COMMONWEALTH OF VIRGINIA

STEVEN T. FOSTER
COMMISSIONER OF INSURANCE

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STATE CORPORATION COMMISSION BUREAU OF INSURANCE

January 29, 1991

Administrative Letter 1991-2

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, 1991

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). The SCC Bureau of Insurance has developed the attached Exhibits ((1) general instructions and definitions, (2) exemption request form, (3) market definitions and, (4) diskette file instructions) and reporting forms that insurers should utilize to meet the data reporting requirement of the Code.

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 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 insurer comprising the group. The reports, or exemption forms must be <u>filed</u> by September 1, 1991.

Mutual assessment insurers are exempt from all reporting requirements. All other insurers with 1990 written premiums combined totaling \$100,000 or less for "Other Liability" and "Medical Professional Liability" (lines 17 and 11 respectively of page 14 of the Annual Statement) are exempt from the data reporting requirements. Insurers claiming the premium volume exemption should refer to Exhibit 1 for instructions on completing the exemption form (Exhibit 2).

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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 report forms. Any insurer that is experiencing difficulty in completing typed reporting form numbers VCR1, VCR2, VCR3, VCR4, VCR5, and VCR6 may reproduce these forms, enlarging the size of the page but not changing the layout or format, in order to insure readability.

The market definitions provided in Exhibit 3 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 insurer.

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

Should you have any questions, please direct them to:

Eric C. Lowe
Insurance Market Examiner
Bureau of Insurance
P. O. Box 1157
Richmond, Virginia 23209
Telephone: (804) 786-1628

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.

Sincerely,

Steven T. Foster

Commissioner of Insurance

STF: krm

Attachments

EXHIBIT 1 GENERAL LIABILITY CLAIMS REPORTING COMPLETION INSTRUCTIONS AND DEFINITIONS

The following outline will assist insurers in properly completing the claims reports. Determine the applicable individual reporting method and follow the instructions for that section only. Insurers should review the definitions section at the end of this exhibit for further completion instructions.

Reports for all insurers regardless of reporting method must include the complete verbal name and NAIC number of each individual insurer. Group name and number are required if the reports are on a group basis. Be sure to list all insurers within the group.

Reports must be filed by September 1, 1991.

Determine the applicable reporting method and refer to the following specific instructions for that method.

I. EXEMPT INSURERS:

- A. If the insurer had no written premium in 1990 for Line 17 Other Liability and Line 11 Medical Professional Liability as reported on page 14 of the annual statement, then only Exhibit 2 of this Administrative Letter must be filed. Please indicate in the "Zero Premium" column A of Exhibit 2 all of the lines with no written premiums.
- B. If the insurer had a combined written premium in 1990 totaling \$100,000 or less for line 17 Other Liability and Line 11 Medical Professional as reported on page 14 of the annual statement, file only Exhibit 2. Indicate those lines with written premiums and those lines with no written premiums by checking the appropriate Column of Exhibit 2.
- C. Mutual Assessment insurers are exempt from the data reporting requirements and no further action regarding this Administrative Letter is required.

NOTE: Insurers exempted under A or B above must <u>file</u> Exhibit 2 by September 1, 1991 to record the exemption from the data reporting requirements.

II. INSURERS USING ISO MAGNETIC TAPE REPORTING SERVICES:

A. The ISO Liaison Officer will be the insurers contact for the procurement of these services.

- B. Tapes submitted from ISO must be clearly labeled with the names and NAIC numbers of all of the insurers for which data is included on the tape. This label must be attached to the tape reel.
- C. Any corrections to the tape data submitted must be made on the ISO paper reports that accompany the tapes. All reports with corrections made must be clearly noted in red ink on the first page of the corrected report.
- D. Complete Exhibit 2 to indicate those market definitions with no written premiums in 1990. All other market definitions should be reported by ISO on the tape.
- E. The tape, Exhibit 2, and the corrected paper reports, if any, must be <u>filed</u> by September 1, 1991. Failure to submit by this date may subject the insurer to penalties as outlined in the Administrative Letter.

