COMMONWEALTH OF VIRGINIA

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COMMISSIONER OF INSURANCE

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## STATE CORPORATION COMMISSION BUREAU OF INSURANCE

January 29, 1990

Administrative Letter 1990-2

TO: All Companies Licensed to Write Commercial Liability Insurance

RE: Report of Certain Liability Claims as Required by Virginia Code Section 38.2-2228.1 due September 1, 1990

Virginia Code Section 38.2-2228.1 requires that <u>all</u> liability claims for commercial liability insurance as defined in Sections 38.2-117 (Personal injury liability) and 38.2-118 (Property damage liability) be reported annually to the State Corporation Commission (SCC). To collect the required data, the SCC Bureau of Insurance has developed the attached markets (See Exhibit 2) and reporting formats that insurers are required to complete. Mutual assessment insurers and insurers with 1989 written premiums for "Other Liability" and "Medical Professional Liability" combined totaling \$100,000 or less (lines 17 and 11 respectively of page 14 of the Annual Statement) are exempt from the data reporting requirements.

A separate report is required for each market definition by each insurer not exempt from the data reporting requirements. For the purposes of the data report, "insurer" shall mean an individual insurer or group of insurers including <u>all</u> companies under common ownership or control. A combined report must indicate it is a group report and include the group name and NAIC number as well as the name and NAIC number of each individual company comprising the group. These reports are due (must be received by) September 1, 1990.

Insurers shall report data in the detail prescribed by the report formats. If some information is not available, insurers should estimate appropriate figures to complete the form.

Any insurer that is experiencing difficulty in submitting typed reporting form numbers VCR1, VCR2, VCR3, VCR4, VCR5, and VCR6 may wish to reproduce these forms (expanding their width size) in order to insure readability.

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The market definitions provided are to be used as a guide in defining specific markets which are required to be reported. Insurers should also report the required information for policies written under any comparable classification in use by the individual company.

Insurers who are members or subscribers of ISO should contact their liaison officer regarding the computerized transmission. Other insurers not affiliated with ISO should write to the Property and Casualty Division of the Bureau of Insurance requesting assistance.

Actuarial questions about the report may be addressed to our consulting actuary at the following address:

Dennis R. Henry, FCAS, MAAA
Vice President
Consulting Actuary
Huggins Financial Services
Suite 1400
1600 Market Street
Philadelphia, PA 19102
Telephone: (215) 246-2780

Virginia Code Section 38.2-218 provides that any person who knowingly or willfully violates any provision of the insurance laws shall be punished for each violation by a penalty of not more than \$5,000. Failure to file a substantially complete and accurate liability claims report by the due date may be considered a willful violation and subject to an appropriate penalty.

Attached is a sheet of additional instructions to facilitate accurate completion of the required reports.

Singerely,

Commissioner of Insurance

STF:km Attachments

## LIABILITY CLAIMS REPORT INSTRUCTIONS

The following should be utilized to assure the proper completion and submission of the liability claims reports which must be received by the Commission on or before September 1, 1990.

- Do not change the format of the report except to expand their width size to ensure readability.
- Submit only one report per market definition (generally described by CSP subline codes) except as noted in 5. below. (Do not combine markets or sublines and do not provide reports on separate classifications within a market.)
- 3. In the event you had no written premium in 1989 for a specific market definition, or in the event you had 1989 written premiums for "Other Liability" and "Medical Professional Liability" combined totaling \$100,000 or less (lines 17 and 11 respectively of page 14 of the Annual Statement), complete Exhibit 1. Completion of Exhibit 1 verifies that you are exempt from the data reporting requirements.
- 4. Reports must contain the complete verbal name and NAIC number of each individual insurer and the group name and group NAIC number, if a group report.
- 5. Claims made coverage and occurrence coverage data should be reported by separate reports. In addition, tail coverage and basic coverage for claims made data should each be identified on a separate report. In the space provided on the form indicate the type of coverage being reported.
- 6. All data applicable for deductible liability insurance should be included with data for non-deductible insurance and must not be reported separately.
- 7. All bodily injury, property damage and medical payments data for each type of coverage should be combined to provide one report.
- Reports are due (must be received by) September 1, 1990.

## VIRGINIA LIABILITY CLAIMS REPORT DEFINITIONS

## Calendar Year Earned Premium

Report premium that is earned during the Calendar year beginning January 1st and ending December 31st for each year.

