

*State of Idaho*  
**DEPARTMENT OF INSURANCE**

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**DEAN L. CAMERON**  
Director

**BULLETIN NO. 20-05**

DATE: April 15, 2020  
TO: All Property or Casualty Insurance Companies  
FROM: Dean L. Cameron, Director  
SUBJECT: Waivers of Certain Requirements to Address COVID-19 – Property or Casualty

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This Bulletin applies to insurance carriers offering property insurance contracts governed by Idaho Code §§ 41-2401, et seq., and casualty insurance contracts governed by Idaho Code §§ 41-2501, et seq.

The COVID-19 pandemic has created unprecedented challenges for individuals and employers. In order to minimize the potential loss of coverage, carriers have requested, and the Department has granted regulatory flexibility in certain areas.

On March 13, 2020, Governor Little signed a proclamation declaring a state of emergency in Idaho due to the coronavirus pandemic, which states in part:

*State agencies and departments are directed to utilize state resources and to do everything reasonably possible to assist affected political subdivisions in an effort to respond to and recover from the 2019 novel coronavirus (COVID-19).*

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*State licensing agencies and departments are authorized to temporarily exercise enforcement discretion, implement temporary rules, and waive licensing and related requirements to maximize access to health care services and provider support in response to COVID-19.*

The emergency proclamation has the force and effect of law. Idaho Code section 46-1008.

The Director of the Department of Health and Welfare issued an Order to Self-Isolate based on the COVID-19 emergency on March 25, 2020, which includes the directive for Idahoans to maintain a distance of six feet from people who are not part of one's household.

The Department finds that waiver of certain requirements that insurance carriers may place on policyholders will help policyholders maintain critical insurance coverage during this state of

emergency and will minimize the need for in-person contact, potentially slow the spread of the virus, and alleviate subsequent demand on the healthcare system and responders.

Therefore, pursuant to authority in Idaho Code section 41-210(2) and 41-210(5), the Department hereby notifies insurance carriers that during the state of emergency, the Department will not regard certain activities as unfair trade practices or unfair methods of competition, and encourages carriers to consider implementing said activities during this state of emergency. These activities include but are not limited to:

- Waiver of fees, penalties, or other charges relating to an insured's temporary inability to submit premium payments or otherwise respond to an insurer's inquiries;
- Extensions of grace periods for payment of premiums;
- Additional time before non-renewals or cancellation become effective;
- Extensions of proof of loss deadlines;
- For policies that are subject to audit, allowance of self-auditing and self-reporting in lieu of physical audits to the extent that physical audits are impracticable;
- Encouraging policyholders to use electronic payment technology on websites, apps and electronic bank transfers whenever possible to avoid in person payments; and
- Expanding automobile coverage to allow personal vehicles to be covered while delivering food, medicine, or other essential services for commercial and charitable purposes.

In addition to the list above, the Department notifies insurance carriers that the Department will consider specific proposals from insurers designed to quickly adjust to changes in the insurer's risk exposure. Such a proposal may, for example, temporarily reduce premium prospectively, refund premium retroactively, or both. During the emergency, the Department may waive enforcement of relevant provisions of law and rule, and may allow carrier deviation from filed rates or contractual language, so long as:

- 1) Such actions are applied uniformly and without prejudice, to all similarly affected insureds; and
- 2) The carrier has notified the Director in writing of their specific proposal and justifications.

The Department requests that carriers submit their intentions and justifications to Weston Trexler at [Weston.Trexler@doi.idaho.gov](mailto:Weston.Trexler@doi.idaho.gov).

This Bulletin will remain in effect so long as the Governor's emergency proclamation remains in effect, including extensions and renewals.