

Regulatory Response to COVID-19

State-by-State Guide

As state and federal governments work to address the COVID-19 pandemic, most states have taken a relatively uniform approach regarding health insurance. However, insurance departments throughout the country have taken varied approaches regarding third-party coverages.

Insurance Industry as Essential Business

On March 19, 2020, the Department of Homeland Security, Cybersecurity & Infrastructure Security Agency (CISA) issued guidance on identifying “Essential Critical Infrastructure Workers”:

- Financial Services, including Insurance, is identified as part of “Critical Infrastructure Industry”
- Insurance Services Workers were identified as critical infrastructure workers
- Pursuant to President Donald J. Trump’s March 16, 2020 updated **Coronavirus Guidance for America**, critical infrastructure workers have a “special responsibility to maintain your normal work schedule”
- Subject to state determinations on how to implement COVID-19 restrictions and requirements to aid in operation of Critical Infrastructure Industries

Alabama

- Stay at Home Order issued April 3, 2020
- Insurance services considered “essential business operations”

California Executive Order 33-20

- Exempts workers as necessary for critical infrastructure industries from stay-at-home order, adopting the CISA guidance on what constitutes critical infrastructure workers
- See also California Insurance Commissioner Notice, March 20, 2020, “Guidance on ‘Essential Businesses’ and Insurance”

Florida Executive Order 20-91, Essential Services and Activities during COVID-19 Emergency

- Incorporates U.S. Department of Homeland Security Guidance Regarding Essential Critical Infrastructure Workforce, which provides that insurance services workers are critical infrastructure workers

Georgia Office of Insurance and Fire Safety Commissioner Bulletin 20-EX-4, March 24, 2020

- Counties and municipalities that determine essential business should consider insurance services as essential

Kentucky Cabinet for Health and Family Services Office of Legal Services Order, March 17, 2020

- Insurance businesses may remain open, subject to CDC guidelines

Maryland Insurance Administration Bulletin 20-11, March 23, 2020

- Insurance business is an essential business
- Encourages remote claim handling as much as possible

Mississippi—April 1, 2020 Executive Order No. 1463

- Professional services, including insurance services, are essential businesses

Missouri—April 3, 2020 Order from Missouri Department Health and Senior Services

- Adopts U.S. Homeland Security recommendations, including insurance services, as essential businesses

Nevada

- March 30, 2020: Insurance Commissioner deems some aspects of the insurance industry as essential

New Mexico

- March 23, 2020: Public health order deems insurance providers an “essential business”

New York “New York State on PAUSE” Executive Order, March 20, 2020

- Insurance is an essential financial institution.
- Business that are not clearly designated as “essential businesses” may apply for that designation.

North Carolina Department of Insurance Press Release, March 24, 2020

- “North Carolina Insurance Commissioner Mike Causey has requested that Governor Roy Cooper determine that financial services, including insurance services, be deemed essential businesses that will remain open to the public throughout the COVID-19 health emergency.”

Pennsylvania

- March 20, 2020 email from Insurance Department indicating insurance is essential
- March 24, 2020 Commonwealth of Pennsylvania Life-Sustaining Businesses List includes insurance

Tennessee

- Executive Order 22, March 30, 2020
 - Insurance companies are essential services.

Virginia

- Executive Order 53
 - Bureau of Insurance clarified that insurance is essential business
 - Subject to social distancing requirements and maximum of 10 people in office, enhanced sanitizing practices

Neither the federal guidance nor the state-level executive orders would impact requirements that insurance workers work from home when possible.

States Limiting Cancellation and Non-Renewal of Policies**ALABAMA**

- **Department of Insurance Bulletin 2020-05**, March 30 2020
 - Recommendations that insurers:
 - Relax dates for premium payments
 - Extend grace periods
 - Waive late fees and penalties
 - Allow premium payment plans that will avoid a lapse in coverage
 - “Insurers should consider cancellation or non-renewal of policies only after exhausting all efforts to work with policyholders to continue coverage. A policy may be cancelled or non-renewed for legally recognized reasons or policy provisions other than late or failure to pay premiums.”

