

**RATE FILING METHODS FOR
PROPERTY/CASUALTY INSURANCE, WORKERS' COMPENSATION, TITLE**

11/05

Explanation: In a state with prior approval, a filing may be deemed to have been approved after a certain number of days. If such a provision exists, the number of days is noted in parentheses. File and use states may require filing a certain number of days before the rates may become effective. If so, it is noted. Use and file states may require filing within a certain number of days after the rate becomes effective, and the number of days will be so noted. Flex rating percentages that trigger prior approval are noted in parentheses, also. A more complete definition of each filing method is found at the end of the chart.

The date following each state indicates the last time information for the state was reviewed/changed.

STATE	CITATION	FILING METHOD	LINES	COMMENTS
AL	Ins. Reg. 123	file and use	commercial lines	Desired result is improving the speed to market of filings.
		prior approval	medical malpractice, property and casualty	
		prior approval	rate filings seeking an overall rate increase of 10% or more	
		prior approval	personal lines	
	§§ 27-13-29 to 27-13-30, 27-13-33	prior approval (30 days)	property and inland marine	
	§§ 27-13-67 to 27-13-68, 27-13-72	prior approval (30 days)	casualty and surety, workers' compensation	
	§ 27-25-6	file and use (60 days)	title	
AK (11/05)	§§ 21.39.040 to 21.39.041	prior approval (15 days)	all p/c lines, workers' compensation	Rate increases or decreases of 10% cumulative over 12 months may be made without prior approval; rating changes falling outside these limits subject to file and use (30 days)
	§ 21.39.210	Flex rating on rate changes	All p/c lines except workers' compensation, medical malpractice, assigned risk	
	§ 21.66.370	prior approval (30 days)	title	

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AZ	§ 20-357	file and use (30 days)	medical malpractice, workers' compensation	
	§ 20-385	use and file (30 days)	other p/c lines	
	§ 20-376	File and use (30 days)	title	
AR	§ 23-67-211	file and use (20 days) competitive market; prior approval (60 day deemer) in noncompetitive market	personal lines and small commercial risks	Filing method based is on a finding of the existence of a competitive market by the commissioner.
	§§ 27-67-206; 27-79-109	no filing	large commercial risks	
	§ 23-67-219	prior approval	workers' compensation	
	No provision		title	
CA	Ins. § 1861.05	prior approval (60 day deemer)	private passenger auto	However, Ins. § 12401.71 says title insurer may use a new rate prior to 30 days after the filing if the new rate is a reduction and has been made publicly available. The commissioner may not disapprove rates for certain contracts established prior to 1/1/07 as a result of a collective bargaining agreement.
	Ins. § 1861.135	file and use	surety	
	Ins. § 12401.1	file and use (30 day waiting period)	title	
	Ins. § 1861.05B	prior approval (60 day deemer)	other p/c lines	
	Ins. §§ 11737, 11741	prior approval of manual rates	worker's compensation	

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CO (8/05)	§ 10-4-401	file and use	p/c lines in competitive market including most workers' compensation, medical malpractice by the JUA	see also Ins. Reg. 5-1-10
	§ 10-11-118	file and use (30 days)	title	
CT	§ 38a-676	file and use	commercial lines	Filing method based on a finding of the existence of a competitive market by the commissioner. Bulletin PC-8 is filing standard for loss costs.
	§ 38a-676	file and use (30 day waiting period)	workers' compensation	
	§ 38a-688	file and use in competitive market; file and use (30 day waiting period) in noncompetitive market	personal lines	
	§ 38a-419	prior approval (30 day deemer)	title	
DE	tit. 18 § 2504	file and use (30 days)	all lines except title	Bulletin 90-4 is filing standard for loss costs.
	tit. 18 § 4501	file and use	title	
DC	§ 31-2703	file and use	auto	
	§ 31-2704	file and use (30 days)	property and casualty	
	§ 31-5205	prior approval	workers' compensation	
	No provision		title	

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FL (2/05)	§ 627.0651	file and use (60 days) or use and file, (30 days) (insurer's option)	auto	If use and file rate is found excessive, the insurer must return excise premium.
	§ 627.062	file and use (90 days) or use and file (30 days) (insurer's option)	all other lines except title and workers' compensation	
	§ 627.062; Reg. 69O-170.019	Maintain documentation to show justification for individual rate or that risk meets definition of a large commercial risk; complete quarterly reports.	individually rated risks and large commercial risks	
	§ 627.091	prior approval	workers' compensation	
	§§ 627.781, 627.782	rate set by FL Dept.	title	
GA	§ 33-9-21	prior approval (45 day deemer with option to extend by 100 days)	personal private passenger auto	Directive 90-PC-6 is filing standard for loss cost.
		file and use (45 days)	other p/c lines, including workers' compensation	Any filing may be examined. Increases of 10% to 25% may be examined at the commissioner's discretion. Greater than requires 25% mandatory examination.
	Reg. 120-2-77	no filing	large commercial risks	
	No provision		title	