## <u>Incurred But Not Reported (IBNR) Loss and Allocated Loss Adjustment Expenses</u>

Report IBNR loss and allocated loss adjustment expense reserves segregated by year of accident or occurrence at annual intervals for each accident year. IBNR is the amount held in reserve for claims which have occurred, but have not yet been reported, plus the amount held in reserve for the deficiency (or redundancy) of known case reserves. It is the estimated ultimate incurred loss and allocated loss adjustment expenses for each accident year as of the particular evaluation date minus the incurred loss and allocated loss adjustment expenses for all reported accidents as of the particular evaluation date.

## Evaluation Dates

Report data on a cumulative basis for the evaluation points indicated up to 108 months.

## Market Definitions

The attached Insurance Services Office (ISO) Commercial Statistical Plan (CSP) subline and classification codes are to be used as a guide in defining specific markets which are required to be reported. Insurers should also report the required premium and loss data written under any comparable classification in use by the individual company.

## Attorney's Fees

Attorney's fees are all expenses billed by an attorney to the insurer including hourly billings, expert or other witnesses, stenographic, summons and copies of documents.

## ANNUAL REPORT OF VIRGINIA COMMERCIAL LIABILITY CLAIMS AS REQUIRED BY SECTION 38.2-2228.1 OF THE CODE OF VIRGINIA

This report is due (must be received by) September 1, 1990. For each market 1, 1990. For each market 1, 1990. For each market 1, 1990. For cach market 1, 1993. For cach ma	you can:					r Group kepol	(and if Group Report GROUP NAIC#)	(#
Calendar year earned premium.  Total amount of attorney's fees paid in connection with the claim(s) to the extent these amounts are known (evaluated as of 3/31/89 on an accident year basis).  Total amount of paid and outstanding unallocated loss adjustment expense in connection with the claim(s) to the extent these amounts are known (evaluated as of 3/31/89 on an accident year basis).		) September 1 information r		each market the State	Covera Code (P	ase c	one only) Made Tail C ence Made - No F	overage etroactive date No retroactive dat
Calendar year earned premium.  Total amount of attorney's fees paid in connection with the claim(s) to the extent these amounts are known (evaluated as of 3/31/89 on an accident year basis).  Total amount of paid and outstanding unallocated loss adjustment expense in connection with the claim(s) to the extent these amounts are known (evaluated as of 3/31/89 on an accident year basis).			:		(\$000 omi		İ	
Total amount of attorney's fees paid in connection with the claim(s) to the extent these amounts are known (evaluated as of 3/31/89 on an accident year basis).  Total amount of paid and outstanding unallocated loss adjustment expense in connection with the claim(s) to the extent these amounts are known (evaluated as of 3/31/89 on an accident year basis).		1983	1984	1985	1986	1987	1988	6 months 1989
	2. Calendar year earned premium.							
	<ol> <li>Total amount of attorney's fees paid in connection with the claim(s) to the extent these amounts are known (evaluated as of 3/31/89 on an accident year basis).</li> </ol>							×××
	Total amount of paid and outstanding unallocated loss adjustment expense in connection with the claim(s) to the extent these amounts are known (evaluated as of 3/31/89 on an accident year basis).							XXX
	Telephone:			Print	Name:			
	Date:							

Coverage	Code	(Please check one only)	1. ( ) Claims Made	2. ( ) Claims Made Tail Coverage	3. ( ) Occurrence	4. ( ) Claims Made - No retroactive date	5. ( ) Claims Made Tail - No retroactive data
VIRGINIA LIABILITY CLAIMS REPORT	(\$000 Omitted)						
			Insurer	NAIC # or GROUP #		7. Market	(from #1 on page 1)

<sup>8.</sup> For accident years beginning with 1980, list the cumulative paid loss and allocated loss adjustment expense at the various points in time.

## PAID LOSS AND ALLOCATED LOSS ADJUSTMENT EXPENSES EVALUATED AS OF:

	09		
	25		<del>1</del>
	24		Ξ
	51		108
	87		102
	45		66
	27		<b>%</b>
	39		83
	36		06
	33		28
	30		<b>6</b>
	27		£
	54		<b>8</b>
	21	××	25
	18	××	22
	15	×××	6
	12	×××	99
	6 Mos	* * * * * * * * * *	63
Accident	Year	1980 1981 1982 1984 1985 1986 1988	Accident Year 1980 1981 1985 1984 1985 1986 1988

.AIMS REPORT Coverage	(Please check one only)	1. ( ) Claims Made	2. ( ) Claims Made Tail Coverage	3. ( ) Occurrence	4. ( ) Claims Made - No retroactive date	
VIRGINIA LIABILITY CLAIMS REPORT (\$000 Omitted)		Insurer and a second as the se	MAIC # OF GROUP #		narket	(Trom #1 on page 1)

For accident years beginning with 1980, list the case outstanding loss and allocated loss adjustment expense (excluding IBNR) at the various points in ٥.