ALASKA

- **Department of Insurance Bulletin B 20-08**, March 18, 2020
 - Prohibits insurers from cancelling for non-payment of premium through June 1, 2020
 - Entitled “Fair Treatment of Consumers”

ARKANSAS

- **Insurance Department Bulletin 6-2020**, March 20, 2020
 - 60-day moratorium on cancellation of policies for non-payment of premiums for insureds infected with COVID-19
 - Not automatic, must be requested
- Cancellation Moratorium for Employment Disruption: **Bulletin No. 12-2020**, April 2, 2020
 - All personal lines policies in effect on March 11, 2020 remain in effect until Executive Order 20-03 expires.
 - Not automatic, must be requested.
 - Insurers may ask for evidence of employment disruption.

CALIFORNIA

- **Notice, March 18, 2020**—Non-Payment of Premiums
 - 60-day grace period to pay premiums
 - Brokers, agents, and licensees should take steps to ensure online payments
- **Notice, March 18, 2020**—Drivers License Suspension and Registration Expiration
 - In conjunction with the DMV request that discretion be used in law enforcement of expirations
 - Insurers to refrain from using expirations:
 - To affect a driver's ability to secure and maintain auto insurance coverage
 - To affect a driver's eligibility for a Good Driver discount
 - To determine eligibility for a California Low Cost Automobile policy
 - To impact the rates charged to any driver

CONNECTICUT

- **Insurance Department Bulletin IC-40**, March 24, 2020
 - Requests insurers provide a 60-day grace period for payment of premiums
 - Intended to apply to premiums due after first premium is paid
- **Executive Order 7S**, April 1, 2020
 - 60-day grace period for premium payments, policy cancellations, and non-renewals of insurance policies from April 1, 2020 to June 1, 2020
 - Individuals and businesses whose ability to pay premiums impacted by COVID-19
 - Must have been in good standing as of March 12, 2020
 - Court order required to cancel or non-renew
- **Insurance Department Guidance**, April 2, 2020
 - Provides guidance regarding Executive Order 7S
 - If insurer adopted Bulletin IC-40, in compliance with Order 7S

DELAWARE

- **Domestic and Foreign Insurers Bulletin No. 116**, March 20, 2020
 - No cancellation for non-payment during pendency of the State of Emergency
- **Sixth Modification of the Declaration of a State of Emergency for the State of Delaware Due to a Public Health Threat**, March 24, 2020
 - Includes an insurance non-cancellation provision
 - "No insurer may, without a court order, lapse, terminate or cause to be forfeited a covered insurance policy because a covered policyholder does not pay a premium or interest or indebtedness on a premium under the policy that is due during the pendency of the declared state of emergency."

GEORGIA

- **Office of Insurance and Fire Safety Commissioner Directive 20-EX-5**, March 20, 2020
 - Refrain from canceling commercial insurance policies for 60 days that include business interruption or business income coverage

HAWAII

- **March 27, 2020, Memorandum** by Insurance Commissioner to insurers asking them to consider refraining from cancelling or nonrenewing policies due to nonpayment or grant grace period, waive late fees and penalties, extend timeframes for inspections and examinations

INDIANA

- **Indiana Department of Insurance News Release**, March 14, 2020
 - Cannot cancel coverage for childcare facilities without filing an endorsement change in the terms of the policy with the department
 - Department will “aggressively” support those facilities if their insurance carrier attempts to deny their liability insurance without approval
- **Indiana Department of Insurance Bulletin 252**, March 26, 2020
 - Provides 60-day grace period for premium payments due from March 19, 2020 to May 18, 2020

MAINE

- **Bureau of Insurance Bulletin 443**, April 7, 2020
 - No insurer may use COVID-19 to attempt to narrow coverage in place, unless the policy expressly excludes coverage
 - COVID-19 may not be treated as a substantial change justifying policy termination or modification

MARYLAND

- **Maryland Insurance Administration Bulletin No. 20-10**, March 20, 2020
 - Reasonable accommodations for payment of premiums
 - Reasonable accommodations may include suspension of premiums due, extension of billing due dates and premium grace periods, and waiver of installment and late payment fees

MASSACHUSETTS

- **Massachusetts Division of Insurance Bulletin 2020-05**, March 23, 2020
 - Requests insurance companies streamline operations to ensure issuance or maintenance of insurance is not delayed
 - Explain grace periods to allow hardship delay of payments
 - Work with individuals and companies on a case-by-case
 - Exploring ways to relax due dates, extend grace periods, waive fees, allow payment plans
 - Consider cancellation or non-renewal only as a last resort

