

GUIDELINE FOR SUBMISSION OF  
COMPANY MERGER, ASSUMPTION OR NAME CHANGE FORMS

MERGERS AND ASSUMPTIONS:

When two or more insurers merge or an insurer assumes the business of another insurer, the surviving or assuming insurer must notify existing policyholders of the merger or assumption. 31 Pa. Code § 89b.11(a).

NAME CHANGES:

When an insurer changes its name, the insurer must re-print its previously approved forms to reflect the updated company name and obtain Department approval for the new form through the simplified review procedure in 31 Pa. Code § 153.3(c).

PREVIOUSLY APPROVED FORMS:

If the surviving insurer intends to issue any forms that were previously approved for the merged insurer, the surviving insurer should review the following paragraphs for the Department's guidance. If the surviving insurer does not intend to issue any forms previously approved for the merged insurer, the surviving insurer should inform the Department of its intention in writing.

ENDORSEMENT REQUIREMENTS:

Please note that all existing policyholders should be supplied with an endorsement containing merger, assumption, or name change information for attachment to their contracts. This endorsement must be properly executed, must disclose the correct company name, and must be submitted for Department review and approval in accordance with the following, as applicable:

- 40 P.S. § 477b
- 40 P.S. § 991.2434 and 31 Pa. Code § 89.102
- 40 P.S. § 1007.7
- 40 P.S. § 510 et seq.
- 40 P.S. § 3801.303.

Once approval is granted, the company should send a copy to all existing insureds to update their policy forms to the current insurer name, as required by 31 Pa. Code § 89b.11(a).

For a period of 90 days after approval of the endorsement, the insurer may attach the approved endorsement to newly issued forms. However, after this 90-day period, the Department expects that all newly issued forms will contain the correct company name. The insurer should then

provide a certification from a company officer eligible to execute insurance policies under 40 P.S. § 440 attesting that the only change made to each form is the change in the company name.

In addition, the insurer should provide, as supporting documentation in SERFF, a scanned copy of forms approved via paper that will be used going forward. The complete paper copy should bear the Department's approval stamp. For any forms approved via SERFF, the insurer should provide a listing by form number, including the SERFF tracking number and approval date of each form, which will be used to identify the form after the name change is complete.

#### CONTENTS OF CERTIFICATE OF ASSUMPTION:

Refer to 31 Pa. Code § 90i.3, for the Department's guidance regarding the contents of a Certificate of Assumption.

#### SUBMISSION OF FORMS:

The Life, Accident and Health Insurance Bureau of the Pennsylvania Insurance Department uses the System for Electronic Rate and Form Filing (SERFF) as its sole system for tracking filings. In order to better utilize its limited resources and to streamline the approval of filings, the Department requires filers to utilize SERFF as the means of filing submission(s).

#### ADDITIONAL INFORMATION:

Please contact [RA\\_Rateform@pa.gov](mailto:RA_Rateform@pa.gov) should you have additional questions.