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STATE	CITATION	FILING METHOD	LINES	COMMENTS
HI	§ 431:14-104 No provision	prior approval (30 day deemer) 90 day wait period and public hearing	p/c workers compensation title	Commissioner may require insurers to submit new filings for any type of coverage when the commissioner has actuarially sound information that the rates are excessive, inadequate, or unfairly discriminatory. § 431:20-120 stipulates that title insurers shall keep a complete file of its schedules of premiums and charges and amendments thereto until at least 5 years after they ceased to be in effect. File shall be available for the commissioner's inspection.
ID	§§ 41-1606 to 41-1608 § 41-2706	prior approval (60 days) use and file prior approval	workers' compensation other p/c lines title	NCCI makes filings. Ask companies to file their rates.
IL	Reg. tit. 50 §§ 754.10 to 754.40 215 ILCS 5/457 215 ILCS 5/457 215 ILCS 5/155.18 215 ILCS 5/400.1	use and file (10 days) use and file (30 days if a competitive market) file and use (30 days if noncompetitive market) use and file (30 days) file and use no filing	private passenger auto, taxicabs, motorcycles, homeowner, dwelling fire, liquor liability workers' compensation workers' compensation medical malpractice group inland marine other p/c lines, title	Assumption of competitive market unless hearing by commissioner determines otherwise.

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STATE	CITATION	FILING METHOD	LINES	COMMENTS
IN	§ 27-1-22-4	file and use	p/c lines	Bulletin 67 is filing standard for loss costs.
	§§ 27-1-22-2.5 to 27-1-22-4	no filing	large commercial insured	
	§ 27-1-22-2	exempt from filing requirements	title	
	§ 27-7-2-20.2	modified file and use (30 day wait)	workers' compensation	
IA	§§ 515A.4, 515F.5	prior approval (30 day deemer may be extended additional 15 days)	workers' compensation, other p/c lines, title	Directive of 4/6/90 is filing standard for loss costs.
	§§ 515F.20 to 515F.25	use and file (15 days)	homeowners, private passenger auto	Filing method based on a finding of the existence of a competitive market by commissioner.
KS	§ 40-955	prior approval (30 day deemer)	workers' compensation	
		file and use (30 days)	personal lines	
		file and use (no wait)	commercial lines, farm owners, business owners	
		file and use	any other rate filing	
		no filing	large commercial insured	

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STATE	CITATION	FILING METHOD	LINES	COMMENTS
KY	§ 304-13-051	use and file (15 days) in competitive market; file and use (30 days) in non-competitive market; prior approval of any rates which when combined with any rating factors effectively change pre-tax premium of any particular policy by more than +/- 25% in any 12-month period of time file and use	all lines except title title	filing method based on finding of existence of competitive market by commissioner.
LA	§ 22:1401(z)	file and use (30 days) if increase or decrease is within 10% of rates in effect	p/c lines	10% limitation not applicable on an individual insured basis.
	§ 22:1407	prior approval (45 day deemer)	all lines except workers' compensation	
	§ 22:1407(f)	modified prior approval (50 days)	all lines except workers' compensation	if no change in relationship between rates and expense portion and no change in rate relativities on any basis other than loss experience.
	§ 22:1407(k)	file and use (90 days)	workers' compensation (assigned risk)	if increase in rates is 25% or less on an annual basis, if over 25%, prior approval with 45 day deemer.
	§ 22:1407(k)	file and use (90 days)	workers' compensation (voluntary market)	if rate change does not exceed average of 20% annually, if exceeds 20% prior approval needed with 45 day deemer.
	Reg. 37:XIII.10113	filing information		

