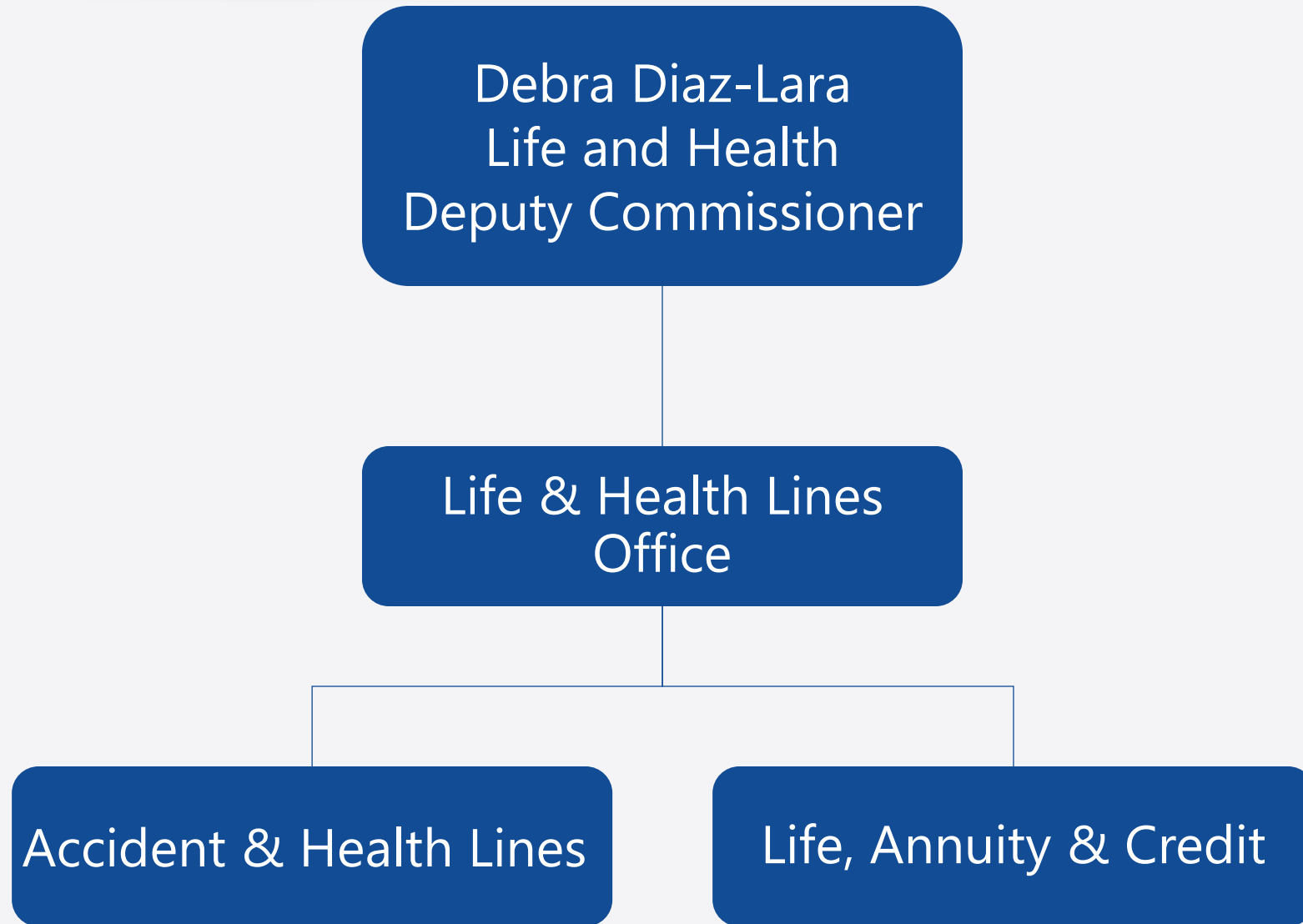


TDI **InsurED**

Life and Health Filings

February 29, 2024



- Cultivating key partnerships to provide innovation in protecting the consumers of Texas with quality care.
- Continuous improvement and creating and maintaining efficient processes.
- Plain language initiatives.
- Consumer education.