NEVADA

- **Statement Regarding Nevada Property & Casualty Market Due to COVID-19**, March 30, 2020
 - The Nevada Division of Insurance encourages all Property & Casualty carriers to consider the following relief for those Nevadans affected by the COVID-19 outbreak:
 - Providing an extended grace period before cancellation of coverage
 - Providing flexibility with due dates for premiums
 - Waiving late fees and penalties
 - Payment plans for premiums to avoid a lapse in coverage
 - Only cancel or non-renew if all other efforts are exhausted

NEW JERSEY

- **Department of Banking and Insurance Bulletin 20-04**, March 19, 2020
 - Insurers should extend grace periods, waive late fees and penalties, provide forbearance with cancellation and non-renewal, allow payment plans, extended time for inspection, and exercising “judicious efforts” to assist affected policyholders to make sure policies do not lapse
- **Executive Order 123**, April 9, 2020
 - Property and casualty insurers required to provide 90-day grace period for payment of premiums (60 days for health and dental insurers)
 - Late payment and other fees will be limited
 - Insurers must pay claims during grace period and cannot later seek reimbursement in the case of non-payment
 - Premiums subject to grace period must be amortized over remainder of the policy term or one year instead of being recouped in a lump sum

NEW YORK

- **New York Executive Order 202.13**, March 30, 2020
 - 60-day moratorium on an insurer cancelling, non-renewing, or conditionally renewing any insurance policy issued to an individual or small business
 - Applicable to property/casualty lines of business
 - Small business is defined as “any business that is resident in this State, is independently owned and operated, and employs one hundred or fewer individuals”
- Department of Financial Services Emergency Insurance Regulations, **11 NYCRR 229 (INSURANCE REGULATION 216) INSURER PRACTICES DURING THE COVID-19 PANDEMIC, March 31, 2020**
 - Implementing New York Executive Order 202.13
 - Detailed regulations regarding prohibited practices
- **Department of Financial Services Insurance Circular Letter No. 7**, March 19, 2020
 - Insurers should offer payment accommodations and flexibility regarding non-renewal notices
 - Work with insureds to avoid cancellation for discovery of acts or omissions that may have increased the hazard insured against or physical changes to the policy
 - Increase resources for claims
 - Alert to higher risk of scams, proactively reaching out and relaxing claim requirements
 - Insurers “will not be subject to examiner criticism”

NORTH CAROLINA

- **Insurance Commissioner Amended Order**, March 30, 2020
 - Amending March 27, 2020 Order and based on State of Emergency
 - Invokes emergency statute, imposes automatic stay of proof of loss requirements, and premium and debt deferrals; applicable to all counties within the state; accompanied by Bulletin Number 20-B-06, March 27, 2020
- **Insurance Commissioner Advisory to Insurance Companies Regarding Policyholders Affected by the COVID-19 Virus**, March 24, 2020
 - Insurers should relax due dates, extend grace periods, waive fees and penalties, allow payment plans
 - Should consider cancellation or non-renewal only as a last resort
 - Insurance agents and broker should allow for alternate systems of payment, such as online payments, to eliminate the need for “in-person payment methods”

OHIO

- Property and Casualty Insurance Premium Payments during State of Emergency, March 30, 2020 **Bulletin 2020-07**
 - All property and casualty, life, and long-term care insurance providers must provide 60-day grace period to pay insurance premiums or submit information
 - 60-day grace period takes effect on last day under the terms of the contract—not from the date the state declared a state of emergency
 - Failure to pay premiums within the grace period could result in a retroactive cancellation

OKLAHOMA

- **Insurance Department PC Bulletin 2020-01**, March 20, 2020
 - Extend grace periods for non-payment of premiums by 45 days
 - In effect until state of emergency ends

OREGON

- **Division of Financial Regulation Order—Grace Period for Premium Payments**, March 25, 2020
 - Order by Oregon Dept. of Consumer and Business Services requiring all insurance companies to extend grace periods for premium payments, postpone policy cancellations and non-renewals, and extend deadlines for reporting claims (effective at least through April 23, 2020)

PENNSYLVANIA

- Insurance Commissioner, **Notice to Insurance Companies Regarding Policyholders Affected by COVID-19**, March 19, 2020
 - Relax premium due dates, extend grace periods, waive late fees and penalties, allow payment plans
 - Affected insureds should reach out to insurers to request relief

RHODE ISLAND

- **Department of Business Regulation, Department of Insurance Bulletin No. 2020-4**, March 25, 2020
 - Extend grace periods, allow payment plans, implement other measures to assist and provide alternate methods of payment, waive fees and penalties
 - Streamline the submission of administrative paperwork and claims process
 - Consider filings to alter policies, such as reduction in premiums for active policies and amendment to coverages to remove of the exclusion for deliveries in personal automobile policies.

