

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

**BRAD LITTLE**  
Governor

700 West State Street, 3rd Floor  
P.O. Box 83720  
Boise, Idaho 83720-0043  
Phone 208-334-4250  
Fax 208-334-4398  
Website: <https://doi.idaho.gov>

**DEAN L. CAMERON**  
Director

**BULLETIN NO. 22-03**

DATE: April 15, 2022  
TO: Property & Casualty Insurance Carriers  
FROM: Dean L. Cameron, Director  
SUBJECT: Guidance regarding virus/communicable disease/pandemic exclusions

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This bulletin provides guidance to insurers issuing property and casualty policies in the state of Idaho regarding the filing of various exclusions of losses due to viruses, communicable diseases, or pandemics.

On March 13, 2020, Governor Little signed a proclamation declaring a state of emergency in Idaho due to the coronavirus pandemic. To protect Idahoans during the uncertainty of the pandemic, the Department has not accepted filings that attempted to adopt new or strengthen existing exclusionary language for losses related to viruses, communicable diseases, or pandemics.

On March 8, 2022, Governor Little announced that the public health disaster emergency declaration will end on April 15, 2022. Upon expiration of Idaho's state of emergency order, the Department will begin accepting these filings if they meet certain conditions.

To improve clarity to the consumer, the following guidance is provided as to what conditions must be met when filing:

- Exclusions of losses due to virus, communicable disease, or pandemic are to be no more limiting than those filed by the Insurance Service Office (ISO).
- Losses due to the transmission of or injury from communicable diseases are not to be excluded as a "pollutant." Any exclusion of loss due to communicable diseases or pandemics is to be separate and specific to such a loss.
- Losses from alleged or actual injury from a vaccine are not a permissible exclusion.

Carriers with such exclusions in place prior to the pandemic are advised to review their contracts against these guidelines. All contracts will be reviewed against these guidelines.

This Bulletin is not new law but is an agency interpretation of existing law, except as authorized by law or as incorporated into a contract. Requests for additional information or other inquiries regarding this Bulletin can be directed to Deputy Director Wes Trexler at 208-334-4214 or [weston.trexler@doi.idaho.gov](mailto:weston.trexler@doi.idaho.gov).