TDI | Required transmittal checklists

- [Life and Health Transmittal Form](#)
- [Life, Health and HMO Miscellaneous Documents Transmittal Checklist](#)
- [HMO Transmittal Checklist and Certification Form](#)
- [Advertising Transmittal Checklist and Certification Form](#)
- [Advertising Annual Certification of Compliance](#)

TDI | Compliance review checklists

Save time by accurately completing compliance review checklists and submit in SERFF as a supporting document.

- [Accident and Health](#)
- [Annuity](#)
- [Credit](#)
- [HMO Forms and HMO Form Filings](#)
- [Life Insurance Checklists](#)
- [Life Settlements Checklists](#)
- [Other Forms](#)
- [Prior Authorization Request Forms](#)
- [Small Group Certification Forms](#)
- [Listing by Form Number](#)

TDI | Compliance checklist benefits

- Speed to market.
- Less regulatory ping-pong.
- Checklists provide up-to-date legislative and rule changes.

TDI | Incorrectly completed checklist example

Page OK : Diabetes equipment, supplies, and training – [TIC Section 1358.054](#), and [28 TAC Section 21.2605](#) and [Section 21.2606](#)

Page OK : Hearing screening for children – [TIC Section 1367.103](#)

Page N/A : Childhood immunizations – [TIC Section 1367.053](#)

Page ✓ : Mammography – [TIC Section 1356.005](#)

Page x : Minimum stay after mastectomy or lymph node dissection – [TIC Section 1357.054](#) and [1357.055](#)

Page OK : Required notices for mastectomy or lymph node dissection – [TIC Section 1357.056](#), and [28 TAC Section 21.2103](#)

Page N/A : Reconstructive surgery after mastectomy – [TIC Section 1357.004](#)

Page OK : Maternity - minimum stay after birth of child – [TIC Section 1366.055](#)

Page ✓ : Required notice for maternity benefits – [TIC Section 1366.058](#), and [28 TAC Section 21.2103](#)

Page see note : Mental/nervous disorders with demonstrable organic disease as referenced in [Exhibit A - 28 TAC Section 3.3057\(c\)](#)

TDI | Correctly completed checklist example

Page 20 : Diabetes equipment, supplies, and training – [TIC Section 1358.054](#), and [28 TAC Section 21.2605](#) and [Section 21.2606](#)

Page 42 : Hearing screening for children – [TIC Section 1367.103](#)

Page 41 : Childhood immunizations – [TIC Section 1367.053](#)

Page 21 : Mammography – [TIC Section 1356.005](#)

Page 21 : Minimum stay after mastectomy or lymph node dissection – [TIC Section 1357.054](#) and [1357.055](#)

Page 24 : Required notices for mastectomy or lymph node dissection – [TIC Section 1357.056](#), and [28 TAC Section 21.2103](#)

Page 23 : Reconstructive surgery after mastectomy – [TIC Section 1357.004](#)

Page 30 : Maternity - minimum stay after birth of child – [TIC Section 1366.055](#)

Page 29 : Required notice for maternity benefits – [TIC Section 1366.058](#), and [28 TAC Section 21.2103](#)

Page 16 : Mental/nervous disorders with demonstrable organic disease as referenced in [Exhibit A - 28 TAC Section 3.3057\(c\)](#)

TDI | Exempt filings

- Exempt from review and approval, but not from filing or compliance with statute and rule.
- Permitted but subject to audit.
- Carriers can lose their ability to file exempt.
- High percentage of filings fail audit.
- If a filing fails audit, no future filings of that product should be filed as exempt.

Exempt filings that usually fail audit

- Filings with any utilization review.
 - National filings that aren't modified for Texas law.
-

Can't be exempt

- New or unusual products.
- Filings with preferred provider organization (PPO) or exclusive provider organization (EPO) structure.