# CASE OUTSTANDING LOSS AND ALLOCATED LOSS ADJUSTMENT EXPENSES EVALUATED AS OF:

	9																						
	57												114										
	24												Ξ										
	51												108										
	87												102										
	45												66										
	75												96										
	39												93										
	36												06										
	33												87										
	30												84										
	27												18										
	54												78										
	21	XXX											22										
	18	×××											22										
	15	XXX											69										
	12	XXX											99										
	6 Mos	XXX	XXX	XXX	XX	××	XXX	×××	XXX	XXX			63										
Accident	Year	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	Accident	Year	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989

	VIRGINIA LIABILITY CLAIMS REPORT	Coverage
	(\$000 Omitted)	Code
		(Please check one only)
Insurer		1. ( ) Claims Made
NAIC # or GROUP #		2. ( ) Claims Made Tail Coverage
		3. ( ) Occurrence
10. Market		4. ( ) Claims Made - No retroactive date
(from #1 on page 1)		5. ( ) Claims Made Tail - No retroactive data

## INCURRED LOSS AND ALLOCATED LOSS ADJUSTMENT EXPENSES EVALUATED AS OF:

	9																						
	22												114										
	24												111										
	51												108										
	84												102										
	45												66										
	75												%										
	39												93										
	36												06										
	33												87										
	30												<b>%</b>										
	27												18										
	54												78										
	21	XXX											22										
	18	XXX											72										
	15	XXX											69										
	12	XXX											99										
	6 Mos	xxx	XXX	XXX	XXX	XXX	XXX	×××	×××	XXX			63										
Accident	Year	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	Accident	Year	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989

For accident years beginning with 1980, list the cumulative incurred loss and allocated loss adjustment expense (excluding IBNR) at the various points in time. (sum of 8 and 9). Ξ.

Coverage	Code
VIRGINIA LIABILITY CLAIMS REPORT	(\$000 Omitted)

(Please check one only)

1. ( ) Claims Made

2. ( ) Claims Made Tail Coverage

3. ( ) Occurrence

4. ( ) Claims Made - No retroactive date

5. ( ) Claims Made Tail - No retroactive data (from #1 on page 1) NAIC # or GROUP # Market Insurer

## ACTUAL NUMBER OF INCURRED CLAIMS AS OF:

09		
25		<del>1</del>
		<b>=</b>
54		<b>&amp;</b>
51		108
87		102
45		<b>%</b>
75		%
39		83
36		06
33		887
30		<b>%</b>
27		<b>8</b>
54		8
21	×××	72
18	××	22
15	×××	<b>%</b>
		•
12	×××	99
SOM 9	× × × × × × × × × × × × × × × × × × ×	63
Accident Year	1980 1981 1982 1983 1985 1986 1988	Accident Year 1980 1981 1983 1984 1985 1986 1987

<sup>12.</sup> For accident years beginning with 1980, list the cumulative number of incurred claims at the various points in time.

Coverage Code	(Please check one only) 1. ( ) Claims Made	2. ( ) Claims Made Tail Coverage	3. ( ) Occurrence	4. ( ) Claims Made - No retroactive date	5. ( ) Claims Made Tail – No retroactive data
VIRGINIA LIABILITY CLAIMS REPORT (\$000 Omitted)					
	Insurer	NAIC # or GROUP #		15. Market	(Trom #1 on page 1)

## INCURRED BUT NOT REPORTED (IBNR) LOSS AND ALLOCATED: LOSS ADJUSTMENT EXPENSE EVALUATED AS OF:

\cc i dent									
rear	12 Mos	54	36	87	09	72	84	%	108
1980	XXX								
1861	×××								
1982									
1983									
1984									
1985									
986									
1987									
886									
686									

For accident years beginning with 1980, list the IBMR for loss and allocated loss adjustment expense for each evaluation. 14.

