

Arkansas Insurance Department

Mike Beebe
Governor



Jay Bradford
Commissioner

DIRECTIVE NO.: 3-2011

TO: ALL AUTHORIZED COMMERCIAL PROPERTY AND CASUALTY
INSURANCE COMPANIES AND OTHER INTERESTED PARTIES

FROM: ARKANSAS INSURANCE DEPARTMENT

SUBJECT: DIRECTIVE ON SERFF FILINGS SUBMITTED UNDER INCORRECT TYPE
OF INSURANCE ("TOI") CODE AND SUBSEQUENT NONCOMPLIANCE
WITH DEFENSE OUTSIDE THE LIMITS OF LIABILITY REQUIREMENTS
OF ARK. CODE ANN. § 23-79-307(5)(A) AND APPLICABLE AID
EXEMPTION ORDERS

DATE: December 8, 2011

The Arkansas Insurance Department ("Department") issues this Directive to advise that SERFF filings containing multiple Types of Insurance ("TOI"), commonly referred to as "package" filings, will no longer be accepted. For review purposes, the filing must be submitted under the correct TOI. The acceptance of "package" filings has resulted in the approval of some lines that are not in compliance with the defense outside the limits requirements or applicable exemption order requirements under Ark. Code Ann. § 23-79-307(5)(A). This Directive should not be interpreted to mean that "package" policies may not be marketed, but that different types of insurance must be individually filed so that we may review them separately to ensure compliance with the particular exemption order which may apply.

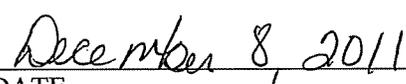
All previously filed and approved forms containing defense within the limits of liability that do not meet applicable exemption order requirements shall not be renewed subsequent to the current term of coverage. Complying forms must be submitted and approved to continue to market those lines of insurance.

Effective immediately, SERFF filings submitted under the incorrect TOI will be rejected and will result in the necessity for a new SERFF submission. Coverages affected are Employment Practices Liability, Directors and Officers, Professional Liability Errors and Omissions, Fiduciary/Trust, and Internet/Technology/Media Risk attaching to (including but not limited to) Commercial Multi-Peril, Commercial General Liability, Businessowners, Garageowners, and Commercial Farmowners.

For questions regarding this Directive, please contact Edith Roberts, Compliance Officer in the Property & Casualty Division at 501-371-2800 or via email at Insurance.PnC@arkansas.gov.



JAY BRADFORD
ARKANSAS INSURANCE COMMISSIONER



DATE