

STATE ADVERTISING FILING REQUIREMENTS

FIRST CONSULTING & ADMINISTRATION

Note 1: The following is presented for information only. We do not give legal advice. Every effort has been made to assure accuracy; however, no liability is created for First Consulting & Administration by the information contained herein. Users are cautioned to review the full text of the laws, regulations and other material cited.

Note 2: If there is a citation in a column, advertising filing is required for that product. Additional parameters may be given as a note in that cell or the end column.

Note 3: Only published laws, regulations, Bulletins and some Filing Checklists are reflected in this chart unless it is noted that some citation is “proposed” – no department position nor experience of any given company is included. If your company has been asked to file and have been given a citation, please let us know.

Note 4: SERFF and the IIPRC (Compact) may require filing of advertising for specific products. Those requirements may or may not be reflected in this chart.

Note 5: Many states have filing authorization laws that say “filing may be required...to the extent required by law...” However, if no requirement has actually been issued, only reference to this footnote may be made below.

Note 6: We are unaware of any personal lines or commercial P/C advertising that is required to be filed.

ST	LIFE AND ANNUITIES	VARIABLE LIFE AND ANNUITIES	LONG TERM CARE	DISABILITY INCOME	MEDICARE SUPPLEMENT	OTHER PRODUCTS/NOTES
AK					File for review and approval. 3 AAC 28.503	Viatical Settlement Ads - File for review and approval. 3 AAC 31.375
AL			See Note 5		482-1-071-.19	
AR	Modified Guaranteed Annuities – File & Use. Prospectus & other sales material. Rule & Regulation 59 s 5		See Note 5		Review and approval. § 23-79-408	Minimum Basic Benefit Health Insurance - submit for approval. 23-98-110 File Annual Certificate of Compliance Rule and Regulation 41 s 17 & Rule and Regulation 11 s 19

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AZ	<p>§ 20-1018 All advertisement filings shall include form P-107 ADV. LH 120. R20-6-1101</p> <p>AZ Cir 2000-14 Statute §20-1110 exempts all Individual and Group Life Insurance Advertisements.</p>	<p>Variable life and annuity contracts which provide benefits according to the investment experience of a separate account pursuant to A.R.S. § 20-651. A.R.S. § 20-1110</p> <p>§ 20-1018 All advertisement filings shall include form P-107 ADV. LH 120. R20-6-1101</p>	<p>Group LTC ads are exempt per 10-22-03 Exemption Order. File for review. § 20-1110, R20-6-1014</p> <p>In health advertisement, if a testimonial is used, the full name, author and copy of the testimonial filed. R20-6-201</p> <p>§ 20-1018 All advertisement filings shall include form P-107 ADV. LH 120. R20-6-1101</p>	<p>§ 20-1110 Disability advertising; specific exemptions listed. 30 Days prior, 30 days' deemer.</p>	<p>File and use Bulletin 2005-3 re Medicare</p> <p>In health advertisement, if a testimonial is used, the full name, author and copy of the testimonial filed. R20-6-201</p> <p>§ 20-1018 All advertisement filings shall include form P-107 ADV. LH 120. R20-6-1101</p>	<p>Life settlement or viatical contract – file 10 days prior. 20-1018 Pre-Paid Dental Plans file and use.</p> <p>Health advertising, except Accident-only, is subject to filing prior to use per § 20-1110 and the 11-9-00 Exemption Order. 15 days suggested; § 20-1018 All advertisement filings shall include form P-107 ADV. LH 120. R20-6-1101; 20-826.T Subscription plans – file and use. 20-1057 Health Care Services Organizations – file and use; R20-6-201 In health advertisement, if a testimonial is used, the full name, author and copy of the testimonial filed. R20-6-405 Health Care Services Organization file annual certificate of compliance.</p>
CA	<p>File Accelerated Death Benefit advertising prior to use (see additional submission requirements). Ins § 10295.11</p>	<p>Investment Annuity advertisement (and any revisions) must be filed 30 days prior to use. Title 10 § 2522.7</p> <p>Variable Life File 30 days prior to use. 2534.2(d)(1)</p> <p>File Accelerated Death Benefit advertising prior to use (see additional submission requirements). Ins § 10295.11</p>	<p>File 30 days before use. § 10234.9</p>	<p>See Note 5</p>	<p>File for review or approval. §1358.19 §10192.19</p>	<p>File Annual Certificate of Compliance. T. 10 s 2537</p> <p>Reported: Fixed Index Universal Life if Chronic Illness Rider is discussed. Informational filing.</p>

