



**COMMONWEALTH OF MASSACHUSETTS**  
**Office of Consumer Affairs and Business Regulation**  
**DIVISION OF INSURANCE**

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COMMISSIONER OF INSURANCE

February 13, 2019

Cindy Langston,  
State Filing Analyst III  
Chubb  
202 Hall's Mill Road  
P.O. Box 1600  
Whitehouse Station, NJ 08889

Re: Bankers Standard Insurance Company's Application for Approval of its Direct Payment and Referral Repair Shop Program  
Direct Repair Payment Plan  
SERFF Tracking No. ACEH-131815646

Dear Ms. Langston:

Bankers Standard Insurance Company ("Bankers") has submitted to the Division of Insurance ("Division") for approval through SERFF, its direct payment plan and referral repair shop program. In addition to its SERFF filing, ACEH-131815646 Bankers has submitted additional information to the Division in response to the Division's questions and comments, including but not limited to the information that is set forth in and attached to various correspondence in its filing.

The Division has completed its review of Bankers' plan and has determined that Bankers' direct payment plan fully complies with all statutory and regulatory requirements, except for the number of shops required per geographic region which is addressed below. In addition, because the plan does *not* deviate in any substantial way from those existing direct payment plans that have been previously approved by the Division, no hearing needs to be held under the Division's regulation 211 CMR 123.04(4) in order to approve Bankers' direct repair payment plan. Therefore, pursuant to the Division's regulation 211 CMR 123.04(6) and for the reasons set forth above, the Division now approves Bankers' direct repair payment plan for use in Massachusetts.

Under regulation 211 CMR 123.06(2)(a), "every plan must provide that every claimant will be given a single list containing the names and locations of all registered repair shops as defined in 211 CMR 123.03" and the "insurer may indicate by clearly marking with an asterisk or other means of highlighting on the list of all registered repair shops at least five repair shops geographically convenient for the claimant which will perform the repairs on referred claims

without undue delay.” 211 CMR 123.06(2)(c) further provides that “[a]ny individual insurer wishing to implement a plan which does not contain at least five repair referral shops geographically convenient for the claimant which will perform the repairs on referred claims may petition the Commissioner for a waiver of this requirement. The insurer seeking such a waiver shall set forth the specific facts regarding market share, geographic location, availability of repair shops or other circumstances in support of its petition. No insurer may implement a plan which does not meet this requirement unless and until the Commissioner has granted a petition for waiver.”

Bankers has petitioned the Division for such a waiver of the five referral shop requirement for its direct payment plan. We have reviewed the information Bankers has submitted in support of its petition of waiver for the five referral shop requirement and have determined that they have submitted sufficient information to warrant the approval of the waiver. As such we approve Bankers’ petition request for one year effective this date. Renewal of this waiver must be filed at least 60 days prior to the expiration of the current waiver.

Please let me know if you have any questions concerning the approval by the Division of Bankers’ direct repair payment plan. Thank you.

Sincerely,



Matthew M. Mancini

Director, State Rating Bureau

8 February 2019

**RE: Massachusetts Plan For Direct Payment Of Motor Vehicle Collision And Comprehensive Coverage Claims and Referral Repair Shop Programs**

CHUBB®

Dear Sir or Madam,

Pursuant to Massachusetts regulation 211 CMR 123.06(2)(c), Bankers Standard Insurance Company hereby requests a waiver specific to the number of required referral repair shops conveniently located for the claimant.

Attached below are the Bankers Standard Insurance Company automobiles in force as of December 31, 2018 for the State of Massachusetts. Bankers Standard Insurance Company has less than 0.5% market share for private passenger automobile as of year-end 2017.

<b>County</b>	<b>Automobiles in Force</b>
BARNSTABLE	403
BERKSHIRE	311
BRISTOL	127
DUKES	302
ESSEX	1,444
FRANKLIN	22
HAMPDEN	73
HAMPSHIRE	53
MIDDLESEX	4,059
NANTUCKET	314
NORFOLK	2,621
PLYMOUTH	631
SUFFOLK	1,304
WORCESTER	310
<b>Grand Total</b>	<b>11,974</b>

Based on our limited market share, the current needs of our customers would not warrant five (5) referral repair shops within each geographical location. Based on the automobiles in force, we would provide at least one referral repair shop in each of the following geographic areas:

- Essex County
- Middlesex County
- Norfolk County



Based upon our limited market share, Bankers Standard Insurance Company would not currently have the need for referral repair shops in the following geographic locations:

- Barnstable County
- Berkshire County
- Bristol County
- Dukes County
- Franklin County
- Hampden County
- Hampshire County
- Nantucket County
- Plymouth County
- Suffolk County
- Worcester County

Additional referral repair shops may be added to Bankers Standard Insurance Company's Referral Repair Shop Program. In determining when and where additional referral repair shops would be added, we would again look at the items in force for each geographic location.

Based on the information provided, we respectfully request the Commissioner approve Bankers Standard Insurance Company's request for a temporary shop waiver. We would also offer that it is not our intent to limit the number of referral repair shops, but rather meet the needs of the Massachusetts customer based on the vehicles in force within each geographic location in the state.

Thank you for your consideration, we would welcome your feedback and look forward to providing any additional information that you may require.

Sincerely,  
Chubb

By: *Cindy Langston*  
Cindy Langston  
State Filings Specialist  
Chubb Personal Risk Services