# WHAT MAKES A GOOD CALIFORNIA FILING?

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CAS 2017 RPM Seminar March 28, 2017



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The opinions expressed in this presentation and on the following slides are solely those of the presenter and not necessarily those of the California Department of Insurance.

## Agenda

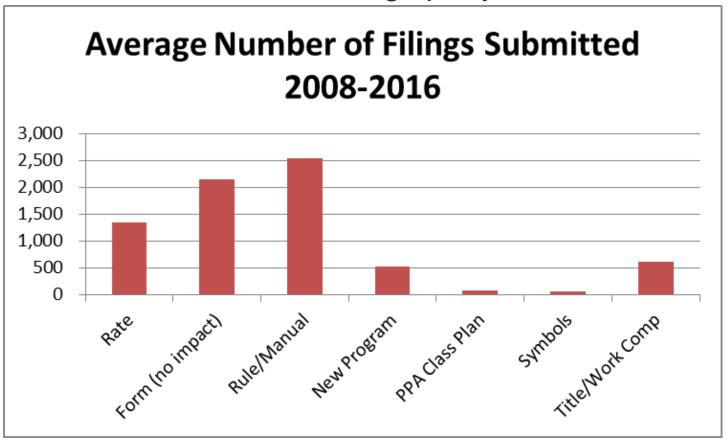
- Rate Regulation Branch
- All Filings
- Form Filings
- Rule Filings
- Rate Filings
- PPA Class Plan Filings
- Code
- Appendices
  - Code References
  - Where to Find Filing Instructions

# RATE REGULATION BRANCH

The Reviewed & the Reviewers

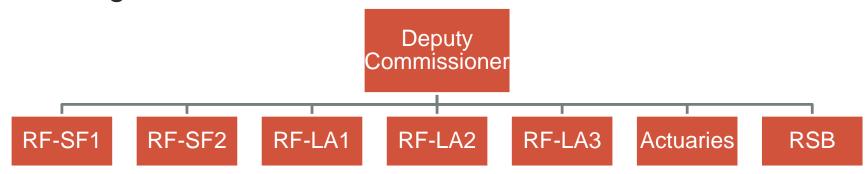
#### Before we get started...

 The Rate Regulation Branch (RRB) of the CDI receives between 6,500 and 8,000 filings per year.



## Who is reviewing these filings?

- 5 rate filing Bureaus, each headed up by Bureau Chief
  - 2 Bureaus in San Francisco
  - 3 Bureaus in Los Angeles
- 60+ rate analysts of varying levels
- 7 designated actuaries



# **ALL FILINGS**

**General Comments** 

### Filings are Communications

- Recognize that a filing is a communication; you are not merely populating a checklist.
  - Look at your filing from an outsider's perspective We do not have your Company's institutional knowledge regarding your coverages, underwriting, claims and marketing practices, rate structure, data, etc.
  - Document any changes This is necessary anytime there is a change in your Company's coverage, underwriting practices, claims-handling, marketing strategies, catastrophe definition, etc. from the historical period of your filing.
  - Document your analysis The filing offers you an opportunity to provide persuasive support for your desired revisions.
- Ensure that your communication (filing) is clear, consistent and complete.

#### Clear Communication

- Start with a CLEAR PROPOSAL.
  - What are you proposing? List all changes up front, including those that you deem to be "minor" or "immaterial". Be specific!
  - Clearly identify the location of the support for each change being requested (Page # of the Filing Memorandum, Exhibit #, Page # of Application).

