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**IDAPA 18
TITLE 01
Chapter 58**

**18.01.58 - PERMITTING SAME MINIMUM NONFORFEITURE STANDARDS FOR MEN AND WOMEN
INSURED UNDER 1980 CSO AND 1980 CET MORTALITY TABLES**

000. LEGAL AUTHORITY.

This Rule is promulgated by the Director of Insurance pursuant to Section 41-1927, Idaho Code. (7-1-93)

001. TITLE AND SCOPE.

The purpose of the Rule is to permit individual life insurance policies to provide the same case values and paid-up nonforfeiture benefits to both men and women. No change in minimum valuation standards is implied by this rule. (7-1-93)

002. -- 003. (RESERVED).

004. DEFINITIONS.

01. 1980 CSO Table, With Or Without Ten Year Select Mortality Factor. As used in this Rule, "1980 CSO Table, with or without Ten-Year Select Mortality Factor" means that mortality table, consisting of separate rates of mortality for male and female lives, developed by the Society of Actuaries Committee to Recommend New Mortality Tables for Valuation of Standard Individual Ordinary Life Insurance, incorporated in the 1980 NAIC Amendments to the Model Standard Valuation Law and Standard Nonforfeiture Law for Life Insurance, and referred to in those models as the Commissioners 1980 Standard Ordinary Mortality Table, with or without Ten (10) Year Select Mortality Factors. (7-1-93)

02. 1980 CSO Table (M), With Or Without Ten Year Select Mortality Factors. As used in this Rule, "1980 CSO Table (M), with or without Ten-Year Select Mortality Factors" means that mortality table consisting of the rates of mortality for male lives from the 1980 CSO Table, with or without Ten (10) Year Select Mortality Factors. (7-1-93)

03. 1980 CSO Table (F), With Or Without Ten Year Select Mortality Factors. As used in this Rule, "1980 CSO Table (F), with or without Ten-Year Select Mortality Factors" means that mortality table consisting of the rates of mortality for female lives from 1980 CSO Table, with or without Ten-Year Select Mortality Factors. (7-1-93)

04. 1980 CET Table. As used in this Rule, "1980 CET Table" means that mortality table consisting of separate rates of mortality for male and female lives, developed by the Society of Actuaries Committee to Recommend New Mortality Tables for Valuation of Standard Individual Ordinary Life Insurance, incorporated in the 1980 NAIC Amendments to the Model Standard Valuation Law and Standard Nonforfeiture Law for Life Insurance, and referred to in those models as the Commissioners 1980 Extended Term Insurance Table. (7-1-93)

05. 1980 CET Table (M). As used in this Rule, "1980 CET Table (M)" means that mortality table consisting of the rates of mortality for male lives from the 1980 CET Table. (7-1-93)

06. 1980 CET Table (F). As used in this Rule, "1980 CET Table (F)" means that mortality table consisting of the rates of mortality for female lives from the 1980 CET Table. (7-1-93)

07. 1980 CSO And 1980 CET Smoker and Nonsmoker Mortality Tables. As used in this Rule, "1980 CSO and 1980 CET Smoker and Nonsmoker Mortality Tables" mean the mortality tables with separate rates of mortality for smokers and nonsmokers derived from the 1980 CSO and 1980 CET Mortality Tables by the Society of Actuaries Task Force on Smoker/Nonsmoker Mortality and adopted by the NAIC in December 1983. (7-1-93)

005. -- 010. (RESERVED).

011. BASIC RULE.

01. Acceptable Tables. For any policy of insurance on the life of either a male or female insured delivered or issued for delivery in this state after the operative date of Section 41-1927(9)(d)(xi) for that policy form.

(7-1-93)

a. A mortality table which is a blend of the 1980 CSO Table (M) and the 1980 CSO Table (F) with or without Ten (10) Year Select Mortality Factors may at the option of the company be substituted for the 1980 CSO Table, with or without Ten (10) Year Select Mortality Factors, and (7-1-93)

b. A mortality table which is of the same blend as used in (i) but applied to form a blend of the 1980 CET Table (M) and the 1980 CET Table (F) may at the option of the company be substituted for the 1980 CET Table, for use in determining minimum cash surrender values and amounts of paid-up nonforfeiture benefits. (7-1-93)

02. Acceptable Tables. The following tables will be considered as the basis for acceptable tables: (7-1-93)

a. One hundred percent (100%) Male, zero percent (0%) Female for tables to be designated as the "1980 CSO-A" and "1980 CET-A" tables. (7-1-93)

b. Eighty percent (80%) Male, twenty percent (20%) Female for tables to be designated as the "1980 CSO-B" and "1980 CET-B" tables. (7-1-93)

c. Sixty percent (60%) Male, forty percent (40%) Female for tables to be designated as the "1980 CSO-C" and "1980 CET-C" tables. (7-1-93)

d. Fifty percent (50%) Male, fifty percent (50%) Female for tables to be designated as the "1980 CSO-D" and "1980 CET-D" tables. (7-1-93)

e. Forty percent (40%) Male, sixty percent (60%) Female for tables to be designated as the "1980 CSO-E" and "1980 CET-E" tables. (7-1-93)

f. Twenty percent (20%) Male, eighty percent (80%) Female for tables to be designated as the "1980 CSO-F" and "1980 CET-F" tables. (7-1-93)

g. Zero percent (0%) Male, one hundred percent (100%) Female for tables to be designated as the "1980 CSO-G" and "1980 CET-G" tables. (7-1-93)