SOUTH CAROLINA

- **Department of Insurance Bulletin 2020-02**, March 25, 2020
 - Insurance industry to work with individuals to provide relief from certain insurance requirements
 - Suggests that relief may include extension of premium deadlines and grace periods, extension of proof of loss deadlines, waivers of fees and penalties

VERMONT

- Department of Financial Regulation posted on its COVID-19 **website** March 24, 2020:

“On March 13, 2020 Governor Phil Scott today issued an executive order to declare a state of emergency in Vermont in response to COVID-19, commonly known as the new coronavirus. Accordingly, the Department of Financial Regulation requests that all insurance companies provide their policyholders with a reasonable grace period to pay insurance premiums to avoid policies being cancelled for nonpayment of premium due to the COVID-19 public health emergency.”

VIRGINIA

- Virginia State Corporation Commission, Bureau of Insurance, March 27, 2020
 - Encourages insurers to consider relaxing due dates for premium payments, extending grace periods, waiving late fees and penalties, and allowing payment plans for premium payments to otherwise avoid a lapse in coverage.
 - Insurers should also consider cancellation or non-renewal of policies only after exhausting all other reasonable efforts to work with policyholders to continue coverage.
- Virginia State Corporation Commission, **Bureau of Insurance Memorandum**, April 8, 2020
 - Clarifies livery exclusion and asks for insurers to be lenient in application to delivery drivers during COVID-19 crisis

WASHINGTON

- **Office of Insurance Commissioner Emergency Order No. 20-03**, March 25, 2020:
 - Order by Insurance Commissioner requiring property and casualty insurers to provide grace periods for premium payments, no policy cancellations and non-renewals, and waive penalties and late fees (effective until at least May 9)

WEST VIRGINIA

- **Insurance Commissioner Emergency Order WV-20-EO-02**, March 18, 2020
 - Insurers cannot cancel or non-renew if it would stem from COVID-19 pandemic, and should be flexible regarding premium payments
 - Insurers should consider the difficulties experienced regarding complying with policy conditions and providing claim documentation
- **Insurance Commissioner Bulletin 20-07, Coronavirus (COVID-19) Regulatory Guidance**, March 26, 2020
 - Reiterates Emergency Order 20-02 non-renewal and non-cancellation moratorium
 - Clarifies that it only applies to COVID-19 related delays
 - Insurers should be flexible with insureds or policyholders by voluntarily instituting moratoriums on cancellations or premium collections and allow for alternative payment arrangements, deferred premium payments, premium holidays and acceleration or waiver of underwriting requirements

WISCONSIN

- **Complying with Regulatory Requirements during the Public Health Emergency**, March 20, 2020
 - Insurance Commissioner issues bulletin to encourage insurers to offer flexibility to insureds who are incurring economic hardship
 - This flexibility can include offering non-cancellation periods, deferred premium payments, premium holidays and acceleration or waiver of underwriting requirements

Other State-by-State Requirements for Property and Casualty Coverage**ALASKA**

- **Department of Insurance Bulletin 20-08**, March 18, 2020
 - Premium Relief Due to COVID-19, in effect to June 1, 2020
 - Addresses premium increases based upon COVID-19 exposure estimates
 - Estimates expected to be higher than actual exposure
 - Calls for insurers to self-audit and self-report changes in exposure and physical audits
 - Reductions in premium will not be considered rebates or unfair
 - Consistent application will not be pursued as violation of statutes
- **Department of Insurance Bulletin 20-06**, March 16, 2020
 - Provides extended filing and review periods for insurer rate and form filings