#### Clear Communication

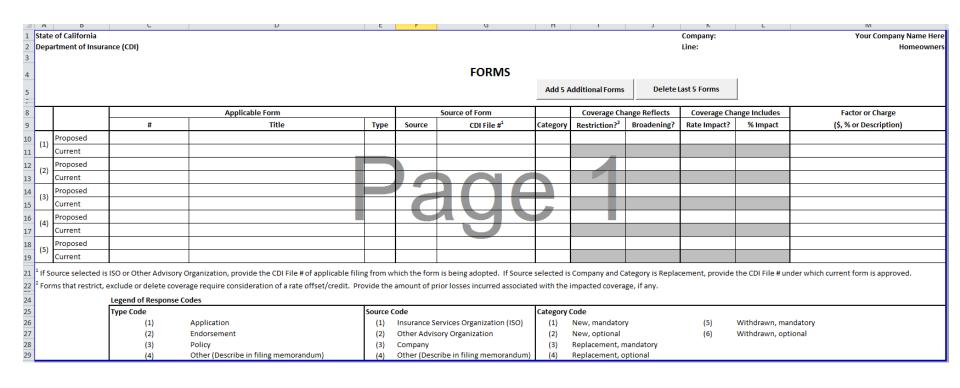
- Next, provide CLEAR SUPPORT.
  - Provide narrative to explain why you are making the proposal and how that proposal will apply to your book.
  - For rate filings, provide statistical or actuarial support with every change to rate segments.
  - Include narrative with all tables, graphs, charts, etc., with clear explanatory column headers, footnotes and labels.
  - Avoid the use of acronyms.
  - Remember ASOP 41: "Clarity The actuary should take appropriate steps to ensure that each actuarial communication is clear and uses language appropriate to the particular circumstances, taking into account the intended users."

#### Clear Communication

- Finally, provide CLEAR RESPONSES to objections.
  - Address the question asked fully, whether you agree with the premise or not.
  - In your response, it's helpful if you restate the original question asked.
  - Where objections require responses with numerical or statistical support, provide the response in Excel format (with formulas intact).
  - If submitting new exhibits in response to the objection, use exhibit or page numbers different from those in the original filing or prior objection responses.

# FORM FILINGS

# Form Filings – Application Page 9



### Form Filings – Application Page 9

- Complete Page 9 of the Prior Approval Rate Application.
- For both current (if any) and proposed forms, provide:
  - Form #
  - Form Title
  - Type of Form (select from a drop-down menu of 4 options Application, Endorsement, Policy or Other)
  - Source of Form (select from a drop-down menu of 4 options ISO, Other Advisory Organization, Company or Other)

### Form Filings – Application Page 9

- CDI File #
  - If Source is "ISO" or "Other Advisory Organization," provide the CDI File # from the applicable filing from which the form is being adopted.
  - If Source is "Company" and Category is "Replacement," provide the CDI File # under which the current form was approved.
- Category (select from a drop-down menu of 6 options New/mandatory, New/optional, Replacement/mandatory, Replacement/optional, Withdrawn/mandatory or Withdrawn/optional)
- Does the change reflect a coverage restriction? broadening?
- Does the coverage change include a rate impact? If so, how much?
- What's the charge \$, % or description if you need more space than allotted on the Application page, then attach a supplemental exhibit.

#### Form Filings – Other Requirements

- A clean copy of BOTH the current and proposed forms.
- A marked-up copy of the current form showing all revisions.
  - Use underline to identify additions to the current form.
  - Use brackets ([]) to identify deletions from the current form.
- Documents submitted in PDF format, with searchable text.
- A complete description of the form changes in the Filing Memorandum or Exhibit 19.

#### Form Filings – Other Requirements

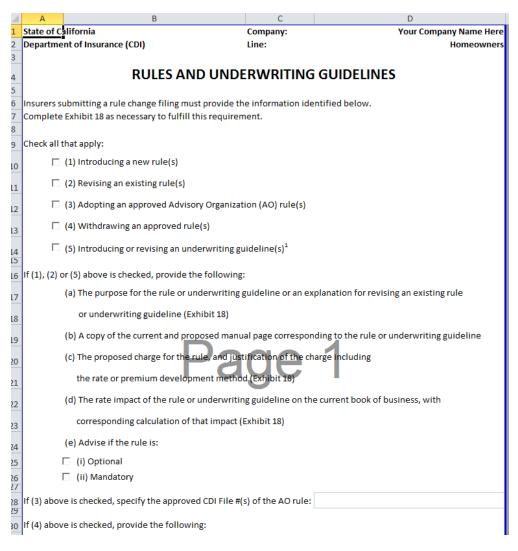
- Filings for new forms or form changes that seek to restrict, exclude or delete coverage:
  - Require consideration of a rate offset or credit.
  - Require submission of prior incurred losses associated with the impacted coverage.
  - Require justification for the remaining coverages.
- Forms with a corresponding rate charge require a rating rule to accompany the submission.