## EXHIBIT 1

INSURER \_\_\_\_\_ NAIC #\_\_\_\_

for "	Column A when you had no written premium B when you had 1989 written premiums of Other Liability" and "Medical Profested (lines 17 and 11 respectively of pagement).	\$100,000, or :	less,
		Column A	Column B
C0001	OWNERS LANDLORDS AND TENANTS INCLUDING STOREKEEPERS' LIABILITY		
C0011	MANUFACTURERS AND CONTRACTORS LIABILITY		
C0022	PREMISES/OPERATIONS LIABILITY		
C0023	LIQUOR LIABILITY		
C0024	PROFESSIONAL LIABILITY OTHER THAN MEDICAL		
C0030	LAWYERS PROFESSIONAL LIABILITY		
C0031	DIRECTORS AND OFFICERS LIABILITY		
C0032	ENVIRONMENTAL IMPAIRMENT LIABILITY		
C0033	PRODUCTS AND COMPLETED OPERATIONS LIABILITY		
C0034	CONTRACTUAL LIABILITY		
C0035	OWNERS AND CONTRACTORS PROTECTIVE LIABILITY		
C0036	COMMERCIAL UMBRELLA LIABILITY		
C0037	MEDICAL PROFESSIONAL LIABILITY		
C0099	ALL OTHER COMMERCIAL LIABILITY NOT REPORTED IN ANY OF THE ABOVE MARKETS		
	INCLUDE COMPOSITE RATED RISKS		
Signed	: Title:		
Teleph		e:	
Date:			

## EXHIBIT 2

Market	Number and Name	Market Definitions Commercial Statistical Plan (CSP) Classes
C0001	OWNERS LANDLORDS AND TENANTS INCLUDING STOREKEEPERS' LIABILITY	All Subline 314 Classes and 326 Classes
C0011	MANUFACTURERS AND CONTRACTORS LIABILITY	All Subline 313 Classes
C0022	PREMISES/OPERATIONS LIABILITY	All Subline 334 Classes
C0023	LIQUOR LIABILITY	All Subline 312 and 332 Classes
C0024	PROFESSIONAL LIABILITY OTHER THAN MEDICAL	All Subline 317 Classes
C0030	LAWYERS PROFESSIONAL LIABILITY	See Exhibit 3
C0031	DIRECTORS AND OFFICERS LIABILITY	73140, 73144, 73145 (Subline 317)
C0032	ENVIRONMENTAL IMPAIRMENT LIABILITY	See Exhibit 4
C0033	PRODUCTS AND COMPLETED OPERATIONS LIABILITY	All Subline 316 and 336 Classes
C0034	CONTRACTUAL LIABILITY	All Subline 311 Classes
C0035	OWNERS AND CONTRACTORS PROTECTIVE LIABILITY	All Subline 315 and 335 Classes
C0036	COMMERCIAL UMBRELLA LIABILITY	99935 (Subline 325)
C0037	MEDICAL PROFESSIONAL LIABILITY	All Subline 210, 220, 230 240, 250, 260, 270 and 280 Classes
C0099	ALL OTHER COMMERCIAL LIABILITY NOT REPORTED IN ANY OF THE ABOVE MARKETS	All Subline 325 Classes not reported above
	INCLUDE COMPOSITE RATED RISKS	All Subline 322, 323, 324, 342, 343 and 344 Classes

## EXHIBIT 3 LAWYERS PROFESSIONAL LIABILITY

Subline	Class Code	Description
317	81220	Lawyers - not members or employees of a partnership
317	81113	Additional Charge: Employed Lawyers not named as insureds and employed law clerks, investigators and abstracters - not employees of a partnership.
317	81330	Lawyers - members or employees of a partnership
317	81114	Additional Charge: Employed Lawyers not named as insureds and employed law clerks, investigators and abstracters - employees of a partnership.
317	81400	Lawyers
317	81420	Employed law clerks, Investigators, Abstracters and Para Legals

EXHIBIT 4
ENVIRONMENTAL IMPAIRMENT LIABILITY

## Class Code

Subline	<u>01d</u>	New	<u>Description</u>
325	90000		Pollution Liability
350		90100	Pollution Liability Form - Including Clean-up Costs Coverage
350		90105	Pollution Liability Form - Excluding Clean-up Costs Coverage
350		90110	CGL Coverage Form - Pollution Extension Endorsement (Excludes Clean-up Costs Coverage)