

**RULES
OF
THE DEPARTMENT OF COMMERCE AND INSURANCE
DIVISION OF INSURANCE**

**CHAPTER 0780-1-57
POLICYHOLDERS SERVICE OFFICE DISCLOSURE REQUIREMENTS**

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0780-1-57-.01 PURPOSE.

The purpose of this rule is to establish requirements and standards for the notice provided for in T.C.A. §56-2-118, to policyholders regarding the policyholders service office, as is required by any company not maintaining such an office in this state that issues policies of life insurance, accident and health insurance, property insurance or casualty insurance. This rule does not apply to surplus lines, credit or surety insurance, or captive companies.

Authority: T.C.A. §56-2-118(b). *Administrative History:* Original rule filed July 12, 1989; effective August 26, 1989.

0780-1-57-.02 DEFINITIONS.

- (1) For the purpose of this Chapter “Policyholder Service Office” means an office that provides support and information regarding policy terms, premium payments, claims processing and payment. A managing general agency does not constitute a policyholder service office unless it can provide all information required by this rule and is authorized by the insurer to pay claims.

Authority: T.C.A. §56-2-118(b). *Administrative History:* Original rule filed July 12, 1989; effective August 26, 1989.

0780-1-57-.03 NOTICE REQUIREMENTS.

- (1) Every Life, Accident and Health, or Property or Casualty insurance policy issued after January 1, 1989, and covering risks in this state must include the address and telephone number of the insurer’s policyholders service office, if the insurer maintains no policyholders service office in this state.
- (2) The notice required under this Chapter shall be provided no later than at the time of delivery of the insurance policy or certificate.
- (3) Any insurance company which ceases to maintain a policyholder service office in this state must provide notice as required by this Chapter at least thirty (30) days prior to the closing of the policyholders service office in the state.
- (4) When there is a change in the address and/or telephone number which is included in the notice which is required by this Chapter or in any policyholders service office maintained by a company, the company must provide notice of the change prior to the change.

Authority: T.C.A. §56-2-118(b). *Administrative History:* Original rule filed July 12, 1989; effective August 26, 1989

0780-1-57-.04 PERMISSIBLE FORMS OF NOTICE.

All notices required to be provided to policyholders by this Chapter shall meet the following standards.

- (1) The notice must contain the complete address and telephone number (toll free number if available) of the policyholders service office of the company issuing the policy.
- (2) The notice shall be printed in a legible type style with adequate contrast between ink and paper.
- (3) The notice may be on any page of the policy or on a separate page provided it meets all requirements of this Chapter. A prominent stamp or sticker meeting the requirements of this Chapter shall constitute proper notice.
- (4) The notice may be a part of a document other than the policy; however, the notice provision must be prominently displayed on the face page of any document into which it is incorporated. All notices whether a part of the policy or certificate, another document, or separate notification, must be set apart and in bold face type and in no smaller print than ten point type.

Authority: T.C.A. §56-2-118(b). **Administrative History:** Original rule filed July 12, 1989; effective August 26, 1989.

0780-1-57-.05 PENALTY.

- (1) Any company required to give notice under this Chapter who has violated or attempted to violate any provision of the Chapter, shall be subject to the penalties established by Title 56, Chapter 8, Part 1, Tennessee Code Annotated.

Authority: T.C.A. §§56-2-118(b), 56-8-109, 56-8-112, and 56-8-114. **Administrative History:** Original rule filed July 12, 1989; effective August 26, 1989.