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STATE	CITATION	FILING METHOD	LINES	COMMENTS
ME	tit. 24-A § 2304-A	modified file and use	p/c lines, title	
	tit. 24-A § 2412-A	no filing	large commercial risks	
	tit. 24-A § 2382 tit. 24-A § 2384-A	prior approval	workers' compensation	
MD	Ins. §§ 11-307 and 11-329	file and use (30 days)	workers' compensation	
	Ins. §§ 11-101, 11-202, 11-205 to 11-212, 11-214 and 11-215, 11-218 to 11-222, 11-225 to 11-227 and 11-230 to 11-232	prior approval (30 day deemer)	p/c lines	
	Ins. §§ 11-101, 11-401 to 11-404 and 11-407 to 11-409	prior approval (15 day deemer)	title	
	Ins. §§ 11-307 and 11-341	file and use	lines designated by commissioner as competitive	filing method based on finding of existence of competitive market by commissioner.
MA (5/05)	§ 174:6	file and use (15 days)	fire	Massachusetts also has rate hearings.
	§ 175A:5A	set by commissioner	medical malpractice	
	§ 175A:6	file and use (15 days)	casualty, title	
	§§ 175E:5 to 175E:7	set by commissioner or file and use (45 days)	motor vehicle	filing method based on finding of existence of competitive market by commissioner.

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STATE	CITATION	FILING METHOD	LINES	COMMENTS
MI	§ 500.2108	file and use	auto and homeowner	commissioner can request more information within 10 days after filing. alternative filing method alternative filing method
	§ 500.2406(4)	file and use	workers' compensation	
	§ 500.2608	prior approval (15 day deemer can be extended by 15 days)	property excluding auto and homeowners	
	§ 550.1101 to 550.1704	file and use (45 days)	title and casualty excluding workers' compensation	
	§ 500.2628	file and use	property and inland marine excluding auto and homeowners	
	§ 500.2430	file and use	title and casualty excluding workers' compensation	
MN (8/05)	§ 70A.06	file and use (60 days)	all lines except workers' compensation	expedited filing procedure includes a certification signed by an officer that the filing complies with all laws and regulations
	§60A.315	effective upon filing	auto and homeowners	
		prior approval	workers' compensation	
MS	§ 83-2-7	prior approval (30 day deemer)	p/c lines, including workers' compensation	
	No provision		title	

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STATE	CITATION	FILING METHOD	LINES	COMMENTS
MO	§§ 379.321	informational filing only	commercial property and casualty	Competitive market. Noncompetitive market.
	§ 379.321	use and file (10 days)	other p/c lines	
	§ 381.181	file and use (30 days)	title	
	§ 287.320	commissioner-set rates	workers' compensation	
	§ 287.123	use and file (30 days) file and use (30 days)	workers' compensation workers' compensation	
MT	§ 33-16-203	file and use	p/c lines	
	§ 33-25-212	file and use	title	
NE (5/05)	§§ 44-7501 to 44-7535	prior approval (30 days) file and use (30 days) effective 90 days after end of 2005 legislature	personal lines, workers' compensation, crop, professional liability	For medical liability insurance may use rate in excess of that previously filed for extra-hazardous exposures.
		file and use	most commercial lines, excess and large deductible workers' compensation	Bulletin CB-50(Amended 2001) includes filing standard for loss costs.
	§ 44-1997	flex rating 40%	Medical professional liability; property/casualty	
	§§ 44-7515 to 44-7516; Reg. tit. 210 ch. 73	prior approval may be exempt from rate and form filings	title large commercial policyholders	Must meet certain qualifications for exemption.

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STATE	CITATION	FILING METHOD	LINES	COMMENTS
NV	§§ 686B.070 to 686B.110 § 692A.120 § 616.380	prior approval (60 days)	personal auto, homeowners, mechanical malpractice, mortgage guaranty	
		no file	commercial auto, farm owners, commercial general liability	
		file and use (30 days)	title	
		prior approval	workers' compensation	
NH	§ 412:16 § 416-A:17	file and use (30 days)	personal lines	Competitive market
		prior approval (30 day deemer can be extending 30 days)	personal lines	Noncompetitive market
		use and file (30 days)	commercial lines	Competitive market
		prior approval (30 day deemer can be extended by 30 days)	commercial lines	Noncompetitive market
		no filing	large commercial risks	
	prior approval	title		

