

# COMMONWEALTH OF VIRGINIA

JAMES M. THOMSON  
COMMISSIONER OF INSURANCE

THOMAS S. NARDO  
FIRST DEPUTY COMMISSIONER



BOX 1157  
RICHMOND, VA. 23209  
TELEPHONE (804) 786-3741

## STATE CORPORATION COMMISSION BUREAU OF INSURANCE

June 18, 1984

ADMINISTRATIVE  
LETTER 1984-3

RE: Form Approval Requirements as Provided by Section 38.1-342.1 of the Code of Virginia

Section 38.1-342.1 of the Code of Virginia provides, in part, that the types of insurance forms specified must be filed with the Commission and approved by the Commission in writing before such forms may be issued or issued for delivery in Virginia. The Bureau of Insurance has consistently maintained that Section 38.1-342.1 would not allow a contract of insurance to be put in force (or for coverage under a contract to take effect) unless and until the forms related to such contract have been filed with and approved by the Commission.

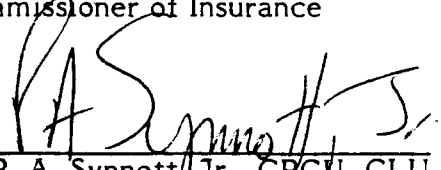
During the past year, we have been made aware of an increasingly common practice, whereby an insurer will negotiate for and provide coverage under a plan of insurance, but will delay the actual issuance of a policy until after the form has been approved.

The purpose of this letter is to advise all insurers subject to the requirements of Section 38.1-342.1 that practices such as that described above are not allowable. We have initiated disciplinary actions against insurers in cases where these practices have been brought to our attention, and will continue to do so in the future.

Any questions regarding this letter should be addressed, **IN WRITING**, to:

Robert L. Wright, CLU  
Supervisor  
Forms and Rate Section  
Life and Health Division  
Bureau of Insurance  
P. O. Box 1157  
Richmond, Virginia 23209

James M. Thomson  
Commissioner of Insurance

By   
P. A. Synnott, Jr., CPCU, CLU  
Deputy Commissioner  
Market Regulation

JMT/pasjr./ds