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CO	Small face amount/final expense/pre-need (life insurance policies face amount under \$20,000. (Child rider does not need review unless funeral home is beneficiary.) Per DOI 4/26/18		3CCR 702 Reg 4-4-1§ 20, but see Note (5). Reported, that Dept feels advertising must be filed.		"Provide a written copy " 10-18-108 Submit for review. 3 CCR 702 Reg. 4-3-1 s 18	Marketing materials related to ACA Exchange products, file with forms. 3 CCR 702- Reg. 4-2-3 s 19 and Appendix A. AD&D and Accident-Only, if added to Health Policies, must follow Health Filing requirements. Bulletin No. B-4.45
CT		Variable Life - File initial material 30 days prior to use; refile if substantive changes are made to materials. Reg 38a 433-3(d)(1)	See Note 5.		See Note 5	File Annual Certificate of Compliance. 38a-819-18
DC			File a copy, subject to review or approval 26A DCMR 2634		Submit a copy. 26A DCMR 2634	
DE	Guaranteed Living Benefits Equity Index Marketing and Cost Disclosure Brochures Source: Delaware Life & Health Product Guidelines, file for approval with product filing		File a copy, subject to review or approval 26A DCMR 2634		File for review. 1404 s 23.0	File Annual Certificate of Compliance. 1302 s 18.0

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FL	Small group products with Universal Standardized Data Letter . Source: Life & Health Product Review FAQ	File sales illustration and point of sale advertising material with policy form. Includes all indeterminate value life and annuities except Term Life and variable annuities. Bulletin 92-32	File with Universal Standardized Data Letter and use. FAC Rule 69O-157.115 and 627.9407(2)		File with Universal Standardized Data Letter and use. Code 627.6735	<p>If created or used by producer, filing required by small employer carrier. FAC Rule 69O-150.213 (10)</p> <p>Filing of Health Benefit Plan marketing materials by small employer carrier 30 days prior; except broadcasts can be filed day of first use. Rule 69O-150.218</p> <p>Small group products with Universal Standardized Data Letter. Source: Life & Health Product Review FAQ</p> <p>File Annual Certificate of Compliance. FAC Rule 69O-156.120</p>

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GA	<p>Direct response for individual or group life insurance policy, including radio or television advertisement. 33-6-4(13) (C)</p> <p>Advertisement describing annuity products along with other types of financial services or investments, file for approval... 120-2-71.15(6)</p>	<p>Direct response for individual or group VA and VL, including radio or television advertisement. 33-6-4(13)(C)</p> <p>Variable Life. File 30 business days prior. 120-2-32-.04(4) (Reported: Customer and agent facing material.)</p> <p>Advertisement describing VA products along with other types of financial services or investments, file for approval. 120-2-71-.15(6)</p> <p>See "Other Product Notes"</p>	<p>Direct response for individual or group accident and sickness policy, including radio or television advertisement. 33-6-4(13) (C)</p>	<p>Direct response for individual or group accident and sickness policy, including radio or television advertisement. 33-6-4(13) (C)</p>	<p>File for review and approval. Code 33-43-7</p>	<p>All accident and sickness or hospitalization insurance advertisements must be filed. Reg. 120-2-2-.24(2) (No longer enforced per Tom Carswell on 9-5-12 – rely instead on the required annual compliance certification.)</p> <p>Direct response for individual or group accident and sickness policy, including radio or television advertisement. 33-6-4(13) (C)</p> <p>(Tom Carswell advised this could include website materials where prospects are referred directly to company.)</p> <p>File Annual Certificate of Compliance. 120-2-12-.19</p>
HI			<p>File a copy for review or approval. 431:10H-228</p>		<p>File a copy for review. 431:10A-310</p>	
IA					<p>Pre-paid health plans, file for approval. 441-88.10</p>	<p>Pre-paid health plans, file for approval. 441-88.10</p> <p>File Annual Certificate of Compliance, 191-37.58 (In section on Medicare Supplement)</p>