#### Form Filings – Other Requirements

 Upon approval of any changes to basic policy contracts or mandatory forms for HOMEOWNERS, RENTERS or CONDOMINIUMS, upload the revised forms and relevant summary language in the Homeowners Coverage Comparison Tool posted on the Department's public website.

# RULE FILINGS

## Rule Filings – Application Page 10



### Rule Filings – Application Page 10

- Complete Page 10 of the Prior Approval Rate Application.
- Identify the purpose of the filing:
  - Introduce a new rule;
  - Revise an existing rule;
  - Adopt an approved Advisory Organization rule;
  - Withdraw an approved rule; or
  - Introduce or revise an underwriting guideline.
- Provide an explanatory narrative discussing the purpose of the new rule or guideline, or justification of the revision to an existing rule or guideline, in Exhibit 18.

#### Rule Filings – Other Requirements

- When rating rules and underwriting guidelines with rate impact are revised, the following items must accompany the Application:
  - A clean copy of the current rating rules and underwriting guidelines.
  - A marked-up copy of the current rating rules and underwriting guidelines.
    - Use underline to identify additions to the current form.
    - Use brackets ([]) to identify deletions from the current rules and guidelines.
  - A clean copy of the COMPLETE proposed rating rules and underwriting guidelines.

#### Rule Filings – Other Requirements

- Documents submitted in PDF format, with searchable text.
- Justification of any rate impact that occurs as a result of a rule change.
- Other considerations for rule filings:
  - Any changes to fees or other charges identified on the Rate Application, page 8 (Miscellaneous Fees) requires a rule filing.
  - Mutually exclusive underwriting guidelines must be provided for programs with rating tiers.
  - Underwriting guideline changes that have an impact on rates must be submitted in a rule filing for prior approval.

# RATE FILINGS

#### Rate Filings – Complete Submission



#### Filing Memorandum

- Provides summary of proposed changes.
- Provides additional explanation of enclosed exhibits.



#### Rate Application

- Provides basic company and filing information.
- Submitted in Excel and PDF format.



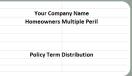
#### Rate Template – The "Guts" of the Filing

- All data inputs into the rate indication calculation.
- Submitted in Excel and PDF format.



#### Standard Exhibits Template

- Provides for standardized format for Exhibits 5, 7 and 8.
- Submitted in Excel and PDF format.



#### Other Exhibits

- Justification for all other calculations and inputs to Rate Template.
- Submitted in Excel and PDF format, as indicated in Instructions.

#### Rate Filings – Consistent Submission



### Actuarial Topics – Severity Trend

 Filing Memorandum describes "recent deterioration in severity trends."

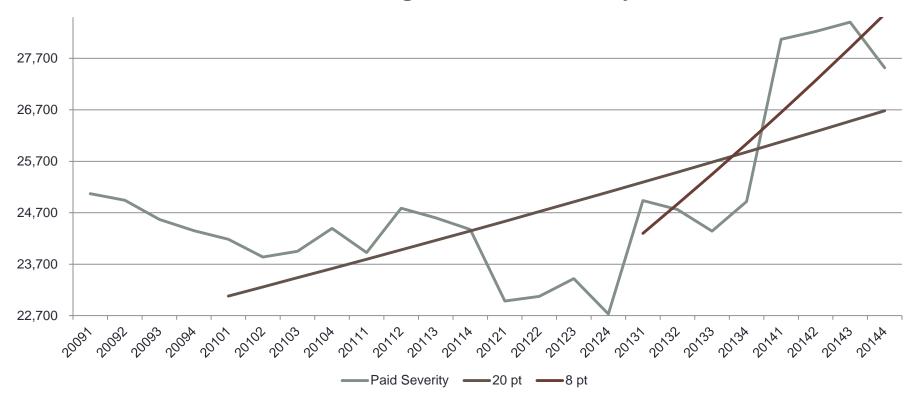
	Paid Severity			
	Annual Trend	R <sup>2</sup>	Stable!	
8 pt	9.67%	0.686		Responsive
12 pt	9.05%	0.825		
16 pt	4.66%	0.532	4	₩ seGEEK
20 pt	3.10%	0.445		
24 pt	1.81%	0.272		