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STATE	CITATION	FILING METHOD	LINES	COMMENTS
NJ (8/05)	§ 17:29AA-5	use and file (30 days)	commercial lines where reasonable degree of competition	Filing method is based on a finding of the existence of a competitive market by commissioner. May file rate changes within range of 3% of prior rate and get approval decision within 30 days; within 7%, approval decision within 45 days.
	§§ 17:29A-6, 17:29A-7	prior approval	other p/c lines, workers' compensation	
	§ 17:29A-46.6; Reg. 11:3-16-6 to 11:3-16-16	prior approval	auto	
	§§ 17:46B-42 to 17:46B-45	prior approval	title	
NM	§§ 59A-17-9, 59A-17-13	prior approval (60 day deemer)	p/c lines	
	§ 59A-17-10	prior approval (90 day deemer)	workers' compensation	
	§ 59A-30-6	commissioner-set rates	title	
NY	Ins. Law §§ 2305, 2328	prior approval (30 can be extended to maximum of 75 days)	workers' compensation, title, medical malpractice, personal and commercial lines	
	Ins. Law § 2344, Ins. Reg. 129	flex rating percentage varies by line	commercial liability	
	Ins. Law § 2310, Ins. Reg. 129	file and use (30 days can be extended to 75)	homeowners, farm owners	
	Ins. Law § 2310, Ins. Reg. 129	file and use	other p/c lines	

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STATE	CITATION	FILING METHOD	LINES	COMMENTS
NC	§§ 58-36-15, 58-36-20, 58-36-70, 58-40-30, 58-41-50	prior approval (60 days) prior approval (50 days) modified file and use file and use (120 days) file and use (60 days)	personal auto homeowners commercial property and casualty workers' compensation title	Filing by rate bureau; Bulletin 90-L-4 is filing standard for loss costs.
ND	§ 26.1-25-04	prior approval (60 days)	all lines except workers compensation	
OH	§ 3937.03 § 3935.04	file and use (30 days) file and use in competitive market; file and use (30 days) noncompetitive market prior approval	casualty, motor vehicle, fidelity, surety commercial casualty other lines, including title	Filing method based on a finding of the existence of a competitive market by the commissioner.
OK (8/05)	tit. 36 § 902.1 Reg. 570:10-1-41 tit. 36 § 903 tit. 36 § 997	file and use (10 days) prior approval file and use (90 days) no filing	commercial fire, general liability, workers' compensation, medical malpractice worker's compensation excess homeowners, commercial auto, farm owners large commercial risks	Variation from filed or approved rates. Review of rates by rating board.

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STATE	CITATION	FILING METHOD	LINES	COMMENTS
OR	§ 737.207	flex rating (15% increase or decrease)	commercial casualty	Bulletin INS-90-4 is filing standard for loss costs.
	§ 737.320	prior approval	workers' compensation, title	
	§ 737.205	file and use	other p/c lines	
PA	tit. 75 §§ 2003 to 2007	prior approval (60 days plus 30 day extension)	personal auto	Filed by rating bureau.
	§ 40-67-104	prior approval (30 day deemer plus 30 day extension)	personal property	
	§ 40-53-104	prior approval	workers' compensation	
	§ 40-61-131	prior approval (30 day deemer)	title	
	§ 40-66-101 to 40-66-119	exempt from filing	large commercial risks	
		file and use (45 days plus 30 day extension)	small commercial risks	
RI (2/05)	§§ 27-44-6, 27-6-8 to 27-6-11, 27-9-7 to 27-9-10	file and use (30 days plus 30 day extension)	casualty, property, title	Bulletin of 4/27/90 is filing standard for loss costs.
	§§ 27-7.1-3 to 27-7.1-7	prior approval	workers' compensation	
	§§ 27-65-1 to 27-65-2	no filing	large commercial risks	
	§27-9-7.3	flex rating 5%	casualty insurance	
	§ 27-6-8.1	flex rating 5%	fire and marine	

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STATE	CITATION	FILING METHOD	LINES	COMMENTS
SC	§§ 38-73-340, 38-73-915, 38-73-450	prior approval (60 day deemer)	all lines	
		prior approval or file and use	commercial auto rate changes of 7% or less	
	§ 38-73-490	prior approval	workers' compensation	
	§ 38-75-980	prior approval (60 day deemer)	title	
SD (5/04)	§§ 58-24-1 to 58-24-67, 58-24-10.1	prior approval (30 days)	all lines	
		prior approval (30 days)	title	
	SB 37 (2004)	no filing	large commercial risks	
TN	§ 56-5-305	prior approval (30 day deemer plus 30 day extension)	personal lines	
	§ 56-5-306(a)	use and file (15 days)	commercial lines	
	§ 56-5-306(b)	prior approval	workers' compensation	Requires approval of the Governor and Sec. of State.
	§ 56-35-111	file and use (60 days)	title	