III. INSURERS REPORTING ON DISKETTE

- A. A diskette containing the requested information will only be accepted from the insurer if Exhibit 4, request for file structure and layout, is submitted to Eric C. Lowe at the address shown in the Administrative Letter.
- B. Submission of diskettes not formatted in the requested file structure and layout will be returned, marked unaccepted.
- C. Deductible and non-deductible liability data should be combined within market definitions.
- D. Bodily Injury, Property Damage, and Medical payments should be combined within market definitions.
- E. Complete Exhibit 2 to indicate those market definitions with no written premiums in 1990.
- F. The diskette and Exhibit 2 must be <u>filed</u> by September 1, 1991. Failure to submit by this date may subject Insurers to penalties as outlined in the Administrative Letter.

IV. INSURERS REPORTING ON PAPER (VCR1-6):

A. Do not change the report layout or format. The form may be enlarged to ensure readability and to ease completion.

- B. Only one report should be submitted per market definition and per coverage type. Coverage types are shown on VCR1 (1/10/91) and market definitions are shown in Exhibit 3. Do not combine markets or sublines and do not separate classifications within a market definition.
- C. Deductible and non-deductible liability data should be combined within market definitions.
- D. Bodily Injury, Property Damage, and Medical payments should be combined within market definitions.
- E. Complete Exhibit 2 to indicate those market definitions with no written premiums in 1990.
- F. The reports and Exhibit 2 must be <u>filed</u> by September 1, 1991. Failure to submit by this date may subject Insurers to penalties as outlined in the Administrative Letter.

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.

Incurred But Not Reported (IBNR) Loss and Allocated Loss Adjustment Expenses

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 for IBNR (VCR6) and 114 months for all other (VCR 2-5) requested information.

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 insurer.

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.

EXHIBIT 2 EXEMPTION REQUEST FORM

INSURE	RNAIC #		
Column for "C	Column A when you had no written premium i B when you had 1990 written premiums of \$10 other Liability" and "Medical Profession ed (lines 17 and 11 respectively of page 14	0,000, or l nal Liabil	ess, ity"
o ca cem		Column A Zero Premium	Less Than
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 AND LAWYERS		
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 INCLUDING COMPOSITE RATED RISKS AND EXCESS INSURANCE NOT INCLUDED IN C0036		
Signed	: Title:		
	one: Print Name:		
		•	

EXHIBIT 3

Market Definitions Commercial Statistical Plan (CSP) Classes

Market	Number and Name	(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 AND LAWYERS	All Subline 317 Classes
C0030	LAWYERS PROFESSIONAL LIABILITY	Subline 317 Classes 81220, 81113, 81330, 81114, 81400, and 81420.
C0031	DIRECTORS AND OFFICERS LIABILITY	73140, 73144, 73145 (Subline 317)
C0032	ENVIRONMENTAL IMPAIRMENT LIABILITY	Subline 325 Class 90000, and Subline 350 Classes 90100, 90105, and 90110
C0033	PRODUCTS AND COMPLETED OPERATIONS LIABILITY	All Subline 316 and 336 Classes
C0034	CONTRACTUAL LIABILITY	All Subline 311 Classes and Vehicle Service Contracts
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 INCLUDING COMPOSITE RATED RISKS AND EXCESS INSURANCE NOT INCLUDED IN C0036	All Subline 325 Classes not reported above All Subline 322, 323, 324, 342, 343 and 344 Classes All Commercial General liability excess classes not including excess auto or excess WC

EXHIBIT 4

FILE STRUCTURE LAYOUT REQUEST FORM

Eric C. Lowe Insurance Market Examiner Bureau of Insurance P. O. Box 1157 Richmond, Virginia 23209

> RE: Administrative Letter 1991-2 Certain Liability Claims Report Diskette File Structure Request

Dear Mr. Lowe:

We would like to submit the Report of Certain Liability Claims as Required By Virginia Code Section 38.2-2228.1 due September 1, 1991 on a computer diskette. Please forward a copy of the file layout to my attention. Please mail the information to:

(Please type or Print)	Name	
	Title	
	Address	
		· · · · · · · · · · · · · · · · · · ·
Phone Number	Date	