Graph1 Graph2

#### Actuarial Topics – Severity Trend

Take a look at the graph:

#### California Rolling 4-Qtr Paid Severity Trend



# Actuarial Topics – Severity Trend

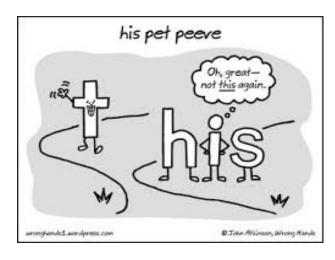


#### Rate Filings – General Expectations

- Recognize that every filing stands on its own merits.
- Provide theoretically sound assumptions and methods.
  - Example: Credibility standards.
- Provide judgment-based selections that are justified and reasonable.
  - Example: New variables for which no data is available.
- Provide selections based on the California regulatory standard of "most actuarially sound."
  - Example: Loss development or loss trend.

### Rate Filings – General Expectations

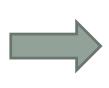
 "This method was approved by your Department in our last filing" is NOT acceptable as justification for the method you are using in your current filing.



- "This method was approved by your Department in Company X's last filing" is **NOT** acceptable as justification for the method you are using in your current filing.
- In approving a filing, the Department does not necessarily approve the individual methodologies or assumptions therein!

#### Rate Filings – General Expectations

- Department oversight in prior filings is NOT an acceptable justification for violating regulations.
- Grace given by the Department in prior filings is NOT an acceptable justification for violating regulations.



Filings must be compliant with the California Insurance Code (CIC) and California Code of Regulations (CCR).

## PPA CLASS PLAN FILINGS

#### PPA Class Plans – General Comments

- An insurer's class plan is comprised of three Mandatory Rating Factors, Optional Rating Factors and Other "Non-Rating" Factors:
  - 1st Mandatory Factor Driver Safety Record (DSR).
  - 2<sup>nd</sup> Mandatory Factor Annual Mileage.
  - 3<sup>rd</sup> Mandatory Factor Years Driving Experience (YDE).
  - Allowable Optional Rating Factors:
    - Vehicle type,
    - Vehicle performance capabilities,
    - Vehicle use,
    - Percent use of vehicle by rated driver,
    - Multi-vehicle households,
    - Academic standing of the rated driver,

#### PPA Class Plans – General Comments

- Allowable Optional Rating Factors (continued)
  - Completion of driver training/defensive driving courses by the rated driver,
  - Vehicle characteristics,
  - Gender of the rated driver,
  - Marital status of the rated driver,
  - Persistency,
  - Non-smoker,
  - Secondary Driver Characteristics,
  - Multi-policies with the same, or an affiliated, company,
  - Relative claims frequency, and
  - Relative claims severity.

### PPA Class Plans – General Comments

- Other ("Non-Rating") Factors
  - Increased Limits factors for liability coverages,
  - Deductibles, Symbol and Model Year factors for physical damage coverages,
  - Good Driver Discount for all coverages.
- Symbol and Model Year factors for *liability* coverages are considered Rating Factors and must be included in the sequential analysis for those coverages.
- The three Mandatory Rating Factors may not be combined with each other.
- Years Driving Experience may be combined with the following Optional Rating factors: Percent Use, Academic Standing, Gender, Marital Status and Driver Training.