CALIFORNIA

- **California Insurance Commissioner Notice**, March 18, 2020, “60-Day Grace Period for Insurance Premium Payments Due to the Disruption Caused by the Novel Coronavirus (COVID-19) Outbreak”
 - Request from Insurance Commissioner to provide policyholders with at least a 60-day grace period to pay insurance premiums
- **California Insurance Commissioner Notice**, March 20, 2020, “Guidance on ‘Essential Businesses’ and Insurance”
 - Insurers should take measures to keep businesses up and running
 - Work remotely when possible, comply with social distancing requirements to the extent possible if in-person functions are necessary, and focus only on core insurance activities and functions
 - Non-mandatory activities deemed non-essential
- **California Insurance Commissioner Notice**,
 - March 26, 2020, “Request for Information: Business Interruption and Related Coverage in California”
 - Request from insurance commissioner to all insurers to provide data on volume of BI, civil authority, contingent BI, supply chain coverages as of March 26, 2020 grouped by number of employees the business has (excel spreadsheet form provided)
- **California Insurance Commissioner Notice**, April 3, 2020, “Extension of Policyholder Deadlines that Impact Claims or Coverage Due to the current State of Emergency Caused by the Coronavirus (COVID-19) Outbreak”
 - Insurance commissioner requests that insurers not attempt to enforce policy or statutory deadlines on policyholders until 90 days after the end of the statewide “state of emergency” or other “state of emergency” that impacts a specific policyholder.
- **California Insurance Commissioner Bulletin 2020-3**, April 13, 2020
 - Insurance commissioner orders insurers to make an initial premium refund for the months of March and April to all adversely impacted California policyholders in the following lines of insurance (ASAP, but no later than 120 days) (Bulletin 2020-3):
 - Private passenger automobile insurance
 - Commercial automobile insurance
 - Workers’ compensation insurance
 - Commercial multiple peril insurance
 - Commercial liability insurance
 - Medical malpractice insurance
 - Any other line of coverage where the measures of risk have become substantially overstated as a result of the pandemic
- **FAQS Page:**
 - “In general, business interruption insurance policies require a direct physical loss or damage to a property caused by a covered peril (*i.e.*, fire, water damage, *etc.*) in order for business interruption coverage to apply. Most commercial policies have exclusions for loss due to contamination by virus and similar perils, such as pandemics.”
 - “Most commercial policies have exclusions for loss due to contamination by virus and similar perils. You should check your policy for a specific exclusion for viral/bacterial contamination or an incident triggered by an epidemic/pandemic, which means insurance would not cover losses related to COVID-19. Also, any claim would still need to be related to your property damage for coverage to be triggered. Conversely, check to see if you have a special endorsement for virus and pandemic although very few, if any, policies are known to have these.”
 - “In general, coverage resulting from the actions of a civil authority also requires physical damage to the insured premises caused by a covered peril. If this is the case, a government ordered shutdown due to a pandemic may likely not be fully sufficient to trigger business interruption insurance coverage in the absence of physical damage to the insured property caused by a covered peril—whether that order is voluntary or mandatory.”

CONNECTICUT

- **Insurance Department Bulletin FS-36**, March 24, 2020
 - Provides for modification of certain filing requirements regarding application, electronic notarization for financial statements, electronic filings, extension of deadlines for financial filings
- Service of process on the insurance commissioner will be accepted Tuesdays and Thursdays, 9 a.m. to 3 p.m.
- **Insurance Department Notice**, April 6, 2020
 - Urges auto insurers to offer reduction in premiums reflecting reduced driving
 - Encourages insurers to offer hired and non-owned auto coverage to restaurants
- **Executive Order 7U**
 - Limits liability of health care workers and facilities relating to COVID-19

DELAWARE

- **Domestic and Foreign Insurers Bulletin No. 117**, Producers and Adjusters Bulletin No. 33, April 3, 2020
 - Refers to Ninth Amendment to the State of Emergency and flexibility regarding premium payments
 - Reiterates non-cancellation for non-payment
 - Encourages electronic signature and notarization
 - Relaxes requirements for in-person inspection
 - No blanket extension of insurer deadlines
- **Domestic and Foreign Insurers Bulletin No. 118**, April 9, 2020
 - The Department is allowing insurers to request an extension of certain filing deadlines by an additional 30 to 60 days, depending on the type of filing
 - Specific requirements set forth in bulletin