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

Su I	Insurer:				COMPAN (and i	COMPANY NAIC # (and if Group NAIC#)	t GROUP NAIC	١۵	
Aod	Address:					+			
					Coverage	9 5			
	This report is the Sentember 1 1001.		For each market described in the	io the	9 .1	(Please check one only)	ne only) Made		
	ion requ	ested for the	State of Virg	inia.	: 2; w		Claims Made Tail Coverage Occurrence	overage.	
÷	1. Market number and description (see Exhibit 3)	£			.4. 7.		Made - No r Made Tail -	Claims Made - No retroactive date Claims Made Tail - No retroactive data	
					(\$000 omitted)	itted)			
		1984	1985	1986	1987	1988	1989	6 months 1990	1
~	Calendar year earned premium.							1	
mi	Total amount of attorney's fees paid in connection with the claim(s) to the extent these amounts are known (evaluated as of 3/31/90 on an accident year basis).							XX	
4	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 3/31/90 on an accident year basis).							XXX	
20	Signed:			6. Title:					1
	Telephone:		ı	Print	Print Name:				
	Date:		ı						

		(Please che	_
Coverage	Code	lease	_
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VIRGINIA LIABILITY CLAIMS REPORT			
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Insurer	NAIC # or GROUP	

Market (from #1 on VCR1)

7.

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PAID LOSS AND ALLOCATED LOSS ADJUSTMENT EXPENSES EVALUATED AS OF:

								(\$000 Omitted)	iitted)									
6 Mos 12	12		15	18	12	54	27	30	33	%	39	24	53	87	51	24	25	3
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check one only)
) Claims Made
) Claims Made Tail Coverage

^{, 4} v

⁾ Occurrence) Claims Made - No retroactive date) Claims Made Tail - No retroactive data

For accident years beginning with 1981, list the cumulative paid loss and allocated loss adjustment expense 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
VIRGINIA LIABILITY CLAIMS REPORT							
			Insurer	NAIC # or GROUP #		Market	(from #1 on VCR1)

^{9.} For accident years beginning with 1981, list the case outstanding loss and allocated loss adjustment expense (excluding IBMR) at the various points in time.

data

CASE CUTSTANDING LOSS AND ALLOCATED LOSS ADJUSTMENT EXPENSES EVALUATED AS OF:

		3													111 114								
		25													-								
		24													108								
		27													105								
		84													102								
		42													8								
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(\$000 Omitted)		33													87								
000\$)		30													¥								
		27													18								
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		21													ĸ								
		8													2								
		5													69								
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		6 Mos	XXX				63																
	Accident	Year	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	•	Accident	Year	1981	1982	1983	1984	1985	1986	1987	1988

1989 1990

VIRGINIA LIABILITY CLAIMS REPORT

	VIRGINIA LIABILITY CLAIMS REPORT	Coverage
		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 VCR1)		5. () Claims Made Tail - No retroactive data

INCURRED LOSS AND ALLOCATED LOSS ADJUSTMENT EXPENSES EVALUATED AS OF:

							•	(\$000 Omitted)	tted)									
Accident																		
Year	6 Mos	12	51	81	12	54	22	30	33	38	36	75	45	84	51	54 57		99
1981	XXX																	
1982	XXX																	
1983	XXX																	
1984	XXX																	
1985	XXX																	
1986	XXX																	
1987	XXX																	
1988	XXX																	
1989	XXX																	
1990																		
Accident																		
Year	63	8	69	22	К	82	81	3 5	87	8	83	8	&	102	501	108	11	114
1981																		
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1984																		
1985																		
1986																		
1987																		
1988																		
1989																		
1990																		

^{11.} For accident years beginning with 1981, list the cumulative incurred loss and allocated loss adjustment expense (excluding IBMR) at the various points in time. (sum of 8 and 9).

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
		Insurer	NAIC # or GROUP #		Market	(from #1 on VCR1)

Coverage

VIRGINIA LIABILITY CLAINS REPORT

ACTUAL NUMBER OF INCURRED CLAIMS AS OF:

30 33 36 39 42 45 48 51 54 57 60		84 87 90 93 96 99 102 105 108 111 114
54		82
21		₹
18		22
51		8
12		38
6 Mos	XXX X XX X XXX X XX XX XX XX XX XX XX X	53
Accident Year	1981 1982 1984 1985 1986 1987 1988 1989	Accident Year 1981 1982 1984 1985 1986 1986 1988

^{12.} For accident years beginning with 1981, 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 CLAINS REPORT							
			Insurer	NAIC # or GROUP #		13. Market	(from #1 on VCR1)

14. For accident years beginning with 1981, list the IBNR for loss and allocated loss adjustment expense for each evaluation.

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

(\$000 Omitted)

Accident									
Year	12 Mos	54	38	87	9	22	వ	%	108
1981									
1982									
1983									
1984									
1985									
1986									
1987									
1988									
1989									
1990									