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**Rules of  
Department of Commerce and  
Insurance**

**Division 100—Insurer Conduct  
Chapter 9—Filing Requirements**

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**Title 20—DEPARTMENT OF  
COMMERCE AND INSURANCE  
Division 100—Insurer Conduct  
Chapter 9—Filing Requirements**

**20 CSR 100-9.100 Requirements for the  
Filing of Papers, Documents, or Reports  
with the Insurance Market Regulation  
Division**

*PURPOSE: The purpose of this rule is to establish the use of electronic filing of papers, documents, or reports via System for Electronic Rate and Form Filing (SERFF), to establish when a document is identified as filed with the department, and to establish the use of electronic funds transfers for the purpose of paying filing fees.*

(1) Scope. This rule is applicable to any company filing papers, documents, or reports, which are filed under Missouri law, with the Insurance Market Regulation Division, as permitted by law.

(2) Definitions. As used in 20 CSR 100-9.100 the following terms mean:

(A) Company—any entity licensed under a Certificate of Authority issued by the director to conduct business in this state including, but not limited to, insurers and health carriers as defined in section 376.1350, RSMo. Company is also defined to include any third party filer, advisory organization, or rating organization conducting business in this state;

(B) Deliver—the act by a company of providing a document, paper, or report to the department;

(C) Department—the Department of Commerce and Insurance;

(D) Director—the director of the department;

(E) Disposition—the final status assigned to a document upon completion of the review of the document;

(F) Division—the Insurance Market Regulation Division;

(G) Document—any form, rate, report, or rule that is legally required to be delivered either to the division, or to the department or director through the division, and any other form, rate, report, or rule intended to be delivered either to the division, or to the department, or director through the division. Documents do not include any form, rate, report, or rule that is legally required to be delivered either to the market conduct section or to the department or director through the market conduct section;

(H) Filing Submission—one (1) or more related documents, which have been delivered through SERFF under a single SERFF

tracking number, that has not yet been treated as filed, received, or deficient;

(I) Filing Type—categories provided within SERFF that denote the insurance product;

(J) Form—any policy, policy of insurance, policy form, form of membership contract, standard form, title insurance policy, form of the group contract, deductible plan, enrollee contract, contract certificate, certificate of insurance, endorsement, rider, amendment form, contract amendment, amendment, standard form endorsements, application, application of insurance, provider contracts, form of evidence of coverage, schedule of benefits, grievance procedures, applications, applications of insurance, title insurance commitments, closing or settlement protection letters, term, condition, exception, notice of proposed insurance, anything that acts in a manner similar to any of the foregoing, and any amendment to any of the foregoing;

(K) NAIC—National Association of Insurance Commissioners;

(L) Paper—any notice, contract, or agreement that is legally required to be delivered either to the division, or to the department or director through the division, and any other notice, contract, or agreement intended to be delivered either to the division, or to the department or director through the division. A paper does not include any notice, contract, or agreement that is legally required to be delivered either to the market conduct section or to the department or director through the market conduct section;

(M) Rate—rates, rating plan, rating system, premium schedule, schedule of premium rates, supporting actuarial data, supplementary rate information, supporting information for risks, certifications, uniform experience rating plan, individual risk premium modification rating plan, anything else that acts in a manner similar to any of the foregoing, and any amendment to any of the foregoing;

(N) Report—any report or certification that is legally required to be delivered either to the division, or to the department, or director through the division, and any other report intended to be delivered either to the division, or to the department, or director through the division. A report does not include: any statistical data submitted to the division pursuant to a data call under section 374.190, RSMo, or any report that is legally required to be delivered either to the market conduct section or to the department or director through the market conduct section;

(O) Rule—any plan of operation, bylaws, rules of procedure, statistical plan, uniform statistical plan, uniform classification system, subclassification of the uniform classification system, manual of classification, manual rule,

rule, underwriting rule, anything that acts in a manner similar to any of the foregoing, and any amendment to any of the foregoing;

(P) SERFF—System for Electronic Rate and Form Filing as maintained by the NAIC;

(Q) Submit—the act by a company of delivering a document to the division through SERFF;

(R) Supersede—the act by a company of replacing one (1) document with another document when the document that was to be replaced has not yet been given a disposition by the department;

(S) TOI—Type of Insurance – codes provided within SERFF to categorize insurance products.