FLORIDA

- **Office of Insurance Regulation Informal Memorandum OIR-20-03M**, March 16, 2020
 - All companies must review and update business continuity plans and report
- Deadline to report claims data for assignment of benefits data call is extended to June 1, 2020
 - Affidavit requirement is waived
- **Internal Memorandum ORI-20-04M**, March 25, 2020
 - Insurers encouraged to remove exclusions on personal auto policies regarding commercial use of vehicle in light of expanded deliveries of goods and services
 - Underwriters are encouraged explore virtual options for underwriting and claims adjusting in lieu of in person property inspections and examination of records
 - Due to telework, insurers are encourage to accept electronic communications in lieu of handwritten statements

GEORGIA

- **Office of Insurance and Fire Safety Commissioner Directive 20-EX-3** (March 17, 2020) and **Directive 20-EX-4** (March 16, 2020)
 - Provides for expedited review of new business interruption coverage forms that do not exclude coverage for losses resulting from quarantines
- **Office of Insurance and Fire Safety Commissioner Directive 20-EX-5**, March 20, 2020
 - All non-federal filing deadlines and late filing fees are suspended until business operations may return to normal
 - Not applicable to product filings
 - Immediate and expedited review of repricing and refiling products that are critical due to COVID-19

KANSAS

- **Insurance Department Bulletin 2020-1**, March 17, 2020
 - May be delays in processing
 - “Deemed approved” statutes and regulations suspended

MAINE

- **Bureau of Insurance, Bulletin 442**, March 12, 2020
 - All insurers must have effective business continuity plans in place

MARYLAND

- **March 16, 2020 statement from Insurance Commissioner**
 - Maryland Insurance Administration is closely monitoring insurance issues, expects insurers to treat customers fairly
 - Expedited grievance procedures will be opened
- **Maryland Insurance Administration Bulletin No. 20-9**, March 20, 2020
 - Requests insurers issuing travel insurance policies during the COVID-19 emergency provide option of cancellation for any reason or cancellation for COVID-19 options
- **Maryland Insurance Administration Bulletin 20-12**, March 23, 2020
 - Insurers may file for rate filing relief for premium accommodations related to COVID-19
- **Maryland Insurance Administration Bulletin 20-13**, March 25, 2020
 - Suspends 45-day cancellation notice requirement for private passenger auto policies
- **Maryland Insurance Administration Bulletin No. 20-14**, March 26, 2020
 - Maryland-domiciled insurers that provide premium grace periods to policyholders may request a permitted accounting practice to waive the statutory accounting principle that requires an insurer to non-admit premium receivable assets over 90 days past due
- **Maryland Insurance Administration Bulletin No. 20-15**, March 30, 2020
 - Requests insurers waive the business use exclusion in personal auto policies during COVID-19 state of emergency
- **Maryland Insurance Administration Bulletin No. 20-17**, April 3, 2020
 - Requests insurers provide leniency regarding notices of loss, proof of loss, additional living expenses, examinations under oath and replacement cost requirements
- **Maryland Insurance Administration Bulletin No. 20-19**, April 7, 2020
 - Insurance Commissioner is without power to extend deadline for taxes
 - Will be flexible and lenient with penalties
- **Maryland Insurance Administration Advisory**, April 9, 2020
 - Reminds insurers to make temporary rate filings

MASSACHUSETTS

- **Division of Insurance Bulletin 2020-08**, March 27, 2020
 - Instructs medical malpractice insurers to review their current policy forms to ensure that coverage for COVID-19 related claims exists
 - If coverage does not currently exist, the division asks insurers to file endorsements that can be attached to present policies to address COVID-19 related exposures
 - Applies to all health care professionals acting within the scope of their professional licenses during the COVID-19 public health crisis, whether they are acting within Massachusetts or in another state
- **Auto Damage Appraiser Licensing Board Advisory Ruling 2020-01**, March 26, 2020
 - Waives in-person appraisal requirement for damages up to \$3,000 during COVID-19 emergency
- **Division of Insurance Bulletin 2020-11**, April 3, 2020
 - Relaxation and flexibility in filing requirements
 - Extends filing deadlines for regulatory filing and reports, licenses
- **Division of Insurance Bulletin 2020-12**, April 3, 2020
 - Licenses in good standing will be deemed in good standing until 90 days after state of emergency ends
 - Encourages keeping up with CE requirements

MICHIGAN

- **Department of Insurance and Financial Services, Bulletin 2020-08-INS**, March 20, 2020
 - In the Matter of: Temporary Regulatory Flexibility Re: COVID-19
 - Insurers allowed to adopt temporary amendments to by-laws that allow greater flexibility in scheduling stockholder or policyholder meetings, and remote meetings are deemed approved for duration of public health emergency
 - Corporate actions not rendered invalid by COVID-19 circumstances
 - Hard copy filing requirements waived until public health emergency suspended; in the interim, electronic filings in lieu are required

