

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

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**DEAN L. CAMERON**  
Director

**BULLETIN NO. 20-06**

DATE: April 22, 2020  
TO: All Authorized Insurers  
FROM: Dean L. Cameron, Director  
SUBJECT: Complying with Regulatory Requirements during the Public Health Emergency

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This bulletin is to inform all insurance companies of flexibility regarding compliance with regulatory requirements during the COVID-19 public health emergency. This flexibility is being provided in part to recognize that Idaho and other states anticipate using additional targeted information requests to gather more specific information and your prompt attention to those matters is appreciated.

On March 13, 2020, Governor Brad Little declared a state of emergency due to the occurrence and imminent threat to public health and safety arising from the effects of the 2019 novel coronavirus (“COVID-19”). This declaration 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. These pandemic conditions make compliance with regulatory requirements more challenging.

Therefore, pursuant to sections 41-210(2) and 41-210(5), Idaho Code, the Department hereby notifies all authorized insurers of flexibility regarding compliance with regulatory requirements.

## **Regulatory Filing Deadlines**

At this time, companies are still required to make all required electronic filings with the NAIC (e.g., quarterly financial statements, audited financial statements), or for those that are not filed with the NAIC but to the Department analyst assigned to your company. However, upon a request from an insurer, the Department may allow insurers additional time to complete the following filings, as described below. The Department reserves the right to reject any such individual company requests based upon the financial condition and unique circumstances of that company deemed applicable to that company. **If your company believes that it will not be able to meet any of the original financial filing deadlines as shown below, please submit your request for extension of specific deadlines** to Nathan Faragher and Weston Trexler at the Department at Nathan.Faragher@doi.idaho.gov and Weston.Trexler@doi.idaho.gov.

### Filings with a Potential 30-day Extension

- May 1, 2020 - Combined Annual Statement Filing (Property)
- May 1, 2020 - Combined Insurance Expense Exhibit (Property)
- June 1, 2020 - Accountant's Letter of Qualifications (Property, Life/Fraternal, Health, Title)
- Aug. 15, 2020 - PBR Exemption filing due to state 7/1 and to NAIC 8/15 (Life/Fraternal)

### Filings with a Potential 60-day Extension

- June 1, 2020 - Audited Financial Report (Property, Life/Fraternal, Health, Title)
- Aug. 1, 2020 - Communication of Internal Control Related Matters Noted in Audit (Property, Life/Fraternal, Health, Title)
- June 1, 2020 - Corporate Governance Annual Disclosure (CGAD)
- December 31, 2020 - Own Risk and Solvency Assessment (ORSA) Summary Report
- June 1, 2020 - Form B Registration Statement & Related Form C
- June 1, 2020 - Risk Assessment Report (Form F)

The filing deadlines for the components of the **2019 annual filings that, if applicable**, should be submitted **only to an insurer's state of domicile** are as follows:

- Apr. 30, 2020 - Actuarial Memorandum Required by Actuarial Guideline XXXVIII 8D (Life/Fraternal)
- Aug. 1, 2020 - Management's Report of Internal Control Over Financial Reporting (Property, Life/Fraternal, Health, Title)

### Filings with a Potential 30-day Extension

The NAIC filing deadlines and requirements for the **2020 quarterly** electronic filings are as follows, all due May 15, 2020:

- Quarterly Statement Filing as of March 31, 2020 (Property, Life/Fraternal, Health, Title)
- Trusteed Surplus Statement – Quarter Ending March 31, 2020 (Property, Life/Fraternal)

- Supplement A to Schedule T (Medical Professional Liability Supplement) – Quarter Ending March 31, 2020 (Property)
- Medicare Part D Coverage Supplement – Quarter Ending March 31, 2020 (Property, Life/Fraternal, Health)
- Merger/history quarterly form, if applicable (Property, Life/Fraternal, Health, Title) (electronic txt file only)
- Reasonableness of Assumptions Certification Required by Actuarial Guideline XXXV – Quarter Ending March 31, 2020 (Life/Fraternal)
- Reasonableness and Consistency of Assumptions Certification Required by Actuarial Guideline XXXV – Quarter Ending March 31, 2020 (Life/Fraternal)
- Reasonableness of Assumptions Certification for Implied Guaranteed Rate Method Required by Actuarial Guideline XXXVI – Quarter Ending March 31, 2020 (Life/Fraternal)
- Reasonableness and Consistency of Assumptions Certification Required by Actuarial Guideline XXXVI (Updated Average Market Value) – Quarter Ending March 31, 2020 (Life/Fraternal)
- Reasonableness and Consistency of Assumptions Certification Required by Actuarial Guideline XXXVI (Updated Market Value) – Quarter Ending March 31, 2020 (Life/Fraternal)
- Director and Officer Insurance Coverage Supplement – Quarter Ending March 31, 2020 (Property)

### **Electronic Filings and Signatures**

The Department generally instructs companies to file certain documents in hard copy form with original (wet) signature, and in some cases sent via certified mail or first-class and with notary requirements. The hard copy, original signature, and related filing requirements are currently waived. However, companies are expected to keep a list of all filings that were made electronically in lieu of hard copy filings so that they can file all the hard copies within 60 days after the state has allowed a return to work. The Department expects electronic communication will be used by companies on all other financial related communication, with hard copies provided within 60 days if required by law.

### **On-site Examinations**

Some insurers have inquired whether the Department will continue to conduct on-site examinations during the COVID-19 pandemic. The Department will not conduct any on-site examination work that is contrary to the spirit of any public health directive. As a result, insurers should be aware that the Department may need to request more information in electronic form. The Department expects independent auditors will take a similar position which may constitute good cause for filing extensions. The Department acknowledges that company response times may be slower as more company employees work from home.