TDI | Filing tips

- Only file the same form/form number once (except for substitutions).
- Don't include red-lined copies or previously approved forms. They should be in supporting docs.
- Don't combine different types of products with complicated variability (e.g., indemnity, PPO, EPO).
- Don't set the entire filing as confidential.
- Rejected filings can't be refiled as a resubmission - only disapproved filings.
- Don't file a new form as "substantially similar" to a very old form. The old form probably isn't compliant.
- DBAs, trademarks, service marks, and logos must be filed with Secretary of State and TDI Company Licensing before they can be included SERFF filings.

TDI | Statements of variability

- Avoid the statement “based on policyholder selection” unless truly optional.
- Avoid “based on plan design” if it is a required offer.
- Variability must fall entirely within legal requirements (e.g., for home health don’t file range of 30-120 when statute requires at least 60).

TDI | Top reasons for filing rejection

- Wrong or out-of-date checklist.
- Wrong type or subtype of insurance.
- Rates weren't provided separately in the rates/rule schedule.
- Rates selected on checklist don't match rates submitted.
- Multiple policies submitted under one filing.
- Missing filing package for forms previously disapproved or that failed audit with resubmission or audit revision.
- Missing form classification type.
- Unpaid filing fee balance over 120 days.
- Missing cover letter or information under SERFF General Information tab.
- Didn't comply with legislative updates.

TDI | Legislative updates

- Each regular Texas Legislative session begins in January in odd-numbered years.
- Issuers (including dental carriers) and HMOs must file updated forms to comply with new laws passed during each session.
- [Commissioner's Bulletin #B-0012-23](#), summarizes select bills enacted by the 88th Legislature that affect insurance and the people and entities that the Texas Department of Insurance (TDI) regulates.

TDI | Insurance and filing types

- Please ensure the TOI and sub-TOI of your SERFF submission matches the product filing.
- Please ensure the filing type matches the specific document being filed.
- When filing more than one kind of form, use the filing type that matches the largest document in your filing.

General Information

- Requested filing mode.
- Submission type.
- Group market type (if applicable).
- Filing description.

Form Schedule

Upload all forms submitted for review.

Supporting Documentation

- Transmittal checklist.
- Statement of variability.
- Actuarial memorandum (if applicable).

Filing Correspondence

- Objection letters.
- Filing dispositions.
- Notes to reviewer.
- Notes to filer.

TDI | Top objections

Excepted benefits

- Accident policy / expense incurred basis benefits / prosthetic and orthotic devices benefits.
- Adopted child definition / party in suit.
- Proof of loss / time deadline.

HMO

- Non-network diagnostic imaging services and lab services providers, balance billing.
- Behavioral health parity requirements.
- Initial adverse determination timeframes.

Major medical

- EPO / PPO written plan description.
- Teledentistry definition.

TDI | Top life insurance objections

Group life

- One group per checklist.
- Policyholder name on policy/certificate, discretionary group.
- Individual policy upon termination of employment or membership.
- Premium based on attained age and class.

Individual life

- A signed premium receipt-payment of the premium.
- Time deadline for death benefit payment.
- Accrued interest payment.

TDI | Top annuity objections

Group annuity

- One group per checklist.
- Discretionary clauses prohibited.
- Restrictions for separate accounts.

Individual annuity

- One surrender charge per form number.
- Eligibility / waiver of surrender charge / terminal illness.
- Recission period required, fixed and variable annuity.

TDI | Common compliance issues

- Putting language in a form that was removed from previous filings due to an objection.
- Inaccurate redlining.
- Abusing a form's exempt status under [28 TAC 3.4004](#) by filing large rate increases as exempt.
- Responses to objections that:
 - Don't respond to the objection.
 - Only provide a vague response.
 - Provide only amended language. No explanation of how the objection was addressed.

TDI | Post submission updates

- Use post submission updates to correct information under the General Information tab.
- Don't use post submission updates to add new forms to the Forms Schedule tab.
- Post submission updates are only allowed on open filings.

TDI | SERFF tips

- The [System for Electronic Rates and Forms Filing](#) (SERFF) is public access. Filings can be viewed without filing an open records request.
- Watch for SERFF blasts. SERFF and TDI use this channel to communicate important information to users and filers.
- You can reach the SERFF Help Desk at 816-783-8500 or serffhelp@naic.org.

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