- The Filing Memorandum must disclose the date of the data underlying the analysis, and describe all adjustments made to the data to reflect "Non-Rating" factors (limits for liability coverages, deductibles, model year, symbol, etc. for physical damage coverages, and Good Driver Discount, if not included in analysis).
- The method used for Sequential Analysis must comply with CCR §2632.7.
  - Analyze rating factors "one at time."
  - Analyze rating factors "in order": 1<sup>st</sup> Mandatory Factor, 2<sup>nd</sup>
     Mandatory Factor, 3<sup>rd</sup> Mandatory Factor, followed by any and all
     allowable Optional Rating Factors.
  - Analyze Frequency and Severity Bands, if used, last.

- Submission of a class plan filing must include a Sequential Analysis in Exhibit 4, in working Excel format (with formulas intact). (CCR §2632.7)
- The publicly filed exhibit must include, by rating segment within Rating Factor:
  - Exposures (Vehicles)
  - Losses
  - Unadjusted Pure Premium
  - Average PRFPF (prior relativities) or Average PPBOPF (loss residuals)
  - Unadjusted Indicated Relativity
  - Current Relativity
  - Current Balanced Relativity
  - Credibility
  - Credibility-Weighted Indicated Relativity
  - Balanced Credibility-Weighted Indicated Relativity
  - Selected Relativity
  - Balanced Selected Relativity

- Submission of a class plan filing must include an updated analysis of Frequency and Severity Bands in Exhibit 5, in working Excel format (with formulas intact). (CCR §2632.9)
- Band definitions may be based on:
  - "The 2008 California Private Passenger Auto Frequency and Severity Bands Manual, 2<sup>nd</sup> Edition (Updated With Data Through 2011)" aka the "Bands Manual," or
  - The insurer's own data by census tract or ZIP code.

- To the extent the insurer's own data is not credible, the insurer may either
  - Use the bands definitions as published in Bands Manual, or
  - Credibility-weight its own data with the Bands Manual.
- Where the Bands Manual is already credibility-weighted, the insurer may either
  - Use the credibility-adjusted data from the Bands Manual as a complement of credibility to their own data, or
  - Combine the unadjusted data from the Bands Manual with the insurer's own unadjusted data.\*

- Band assignments based on those of your competitors does NOT comply with CCR §2632.9.
  - Exception: An new company may file for an exact "me-too" of a competitor's filing, provided that filing complies with CCR §2632.9.
- Band assignments based on your data aggregated into groups of ZIP codes does NOT comply with CCR §2632.9, except as allowed under provisions specified by CCR §2632.9(d)(2)(B)2.

- Submission of a class plan filing must include the calculation of factor weights in Exhibit 7, in working Excel format (with formulas intact). (CCR §2632.8)
- For purposes of calculating Factor Weights only,
  - Bodily Injury may be combined with Property Damage.
  - Comprehensive may be combined with Collision.
- The exposure distribution used to determine the Factor Weights may be based on:
  - The insurer's currently insured vehicles, or
  - The same data underlying the insurer's sequential analysis, or
  - The set of insured vehicles published by the CDI (generic vehicle dataset).

- If the insurer's rating plan includes categories for the Mandatory Rating Factors that are not available in the CDI generic vehicle dataset, the insurer may NOT use that dataset to determine the factor weights.
- The weight for Years Driving Experience (YDE) must include the contribution of YDE to any combination factor included in the insurer's rating plan. (See "Mileage and/or Years Licensed & Allowable Optional Rating Factors Form" for example of how to tease out weights for the individual rating factors.)

## PPA Class Plans – Hybrid Rating Plans

- CCR §2632.8 discusses the method for calculating the factor weight for both multiplicative and for additive rating factors.
- Hybrid rating structures that include both additive and multiplicative rating elements may add a complication to the calculation of factor weights.
- The onus is on the insurer to prove that its weights comply with the regulations.
- Absent that proof, the Department may ask that the insurer convert its rating structure to a fully additive or fully multiplicative rating structure.

# FINAL COMMENTS

### **Final Comments**



- Familiarize yourself with the California Insurance Code (CIC) and the California Code of Regulations (CCR).
- Familiarize yourself with the Prior Approval Rate Filing Instructions.
- Familiarize yourself with the Private Passenger Auto Class Plan Filing Instructions.
- Review the CAS or AAA Code of Professional Conduct.