03. Exceptions. Tables A and G are not to be used with respect to policies issued on or after January 1, 1985 except where the proportion of persons insured is anticipated to be ninety percent (90%) or more of one (1) sex or the other or except for certain policies converted from group insurance. Such group conversions issued on or after January 1, 1986 must use Mortality Tables based on the blend of lives by sex expected for such policies if such group conversions are considered as extensions of the Norris decision. This consideration has not been clearly defined by court or legislative action in all jurisdictions. (7-1-93)

012. ALTERNATE RULE.

In determining minimum cash surrender values and amounts of paid-up nonforfeiture benefits for any policy of insurance on the life of either a male or female insured on a form of insurance with separate rates for smokers and nonsmokers delivered or issued for delivery in this state after the operative date of Section 41-1927(9)(d)(xi) for that policy form, in addition to the mortality tables that may be used according to Section 011: (7-1-93)

01. Blended CSO Mortality Tables. A mortality table which is a blend of the male and female rates of mortality according to the 1980 CSO Smoker Mortality Table, in the case of lives classified as smokers, or the 1980 CSO Nonsmoker Mortality Table, in the case of lives classified as nonsmokers, with or without ten-year Select Mortality Factors, may at the option of the company be substituted for the 1980 CSO Table, with or without Ten-year Select Mortality Factors; and (7-1-93)

02. Blended CET Mortality Tables. A mortality table which is of the same blend as used in Subsection 012.01 of this rule chapter but applied to form a blend of the male and female rates of mortality according to the corresponding 1980 CET Smoker Mortality Table or 1980 CET Nonsmoker Mortality Table may at the option of the company be substituted for the 1980 CET Table. The following blended mortality tables will be considered

acceptable: (7-1-93)

a. SA: One hundred percent (100%) Male, nine percent (9%) Female smoker tables designated as "1980 CSO-SA" and "1980 CET-SA" Tables. (7-1-93)

b. SB: Eighty percent (80%) Male, twenty percent (20%) Female smoker tables designated as "1980 CSO-SB" and "1980 CET-SB" Tables. (7-1-93)

c. SC: Sixty percent (60%) Male, forty percent (40%) Female smoker tables designated as "1980 CSO-SC" and "1980 CET-SC" Tables. (7-1-93)

d. SD: Fifty percent (50%) Male, fifty percent (50%) Female smoker tables designated as "1980 CSO-SD" and "1980 CET-SD" Tables. (7-1-93)

e. SE: Forty percent (40%) Male, sixty percent (60%) Female smoker tables designated as "1980 CSO-SE" and "1980 CET-SE" Tables. (7-1-93)

f. SF: Twenty percent (20%) Male, eighty percent (80%) Female smoker tables designated as "1980 CSO-SF" and "1980 CET-SF" Tables. (7-1-93)

g. SG: Zero percent (0%) Male, one hundred percent (100%) Female smoker tables designated as "1980 CSO-SG" and "1980 CET-SG" Tables. (7-1-93)

h. NA: One hundred percent (100%) Male, zero (0%) Female nonsmoker tables designated as "1980 CSO-NA" and "1980 CET-NA" Tables. (7-1-93)

i. NB: Eighty percent (80%) Male, twenty percent (20%) Female nonsmoker tables designated as "1980 CSO-NB" and "1980 CET-NB" Tables. (7-1-93)

j. NC: Sixty percent (60%) Male, forty percent (40%) Female nonsmoker tables designated as "1980 CSO-NC" and "1980 CET-NC" Tables. (7-1-93)

k. ND: Fifty percent (50%) Male, fifty percent (50%) Female nonsmoker tables designated as "1980 CSO-ND" and "1980 CET-ND" Tables. (7-1-93)

l. NE: Forty percent (40%) Male, sixty percent (60%) Female nonsmoker tables designated as "1980 CSO-NE" and "1980 CET-NE" Tables. (7-1-93)

m. NF: Twenty percent (20%) Male, eighty percent (80%) Female nonsmoker tables designated as "1980 CSO-NF" and "1980 CET-NF" Tables. (7-1-93)

n. NG: Zero percent (0%) Male, one hundred percent (100%) Female nonsmoker tables designated as "1980 CSO-NG" and "1980 CET-NG" Tables. (7-1-93)

03. Exceptions. Tables SA, SG, NA and NG are not acceptable as blended tables unless the proportion of persons insured is anticipated to be ninety percent (90%) or more of one sex or the other. (7-1-93)

013. UNFAIR DISCRIMINATION.

It shall not be a violation of Section 41-1302 for an insurer to issue the same kind of policy of life insurance on both a sex-distinct and sex-neutral basis. (7-1-93)

014. SEVERABILITY.

If any provision of this Rule or the application thereof to any person or circumstance is for any reason held to be invalid, the remainder of the rule and the application of such provision to other persons or circumstances shall not be affected thereby. (7-1-93)

015. -- 999. (RESERVED).