

WAC 284-24-120 Rate filing requirements are suspended for large commercial accounts. (1) Under RCW 48.19.080, the commissioner will suspend the rate filing requirements in chapter 48.19 RCW for large commercial property and casualty accounts.

(2) For purposes of this section, "large commercial property and casualty account" means property and casualty insurance as defined in WAC 284-24-001(10) that is purchased by a business, not-for-profit organization, or public entity with enough insurance buying experience to negotiate with insurers in a largely unregulated environment and that meets any two of the following criteria:

(a) Annual premiums of one hundred thousand dollars or more, excluding workers compensation insurance issued by the department of labor and industries and types of insurance listed in subsection (6) of this section;

(b) Net revenues or sales in excess of one hundred million dollars;

(c) More than two hundred employees;

(d) Net worth over fifty million dollars;

(e) Is a not-for-profit organization or public entity with an annual budget or assets of at least forty-five million dollars;

(f) Is a municipality with a population over fifty thousand.

(3) Before an insurer issues coverage under this section, the insurer or its insurance producer must notify the insured in writing that the rates have not been and will not be filed with the commissioner for approval.

(4) The Washington Insurance Examining Bureau will not audit rates used on large commercial property casualty accounts under WAC 284-20-006.

(5) The commissioner may examine rates used for pricing large commercial property and casualty accounts to determine if they meet the requirements of chapter 48.19 RCW and Title 284-24 WAC. If an insurer relies on this section to issue a policy, the insurer must keep supporting documentation for the underlying rates and final premium determination for a minimum of three years after the policy is issued and make it available to the commissioner upon request.

(6) Subsection (1) of this section does not apply to:

(a) Professional liability insurance, including all types of malpractice and errors and omissions insurance;

(b) Reimbursement insurance policies that indemnity service contract providers or protection product guarantee providers for contractual obligations assumed under a service contract or protection product guarantee; and

(c) Master policies under which certificates of coverage are issued to individual consumers, households, businesses, or other organizations.

[Statutory Authority: RCW 48.02.060, 48.110.150. WSR 08-21-091 (Matter No. 2007-11), § 284-24-120, filed 10/15/08, effective 2/1/09. Statutory Authority: RCW 48.02.060 and 48.19.080. WSR 07-09-085 (Matter No. R 2006-12), § 284-24-120, filed 4/17/07, effective 5/18/07. Statutory Authority: RCW 48.02.060, 48.18.100(6), and 48.19.080. WSR 04-01-175 (Matter No. R 2003-04), § 284-24-120, filed 12/23/03, effective 1/23/04. Statutory Authority: RCW 48.02.060, 48.18.100, 48.19.080. WSR 02-02-068 (Order R 2001-09), § 284-24-120, filed 12/28/01, effective 12/31/01. Statutory Authority: RCW 48.02.060 and 48.19.080. WSR 99-23-068 (Matter No. R 99-5), § 284-24-120, filed 11/15/99, effective 12/16/99.]