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ID		Variable life and annuity, file copy of prospectus with forms. 18.01.16 § 013	File for approval. 18.01.60.026 Per .024: 30 days ahead.		Provide a copy for review or approval. 18.01.54.034	TPA advertising must be approved in writing by insurer; "insurer shall first file the advertising with the director" along with a certification of compliance for it. 41-905
IL	Equity Index annuities for information: Source, filing checklist: http://insurance.illinois.gov/LAH_HMO_IS3_Checklists/IndividualEquityIndexedAnnuity.pdf 215 ILCS 5/143(1)				File with informational transmittal form. 50 IL Adm. Code 2008.90 (h)	Group Health Maintenance Organizations. File and use. Source: filing checklist. http://insurance.illinois.gov/lah_hmo_is3_checklists/group_HMO.asp File Annual Certificate of Compliance. 760:1-18-20; 50 Ill. Adm. Code 2002.180
IN			File for review and approval. 760:2-14-2		Opinion 2004-04 File a copy (although internal references are no longer in effect.)	File Annual Certificate of Compliance. 760:1-18-20
KS						
KY			File for review. 806 KAR 17:081 §19		File for review. 806 KAR 17:570 §20	HMO Open Enrollment, file for approval. Bulletin 95-12
LA			Association products. LAC 37:XIII.Chapter 19 § 1945. Standards for Marketing Paragraph C.		New advertising materials. LAC 37:XIII. §10107 D.3.	Viatical Settlement, file for approval. R.S. 22:1794
MA	EI Life and EI Annuity – File advertising materials and illustrations with policy filing. Bulletin 98-17	Universal life and variable life with no-lapse guarantee, all advertising materials, including any illustrations Bulletin 00-02			File at least 15 days prior for review. 211 CMR 71.17	

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MD			Submit copy for review 30 days prior. (Also includes Long Term Nursing Home) 31.14.01.15		File 5 days prior to use. 15-923: File 5 days prior to use. 31.10.06.05 See Bulletin 14-13 for federal requirements pertaining to Medicare Advantage, Prescription Drug plans and Section 1876 Cost Plans.	File Annual Certificate of Compliance. COMAR 31.15.02.18B; Revised Bulletin 11-32
ME			File for approval 30 days prior; deemer after 30 days. Rule 425 s21		File for review or approval 30 days prior. 24-A 5006-A.	File Annual Certificate of Compliance. Rule 140 s 11
MI			File for review 45 days prior. Include copy of matching policy and forms with status of approval of same. 500.3941		File 45 days prior. Include copy of matching policy and forms with status of approval of same. 500.3847	<i>Agents must keep file of agency produced ads not product or company specific, with manner and extent of distribution.</i> <i>National ads not intended for MI should include a disclaimer for MI. 500.668</i> <i>R 500.668 (4)</i>
MN			File a copy. subd. Per 2009-1 SERFF instructions. § 62S.28; Bulletin 2009-1		File a copy. § 62A.31, subd. 5. Bulletin 2009-1	File Annual Certificate of Compliance. 2790.2000