# **APPENDICES**

### Ahhh...the Infamous Code References

#### Approval of Insurance Rates:

California Insurance Code, §1861.05

- (a) "No rate shall be approved or remain in effect which is excessive, inadequate, unfairly discriminatory or otherwise in violation of this chapter."
- (b) "Every insurer which desires to change any rate shall file a complete application with the commissioner. A complete application shall include all data referred to in Sections 1857.7, 1857.9, 1857.15,<sup>2</sup> and 1864 and such other information as the commissioner may require." (emphasis added)
  - <sup>2</sup> Repealed

California Insurance Code, §1861.07

"All information provided to the commissioner pursuant to this article shall be available for public inspection,...."

#### Review of Rates:

California Code of Regulations, Title 10, Chapter 5, Subchapter 4.8, §2641.1 - §2644.27

### Private Passenger Class Plans:

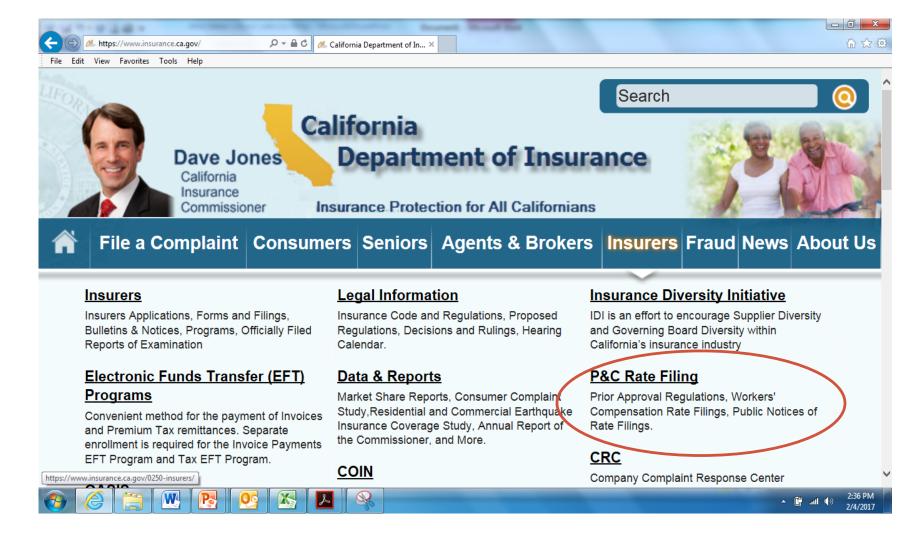
California Code of Regulations, Title 10, Chapter 5, Subchapter 4.7, §2632.1+

## Where to Find the Filing Instructions

- CDI website Insurer Overview
- SERFF Filing Rules/Requirements for California



# CDI website: www.insurance.ca.gov (hover over Insurers)



# CDI website: www.insurance.ca.gov (click on "Prior Approval Rate Filing Information")



https://www.insurance.ca.gov/0250-insurers/0800- P + 🗎 C 🚜 Rate Filings

View Favorites Tools Help

Effective September 1, 2015, the California Department of Insurance ("the Department") is adopting new versions of the Prior Approval Rate Application and Prior Approval Rate Template, and introducing a new Standard Exhibits Template. Use of the new application and templates is mandatory for any filing submitted on January 1, 2016 and thereafter. The previous application and templates may be used for submissions made before that date.

Click on the link below for more information:

The New Prior Approval Rate Application Process - A Tutorial

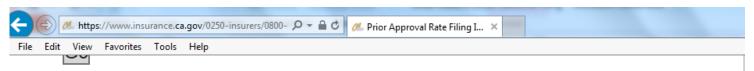
Prior Approval Rate Application Process FAQs 12-11-15

### Notice Regarding Property & Casualty Rate Application Filing Requirements

Electronic Filing Through SERFF Required as of January 1, 2015 Effective January 1, 2015, the California Department of Insurance (CDI) will require that all Preparty 8 Casualty Bate Applications he submitted

### **Insurers Overview** Insurers Electronic Funds Transfer (EFT) Programs OASIS **Legal Information** Data & Reports COIN Insurance Diversity Initiative → P&C Rate Filing Viewing Room Rate Filing Lists Prior Approval Rate Filing Information CRC

# CDI website: www.insurance.ca.gov (click on "Prior Approval Rate Filings Instructions")



Insurers Overview / P&C Rate Filing / Prior Approval Rate Filing Information

### Prior Approval Rate Filing Information

Please use the most current rate application posted below.