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TX (8/05)	I.C. art. 5.101	file and use within bands (60 days), prior approval outside flex bands (60 days)	auto	Commissioner sets bench mark rates and flex bands, carriers submit flex filings. Effective 12/01/04, insurer must file rates in accordance with I.C. art. 5.13-2
	I.C. art. 5.81, 5.13-2, 5.55	file and use	commercial multi-peril, general liability, commercial property, workers' compensation	
	I.C. art. 5.53	prior approval (30 day deemer)	inland marine	
	I.C. art. 5.15	prior approval (60 day deemer)	professional liability, miscellaneous casualty and surety	
	I.C. art. 21.50	file and use	mortgage guaranty	
	I.C. art. 9.07	board sets rates	title	
UT	§ 31A-19a-203	use and file (30 days)	p/c	Commissioner may disapprove within 90 days after filed. May by rule specify rates be filed 30 days before become effective.
	§ 31A-19a-209	file and use (30 days)	title	
	§§ 31A-19a-405	file and use (30 days)	workers' compensation	

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STATE	CITATION	FILING METHOD	LINES	COMMENTS
VT	tit. 8 § 4687	file and use (30 days)	workers' compensation, experience rating plan, scheduled rating plan and statistical plan	There is a presumption of competition unless a hearing determines otherwise.
	tit. 8 § 4688	use and file (15 days) in competitive market prior approval (30 day deemer) noncompetitive market	p/c, title and other types of workers' compensation	
VA	§ 38.2-2006	prior approval (60 day deemer)	workers' compensation, uninsured motorist, home protection, FAIR Plan, auto plan	Admin. Letter 1990-5 is filing standard for loss costs. Admin. Order 10210 (1993) says large commercial risks need not be charged manual rates if meet certain standards—applies to auto and general liability. Filing method is based on a finding of the existence of a competitive market by the commissioner.
	§ 38-2-1903	no filing	large commercial risks for workers' compensation	
	§ 38.2-1906	file and use in competitive market	p/c lines	
	§ 38.2-1912	file and use (60 days) in noncompetitive market	p/c lines identified by commission order after hearing	
	§§ 38.2-4608, 38.2-1902	exempt from filing	title	

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STATE	CITATION	FILING METHOD	LINES	COMMENTS
WA	§ 48.19.060 § 48.29.140 Reg. 284-24-120	prior approval (30 day deemer can be extended to 45 days) use and file (30 days) file and use (15 days)	p/c, workers' compensation commercial lines title	Rate filing requirements are suspended for large commercial property casualty accounts.
WV (8/05)	§ 33-20-4 § 33-20B-3 no provision	prior approval (60 day deemer) file and use Prior approval (90 day deemer) or unapproved rates	other p/c lines, excluding workers' compensation commercial lines P/C medical malpractice title	Workers' compensation coverage is written by a monopolistic state fund. Info. Letter No. 68 is filing standard for loss costs. during 90-day period, hold a hearing for any filing that requests an increase of 10% or more.
WI	§ 625.13 § 626.13	use and file (30 days) prior approval (30 day deemer)	p/c, title workers' compensation	Bulletin of 6/11/90 is filing standard for loss costs. Wisconsin Compensation Rating Bureau makes the rate filings.
WY	§ 26-23-326 § 26-14-107	prior approval (30 day deemer) no file competitive market; prior approval (30 day deemer) noncompetitive market	title, medical malpractice p/c, including workers' compensation	Competitive market is assumed to exist unless designated as noncompetitive or by finding of noncompetitiveness by commissioner.

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DEFINITIONS OF RATING LAWS	
Prior Approval	Rates must be filed with and approved by the state insurance department before they can be used. Approval can be by means of a deemer provision, which indicates approval if rates are not denied within a specified number of days.
Modified Prior Approval	Rate revisions involving change in expense ratio or rate relativity require prior approval. Rate revisions based on experience only are subject to "file and use" laws.
Flex Rating	Prior approval of rates required only if they exceed a certain percentage above (and sometimes below) the previously filed rates.
File and Use	Rates must be filed with the state insurance department prior to their use. Specific approval is not required but the department retains the right of subsequent disapproval.
Use and File	Rates must be filed with the state insurance department within a specified period after they have been placed in use.
No File	Rates are not required to be filed with or approved by the state insurance department. However, the company must maintain records of experience and other information used in developing the rates and make these available to the commissioner upon his request.

This chart does not constitute a formal legal opinion by the NAIC staff on the provisions of state law and should not be relied upon as such. Every effort has been made to provide correct and accurate summaries to assist the reader in targeting useful information. For further details, the statutes and regulations cited should be consulted. The NAIC attempts to provide current information; however, readers should consult state law for additional adoptions.

NAIC's Compendium of State Laws on Insurance Topics

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