company's own policy, and so recites, no rider providing for accumulations of benefits will be approved for use upon any policy of health and accident insurance, whether it is proposed to issue such rider with or without an additional premium. Such rider operates as an aid to twisting the policies of another company in such manner as to make its use a direct encouragement of this practice.

Ins 3.02 Automobile fleets, vehicles not included in. Individually owned motor vehicles cannot be included or covered by fleet rates. The determining factor for inclusion under fleet coverage must be ownership and not management or use.

Ins 3.04 Dividends not deducted from premiums in computing loss reserves. Premiums returned to policyholders as dividends may not be deducted from the earned premiums in computing loss reserves under section 623.04, Wis. Stats.

History: 1-2-56; emerg. am. eff. 6-22-76; am. Register, September, 1976, No. 249, eff. 10-1-76.

Ins 3.07 Rules in chapter Ins 4, fire and allied lines insurance, applicable to casualty insurance. The following captioned rules

Register, November, 1976, No. 251

under chapter Ins 4, FIRE AND ALLIED LINES INSURANCE, are applicable to casualty insurance:

- (1) Nonassessable policies of mutual companies.
- (2) Policy, inspection and similar fees.

History: 1-2-56; emerg. am. eff. 6-22-76; am. Register, September, 1976, No. 249, eff. 10-1-76.

Ins 3.09 Mortgage guaranty insurance. (1) **PURPOSE.** This rule implements and interprets, including but not limited to, subsection 201.04 (19) of Ins 6.70 and sections 611.02, 611.24, 618.01, 618.21, 620.02 and 623.04, Wis. Stats., for the purpose of establishing minimum requirements for the transaction of mortgage guaranty insurance.

(2) **SCOPE.** This rule shall apply to the underwriting, investment, marketing, rating, accounting and reserving activities of insurers which write the type of insurance authorized by subsection 201.04 (19) of Ins 6.70.

(3) **DEFINITIONS.** (a) Mortgage guaranty insurance is that kind of insurance authorized by subsection 201.04 (19) of Ins 6.70, and includes the guarantee of the payment of rentals under leases of real estate in which the lease extends for 3 years or longer.

(b) As used in this rule, "person" means any individual, corporation, association, partnership or any other legal entity.

(4) **DISCRIMINATION.** No mortgage guaranty insurer may discriminate in the issuance or extension of mortgage guaranty insurance on the basis of the applicant's sex, marital status, race, color, creed or national origin.

(5) **LIMITATION OF TOTAL LIABILITY ASSUMED.** A mortgage guaranty insurer shall not at any time have outstanding a total liability under its aggregate insurance policies, computed on the basis of its election to limit coverage and net of reinsurance assumed and of reinsurance ceded to an insurer authorized to transact such reinsurance in this state, exceeding 25 times the sum of its contingency reserve established under subsection (14) and its surplus as regards policyholders.

(6) **LIMITATION ON INVESTMENT.** A mortgage guaranty insurer shall not invest in notes or other evidences of indebtedness secured by mortgage or other lien upon real property. This section shall not apply to obligations secured by real property, or contracts for the sale of real property, which obligations or contracts of sale are acquired in the course of the good faith settlement of claims under policies of insurance issued by the mortgage guaranty insurer, or in the good faith disposition of real property so acquired.

(7) **LIMITATION ON ASSUMPTION OF RISKS.** A mortgage guaranty insurer shall not insure loans secured by properties in a single or contiguous housing or commercial tract in excess of 10% of the insurer's admitted assets. A mortgage guaranty insurer shall not insure a loan secured by a single risk in excess of 10% of the insurer's admitted assets. In determining the amount of such risk or risks, the insurer's liability shall be computed on the basis of its election to limit coverage and net of reinsurance ceded to an insurer authorized to

COMMISSIONER OF INSURANCE

128-1

exhausted or until the injured person is deceased. Should the injured person become deceased and there is a balance in his account allocation, that amount shall be returned to the insurer, organization or person responsible for establishing the account.

History: Cr. Register, November, 1976, No. 251, eff. 12-1-76.