NEW HAMPSHIRE

- **Insurance Department Bulletin Docket No. 20-019-AB**, March 23, 2020
 - Insurers should try to conduct virtual audits to comply with 120-day time limits of RSA 412:35 and 402:81
 - If an audit cannot be conducted within 120 days due to COVID-19, document the same
 - Department will not take action regarding delays due to COVID-19
- **Insurance Department Bulletin Docket No. 20-021-AB**, March 24, 2020
 - Insurers should utilize electronic signatures as allowed by law
 - Where actual signature required it should be documented, and obtained after COVID-19 crisis is over
- **Insurance Department Bulletin Docket No. 20-022-AB**, March 26, 2020
 - Financial filing requirements for annual statements due April 1 and quarterly filings due May 15, 2020 may be filed electronically via email
- **Insurance Department Bulletin Docket No. 20-023-AB**, March 30, 2020
 - Extension of time for producer licenses extended by two months
- **Insurance Department Bulletin Docket No. 20-025-AB**, April 10, 2020
 - Insurers who are giving premium credits and refunds for auto insurance during COVID-19 must file
 - Filing instructions and information on expedited filing

NEW YORK

- **New York Call For Special Report**, March 10, 2020
 - Requests that insurers advise DFS of the volume of business interruption coverage, civil authority coverage, contingent business interruption coverage and supply chain coverage they have written in New York, which was in effect as of March 10, 2020
 - Demands that insurers prepare a clear and concise explanation of benefits relating to coverage each policy offers in regard to COVID-19, and send the explanation to both their insureds and DFS
- **New York Department of Financial Services Insurance Circular Letter No. 9**, March 25, 2020
 - Suspends license expiration for insurance producers for 60 days
 - Suspends the requirement that monitors be present for CE and pre-licensing exams for 60 days
- New York Department of Financial Services cybersecurity deadline extended from April 15, 2020 to June 1, 2020 (per DFS website)

OHIO

- Coverage for Individuals with Expired License, **Bulletin 2020-06**, March 24, 2020
 - Due to the governor's order to close 181 Ohio Bureau of Motor Vehicles locations, many Ohioans will be unable to renew their driver licenses
 - Insurers must not cancel, non-renew, or refuse to issue a policy of automobile insurance, or deny a claim, solely because the insured's driver license expired since the governor's state of emergency
 - Premiums for new or renewal policies must not be calculated in such a way that the policyholder will be negatively affected due to an inability to renew license

PENNSYLVANIA

- Insurance Commissioner, Notice to Licensees, March 19, 2020
 - Extends renewal deadlines and continuing education requirements
- **Insurance Commissioner, Notice to Insurance Companies Regarding Filings**, March 19, 2020
 - For a limited time, the department will accept filings electronically
 - Filer should submit electronic filing in addition to paper filings
 - Insurers to review pending filings and planned filings, and withdraw any filings not immediately necessary
- Certificates of Authority Renewal are Delayed
- **Insurance Commissioner March 30, 2020 Warning**
 - Reminds insurance companies that, while insurance is a "life-sustaining business," in-person agent sales of coverage were barred by Governor Wolf's order closing all non-life-sustaining businesses
 - Insurance department plans to pursue disciplinary action against violators
- **Insurance Commissioner Notice to Auto Insurers**, March 31, 2020
 - PennDOT extended drivers licenses scheduled to expire to between March 16, 2020 and March 31, 2020 until May 31, 2020
 - Insurance Department expects automobile insurers to be cognizant of the extended deadline and to interpret exclusions and adjust underwriting and rates guidelines regarding unlicensed drivers accordingly
 - Encourages insurers to review eligibility criteria for discounts, such as good driver discounts and good student discounts in light of closure of schools and universities
 - Notes that worker displacement during COVID-19 may negatively impact credit scores and insurers should review the application of credit scores in rates; the notice states, "A declining credit score may not be used to increase a premium at renewal"
 - COVID-19 restrictions caused a decrease in driving and an anticipated decrease in claims frequency; insurers are encouraged to review how the reduction in driving will impact rates and to apply low-mileage rates where appropriate
 - Insurers are encouraged to be flexible regarding limits on rental car coverage because car dealership and repair facilities may be closed