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MO			Filing requirements. 20 CSR 400-4.100 (20A)		See Note 5	Missouri Filing Guidelines specify advertising is filed for information, not approval, but has no specific line of business requirement. https://insurance.mo.gov/industry/filings/lh/documents/2016FilingGuidelines.pdf
MS	No policy sold without filing sales material. 19-2-1.03.1 (D) - see comment in Notes Column 19-2-2.14 Life insurance offered to college students with premium finance. File for approval. Bulletin 80-1 – Must file all advertising relating to Indeterminate Premium Policies.	19-2-1.03.1(D) – see comment in Notes Column			File for review and approval. 83-9-110; 19-1-16.18	Ins. Sales on the Premises of lending institutions File 30 days prior 19-1-17.06 Material used in sale of "trusteed group" insurance 19-1-10.01 Dept. advises they want filings, but don't have authority. Rule limited to certain types. 19-2-1.03.1(D) not clear. File Annual Certificate of Compliance. 19-1-16.16; 19-3-5.17
MT		Submit final, dated and effective prospectus; file and use. 33-20-606	File for review or approval. 6.6.3113A;		File for approval. 33-22-910 "And other senior market products" Source: filing instructions	Viatical Settlement products. Source: filing instructions
NC	See Note 5	Variable Annuity – File sales promotion material with Form Filing. 11 NCAC 12.0420	"File for approval 11 NCAC 12.1017		File for review or approval. 58-54-35	File Annual Certificate of Compliance. 11 NCAC 12.0431; 11 NCAC 12.0534

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ND	Indexed. Include File for review and approval; also advise Dept. of special training provided to agents. Bulletin 2002-1 (1-8-2002)		See Note 5 above.		See Note 5 above.	For Short-Term Care, See Note 5 above.
NE			See Note 5 above.		File for review. 210 NAC Ch 48-007	As of 11-09, the Dept. may be asking to see advertising on products with lengthy surrender periods (15+ years), based on Suitability requirements. File Annual Certificate of Compliance. 210 NAC Ch. 14 s 018
NH			Submit for review or approval. Amended Rule Ins 3601.21		See Note 5 above	File Annual Certificate of Compliance. Ins 2602.09; Ins 2603.16; Ins 2601.18
NJ			(See Notes field to the right.) NJAC 11:4-16.9	(See Notes field to the right.) NJAC 11:4-16.9	File 30 days prior 17B:26A-10; 11:4-23.17; 17B:26A--10	Individual health sold on direct mail or mass-marketed basis, include copies of advertising materials along with the filing of the forms. Include description of marketing and target market. NJAC 11:4-16.9 File Annual Certificate of Compliance. NJAC 11:2-11.18; NJAC 11:2-23.8
NM	File marketing material and illustrations with the policy. Available only through SERFF. Source: Equity Index Annuity Checklist		File all health for approval. Bulletin 2015-016	1File all health for approval. 3.10.23.13 NMAC Bulletin 2015-016	File for review and approval. 59A-24A-12Bulletin 2015-016; 59A-24A-12	Prepaid Dental Plans 59A-48-16 File Annual Certificate of Compliance. 13.9.2.13 NMAC; I 13.10.4.22 NMAC Reported: Accidental Death Insurance. File for approval.

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NV	Submit brochures, sales material and brief description of marketing and distribution plans for flexible premium adjustable Life & Universal Life products. Bulletin 29, 1.a., d.	Bulletins 29 and 06-009.	Provide for review and approval. NAC 687B.0775		Furnish for Approval. NAC 687B.280	Dental plans submit for approval 30 days prior (under Chapter 695D, not life/health insurers). 695D.230 Submit Advertising for selling to groups (Associations) formed to purchase insurance. NAC 689B.020.5
NY					File a copy. 11 NYCRR 215.5(d)	File Annual Certificate of Compliance. 11 NYCRR 215.17; 11 NYCRR 219.5
OH			See Note 5.		File for review and approval. 3923.336	File Annual Certificate of Compliance Rule 3901-8-07(R)(2)
OK	Individual and group equity index life and annuity File with policy for approval. Title 36 § 1216 (2)(g) Source EI filing checklist: Agent training material is included as advertising to file. Invitation to contract materials must be filed whenever updated.	File with policy for approval 60 days prior, deemer thereafter. 365:10-9-14(b)	Informational filing. 365:10-5-48.1(a)	365:10-3-6 (3)(C) Appears to require prior approval on any ads including an application or enrollment form (health).	See Note 5 above	Title 36 § 6156: Prepaid dental, File for approval 365:10-3-6 (3)(C) Appears to require prior approval on any ads including an application or enrollment form (health). File Annual Certificate of Compliance. 365:10-3-18