For a summary of changes included in the new versions, please refer to the Application Change Log, revised 10-24-2016

- The New Prior Approval Rate Application Process A Tutorial, Edition 04-29-16
- Application Change Log (RFAD FIRST), revised 12-13-2016
- Prior Approval Rate Filing Instructions, Edition 04-29-2016
  - Prior Approval Rate Application, Edition 10-24-2016
  - Prior Approval Rate Template, Edition 12-13-2016
  - Standard Exhibits Template, Edition 10-24-2016
  - Prior Approval Factors (Efficiency Standard, Reserve Ratios, Leverage Factors)
  - Maximum Permitted Rate of Return & Yields for Investment Income Calculation - Jan 2017 (Date Posted: Feb 1, 2017)

# CDI website: www.insurance.ca.gov (click on "Class Plan Application Instructions")

### Prior Approval Rate Filing Information

- Prior Approval Rate Filing Instructions
- Prior Approval Rate Filing Application
- Prior Approval Factors
- Prior Approval Template

### Class Plan

Class Plan Application 04/15/11

Class Plan Application Instructions 04/15/11

Proxy Weighting Calculation

Mileage and/or Years Licensed & Allowable Optional Rating Factor Form

2008 Bands Manual Second Edition (Updated with data through 2011)

2008 Frequency and Severity Bands Manual Second Edition Data

California

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# SERFF Filings Rules - Requirements

Filings	Messages	Settings	Filing Rules	Reports	Alerts			
General Instruction	ns Requirements	Types of Insura	ance Filing Types	Submission Req	uirements			
Find Requirements								
						Name:		
						Business Type:	Both	~
						State Instances		

Alabama AlabamaLife

Alaska AlaskaLH

Arizona

ArizonaLH Arkansas

ArkansasLH CaliforniaCC CaliforniaDMHC

Find

## Requirements – Rate Filings



## Requirements – Rate Filings

Business Type: Property & Casualty

Require Per Company: No

Parse Attachments? No

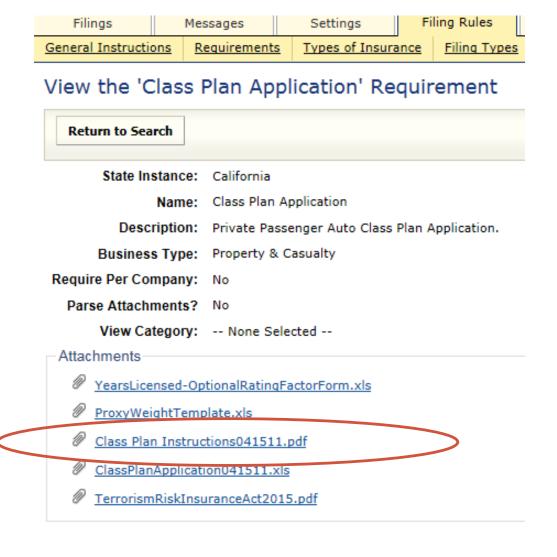
View Category: -- None Selected --

#### Attachments

- PriorAppRateFilingInstr Ed 04-29-2016.pdf
- The New Prior Approval Rate Application Process A Tutorial Revised 04-29-2016.pdf
- PriorAppRateTl Ed12-13-2016.xlsm
- StdExhTl Ed10-24-2016.xlsm
- PriorAppRateAPL Ed10-24-2016.xlsm
- Application Change Log.pdf

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## Requirements – Class Plan Filings



# QUESTIONS?