**(3) Filing Requirements.**

(A) All documents are submitted.

(B) A company's filing submission will be treated as filed, received, or deficient.

1. A document is "filed" if it includes:

A. The appropriate filing fee;

B. The proper TOI code;

C. The proper filing type;

D. Documents to be reviewed that are attached to the appropriate SERFF schedule/tab;

E. All necessary supporting documentation; and

F. Compliance with all other filing requirements as set forth in Missouri law.

2. A document is "received" if it includes the appropriate filing fee, and—

A. It is not intended by the company to be filed, or

B. The submission does not include a necessary component to qualify as filed.

3. A document is "deficient" and will be rejected if it does not include the appropriate filing fee.

(C) Only documents that are filed will be reviewed for compliance with Missouri laws as applicable.

(D) Any document that supersedes another document within a filing submission will be treated as a new filing submission. All provisions in this rule apply except that no additional fee will be charged for any document that supersedes another document within a filing submission.

(E) Any document that is superseded by another document is withdrawn by the company from review by the division and is no longer submitted.

(4) Filing Requirements for Life Insurance. Life insurance forms must be submitted separately from health insurance forms, pursuant to section 376.010. However, this restriction does not apply where the combination of coverage is inherent to the plan design of group



coverage.

(5) Filing Fees.

(A) Except as provided below or otherwise provided by statute, a filing submission must include a filing fee of one hundred fifty dollars (\$150) per submission per company. If any company which is a member of a group of related companies makes a filing on behalf of any or all of the companies in that group, the filing is considered a separate filing for each of the companies on behalf of which the filing was made, and each of those companies will pay a filing fee.

1. With respect to a filing submission for a company not formed under Chapter 380 or a discount medical plan formed under Chapter 376, the filing fee is one hundred fifty dollars (\$150) per form submitted to the division.

2. With respect to a farm mutual, formed under Chapter 380, RSMo, no filing fee will be charged.

3. With respect to any extended farm mutual, formed under Chapter 380, RSMo, the filing fee is ten dollars (\$10) per form submitted to the division.

4. With respect to any discount medical plan, formed under Chapter 376, RSMo, the filing fee is twenty-five dollars (\$25) per form submitted to the division.

(B) All filing fees for any filing submission must be remitted through the SERFF Electronic Funds Transfer (EFT) system.

*AUTHORITY: sections 354.085, 354.120, 354.485, 354.723, 374.045, 374.056, 375.013, 376.405, 376.675, 376.1025, 376.1095, 376.1399, 379.351, 380.561, 381.042, and 383.035, RSMo 2016.\* Original rule filed July 15, 2015, effective Jan. 30, 2016. Amended: Filed Oct. 30, 2018, effective April 30, 2019. Non-substantive change filed Sept. 11, 2019, published Oct. 31, 2019.*

*\*Original authority: 354.085, RSMo 1973, amended 1983, 2003; 354.120, RSMo 1973, amended 1983, 1993, 1995; 354.485, RSMo 1983, amended 2007; 354.723, RSMo 1987; 374.045, RSMo 1967, amended 1993, 1995, 2008; 374.056, RSMo 2008; 375.013, RSMo 1993, amended 1995; 376.405, RSMo 1959, amended 1984, 2013; 376.675, RSMo 1963, amended 1984; 376.1025, RSMo 1993, amended 1995; 376.1095, RSMo 1993, amended 1995; 376.1399, RSMo 1997, amended 2007; 379.351, RSMo 1972; 380.561, RSMo 1984, amended 1993, 1995; 381.042, RSMo 2000, amended 2007; and 383.035, RSMo 1975, amended 1992, 2006.*