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OR	Pre-need/Funeral, Final Expense, Funeral Expense, Direct Mail with App Attached Use Transmittal Form 440-3308 .	Equity Index, Ads with Illustrated Projections Use Transmittal 440-3308	Direct Mail with App Attached Use Transmittal Form 440-3308	Direct Mail with App Attached Use Transmittal Form 440-3308	Direct Mail with App Attached Use Transmittal Form 440-3308	Direct Mail with App Attached Use Transmittal Form 440-3308 File Annual Certificate of Compliance. OAR 836-020-0280 Reported: Accidental Death Insurance (when application is "attached", including "one-click" away, or solicitation to Senior Citizens).
PA	If advertisement is used as disclosure statement in sales of life insurance. 31 s 83.3 Products with guaranteed annual endowment benefits. 31 § 87.3(7)		Mail order LTC. 31 § 51.2	Mail order DI. 31 § 51.2	See Note 5	Mail order solicitation for individual A&H or franchise A&H. File no later than day of 1 st publication. 31 s 51.2 Initial and amended student accident policy direct mail advertisements, file for review 30 days prior. 31 § 89.99(f) Reported: Accidental Death Insurance. File for pre-approval. File Annual Certificate of Compliance. 31 s 51.5
RI			See Note 5 above.		See Note 5 above.	File Annual Certificate of Compliance. R27-23-1217; R6 s 16
SC	Campus life insurance including planned presentations, file for review. R 69-20 § 4(1)		File for approval. R 69-44 s 22		69-46 § XVIII Bulletin 11-88 Bulletin 1-90 R 69-46 s 19	File Annual Certificate of Compliance. R 69-17 s 17

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SD			File for review 30 days prior. 20:06:21:30		File for review prior to use. 58-17A-13	
TN			.		File for review or approval 56-7-1431(a); 56-7-1457	Accident and Sickness, File 30 days prior to use, deemed after 30 days. 0780-1-8-.19 File Annual Certificate of Compliance. 0780-1-8-.17
TX			File 60 days prior for review unless just institutional. 28 TAC § 3.3838		File 60 days prior for review 28 TAC § 3.3313 HMO file 45 days prior for invitations to inquire and contract. 28 TAC § 11.603	Special simplified filing requirements for submission of substantially similar advertising. TAC 21.120 File Annual Certificate of Compliance. 28 TAC s 21.116
UT					File for review. 31A-22-620 (7). R590-146-19	
VA	Life product promoting education loan feature. File for approval. § 38.2-3113.3		File for review or approval. 14 VAC 5-200-160		File for review. 14 VAC 5-160-90, 14 VA ADC 5-170-170, 38.2-3609	
VT	Indexed life and annuity, file Buyer's Guide or informational material about the index. Bulletin 110, Bulletin 121		File for review and approval. H-09-1 §22		File for approval. Regulation H-09-4 s 19	File Annual Certificate of Compliance. Regulation 71-1 s 15

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WA			File for review. 284-83-100 SERFF Filing Form	Disability insurance, file 30 days prior. 48.20.550, 48.21.370 SERFF Filing Form	File 30 days prior 284-66-300 SERFF Filing Form	File for approval: Group illness-triggered fixed payment insurance, Hospital confinement fixed payment insurance, or other fixed payment insurance, Critical illness coverage including the required standard disclosure form. 48.20.550; 48.21.370 SERFF Filing Form
WI			File outline of coverage for approval prior to use. Ins. 3.46(8)3.(b).		File with the commissioner. Ins. 3.39(15)	
WV	College policies under premium finance rule, File sales material, promissory notes and other forms for approval. 114-7-5.2 Mass marketed life. Informational Letter 43		Mass marketed health. Informational Letter 43	Mass marketed health. Informational Letter 43	File for review. Rule 114-24-17 Mass marketed Medicare Supplement Informational Letter No. 43	Informational Letter 43 and Supplement Mass marketed health. File Annual Certificate of Compliance. 114-10-17
WY			File for review and approval. Ch. 37 §15 ; 26-38-208		File for review. 26-38-208	Cancer insurance. File for review. Chapter 34 Part 1 § 1 Reported: Variable Products, File for approval