

Nebraska Department of Insurance

COMMERCIAL INLAND MARINE

Filing and Policy Requirements	Statutory and Regulatory Reference	Requirement Description
General Filing Requirements		
SERFF filing required	Guidance Document IGD-C9	As of May 1, 2010 all filings submitted to Nebraska are required to be submitted electronically, using the NAIC System for Electronic Rate and Form Filing. Contact person: Connie Van Slyke, 402-471-4647
Retaliatory Fees	NE Statute 44-150	Nebraska is a retaliatory state and all fees, premium taxes, deposits, and other charges will be charged at the rate in Nebraska Law or the rate charged by the domiciliary state, whichever is higher.
Unfair Trade Practices Act	NE Statute 44-1521 – 44-1535	Purpose is to regulate unfair trade practices in the business of insurance, in accordance with the intent of the Congress of the United States as expressed in Public Law 79-15, by defining, or providing for the determination of, all acts and practices in this state which constitute unfair trade practices and by prohibiting the acts and practices so defined or determined.
Underwriting Decisions	Guidance Document IGD-C2	Underwriting refusals based solely on previous non-renewal, rejection, or cancellation of property and casualty business – the Department’s position is that additional information seeking the reasons for past nonrenewals, rejections or cancellations should be solicited.
Form Filing Requirements		
Forms	NE Statute 44-7506 NE Statute 44-7508.01	File & Use – Filings must contain an effective date. The effective date can be the same as the day the Department receives the filing – not sooner
Filing Standards	Guidance Document IGD-C9 NE Statute 44-7501 – 44-7535	Nebraska Filing Bulletin – When revising currently approved forms, a comparison of the existing form should be included with all changes clearly identified (red-lined copies). An insurer does not need to file forms and endorsements that an advisory organization has filed on its behalf. Submit forms lists whenever forms are changed, added, or removed. Nebraska Rate and Form Act
Applications	NE Statute 44-7508.01	Must be filed if coverage is bound.
Arbitration	NE Statute 25-2602.01	Uniform Arbitration.
Cancellation & Non-Renewal	NE Statute 44-522	Sixty day notice is required for Cancellation or Non-Renewal Ten day notice is required for Nonpayment of Premium
Loss Settlement	NE Statute 44-501.02 Title 210, Chapter 60	Valued Policy Law Unfair Claim Settlement Act

	NE Statute 44-1536 – 44-1544	
Fraud & Misrepresentation	NE Statute 44-358	Policies; misrepresentations; warranties; conditions, effect
Rate Filing Requirements		
Rates	NE Statute 44-7506 NE Statute 44-7508	File & Use – Filings must contain an effective date. The effective date can be the same as the day the Department receives the filing – not sooner
Pricing	NE Statute 44-354 NE Statute 44-7509	Policies; Special fees prohibited. Rating Flexibility – insurers may increase or decrease premiums on an individual basis up to 40%
Additional criteria required	Title 210, Chapter 17	Underwriting Regulations