



Filing Information Notice 2021-2 Quick Guide

Note: This Quick Guide is a summary version of FIN 2021-2. Additional instructions and clarification are provided in the FIN itself. The reader should not rely solely upon this Quick Guide in preparing a product filing or in complying with the IIPRC Uniform Standards, Rules, and Operating Procedures.

Filing not yet submitted:

- Include in Filing Description a statement that product will not be issued in Montana earlier than January 1, 2022.
- Complete updated Sex Distinct or Unisex Policies Submission Requirement with respect to only whether product is sex-distinct or unisex and issue of product in plans subject to the Norris decision and/or Title VII.

Filing submitted and pending review:

- Create Post-Submission update to include in Filing Description a statement that product will not be issued in Montana earlier than January 1, 2022.
- Submit amendment letter to revise Sex Distinct or Unisex Policies Submission Requirement with respect to only whether product is sex-distinct or unisex and issue of product in plans subject to the Norris decision and/or Title VII.

Previously approved form filing **using unisex endorsement** for issue in Montana:

- Submit Note to Reviewer requesting filing be reopened for amendment.
- In reopened filing, submit amendment letter stating:
 - The product will be issued on a sex-distinct basis in Montana no earlier than January 1, 2022.
 - Provisions of the approved Actuarial Memorandum addressing unisex issues should be disregarded for purposes of product issue in Montana.
 - Use of unisex endorsement will be discontinued when the product is issued on a sex-distinct basis in Montana.
 - Identify unisex endorsement by form number and SERFF Tracking Number.
- Submit applicable Compact filing fee for amendments to product filing submissions, defined in the Compact Filing Fee Schedule as “50% of current IC Filing Fee.” No state fee applies.

Previously approved form filing **using variability** for issue in Montana:

- Submit Note to Reviewer requesting filing be reopened for amendment.
- In reopened filing, submit amendment letter stating:
 - The product will be issued on a sex-distinct basis in Montana no earlier than January 1, 2022.
 - Provisions of the approved Actuarial Memorandum addressing unisex issues should be disregarded for purposes of product issue in Montana.

- Use of variability will be discontinued when product is issued on a sex-distinct basis in Montana.
- Filer is not required to submit an updated or redlined Statement of Variability. If filer so prefers, comply with Section 2.a.ii.B.III.b of FIN 2021-2.
- Submit applicable Compact filing fee for amendments to product filing submissions, defined in the Compact Filing Fee Schedule as “50% of current IC Filing Fee.” No state fee applies.

Previously approved form filing **using static form language**, such as “unless prohibited by state law” for issue in Montana:

- Submit Note to Reviewer requesting filing be reopened for amendment.
- In reopened filing, submit amendment letter stating:
 - The product will be issued on a sex-distinct basis in Montana no earlier than January 1, 2022.
 - Provisions of the approved Actuarial Memorandum addressing unisex issues should be disregarded for purposes of product issue in Montana.
- Submit applicable Compact filing fee for amendments to product filing submissions, defined in the Compact Filing Fee Schedule as “50% of current IC Filing Fee.” No state fee applies.

Previously approved **form filing for use in Montana only**, such as a unisex endorsement or Montana-specific policy or contract:

- To preserve accurate information reflecting the period in which a product was issued on a unisex basis in Montana, no action in SERFF should be taken.

Previously approved Supporting Documentation Update filing with respect to a product approved for use in Montana:

- No action in SERFF should be taken for the Supporting Documentation Update filing. Any update subject to FIN 2021-2 should be made only in the filing(s) where the product form(s) were approved.

Previously approved products not approved for use in Montana under any method, i.e. company has not issued the Compact product in Montana:

- Follow [How to Add a State](#) instructions on the Insurer Resources page of the Compact website.

Previously approved products issued in Montana or elsewhere on a unisex basis, including by means of a unisex endorsement, may continue to be used in Montana and elsewhere for employer-employee plans that are subject to the Norris decision and/or Title VII of the Civil Rights Act of 1964 or otherwise.