RHODE ISLAND

- **Department of Business Administration, Division of Insurance, Insurance Bulletin 2020-2**, March 19, 2020
 - Motor Vehicle Damage Appraisals During COVID-19
 - Must allow for remote appraisals
 - Must be only for duration of emergency
 - Adjuster licensing requirements remain in place
- **Department of Business Administration, Division of Insurance, Insurance Bulletin 2020-3**, March 19, 2020
 - March 31 insurance licensing deadlines extended to April 30, 2020
- **Department of Business Administration, Division of Insurance, Industry Alert 2020-1**, March 25, 2020 (Emergency Adjuster Licensing COVID-19)
 - Emergency adjuster license statute triggered effective March 25, 2020
 - Insurers wishing to active emergency adjusters must apply via www.NIPR.com

SOUTH CAROLINA

- **Department of Insurance Bulletin 2020-03**, April 2, 2020
 - Provides guidance regarding license extensions, continuing education and other issues facing producers

TEXAS

- **Commissioner's Bulletin # B-0007-20**, March 23, 2020
 - Extends claim-handling deadlines imposed by the state's prompt payment laws for an additional 15 days to help carriers respond to the COVID-19 outbreak

VERMONT

- Department of Financial Regulation issued guidance regarding Businessowners and Commercial Package Policies, posted March 24, 2020 (undated)
 - Businessowners and CPP holders should ask their agents if their premiums could be reduced based upon reduction in income due to COVID-19
 - Requests insurers be flexible with premium plans for business that are temporarily closed due to COVID-19
 - Encourages businesses to keep insurance in place, even while temporarily closed

VIRGINIA

- All business is to be handled through electronic filing systems, email or by telephone.; in-person visits are suspended unless by appointment
- Filing or delivery drop offs are permitted; processing may be delayed
- Commissioner of Insurance issued a notice regarding Virginia's Fair Claims Handling Act:
 - Insurers should adjust claims as expeditiously and remotely as possible
 - Recognizes that delays for necessary in-person adjust may result from COVID-19, but "once an insurer has received the necessary supporting documentation on a claim, the insurer must issue the claim payment or properly deny the claim without delay."
 - Bureaus of Insurance also understands the extenuating circumstances presented by these recent events and will take such circumstances into account if a subsequent compliance issue arise
- Commissioner of Insurance issued a notice to policyholders providing guidance regarding Business Interruption Insurance and COVID-19

WASHINGTON

- March 25, 2020, **Instruction by Insurance Commissioner to property and casualty insurers to provide:** (1) data on volume of BI, Civil Authority, Contingent BI, and Supply Chain coverage in effect 3/15/20, (2) explain available coverage for COVID-19 to each policyholder and to Commissioner by April 1, 2020
- FAQ Page:
 - “NOTE: The Office of the Insurance Commissioner does not have the authority to mandate insurers sell or retroactively cover pandemic coverage or policy endorsements.”
 - “It’s questionable whether your business interruption or business income policy specifically protects against coronavirus. It’s important to read your policy for all exclusions, coverage limits, and deductibles.”

WEST VIRGINIA

- **Insurance Commissioner Emergency Order WV-20-EO-01**, March 13, 2020
 - Normal time frames for adjusting claims are suspended
 - Insurers shall continue to adjust claims expeditiously as possible, using remote means
 - Recognizes that some claims must be adjusted in person, and that may not be possible during emergency
 - Insurers must review plans of preparedness and continuity, and actively seek to minimize risk of harm
- **Insurance Commissioner Emergency Order 20-EO-04**, Emergency Insurance Adjusters
 - Authorizes West Virginia licensed insurers to apply for appointment and authorization of one or more emergency insurance adjusters to adjust COVID-19 claims
- **Insurance Commissioner Bulletin 20-07**, Coronavirus (COVID-19) Regulatory Guidance, March 26, 2020
 - Insurers are encouraged to file required forms electronically and utilize electronic signatures where permitted
 - Insurers are encouraged to communicate with the OIC via email
 - OIC cannot conduct telephonic hearings
 - Deadlines are not extended; insurer should email if it believes it will not be able to meet a deadline

FOR MORE INFORMATION OR TO LEARN HOW OUR TEAMS CAN WORK TOGETHER, CONTACT:

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