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BULLETIN 08-34

To: All Property & Casualty Insurance Companies, All Property & Casualty Producers, and All Interested Parties

Re: Certificates of Insurance for Property & Casualty Policies

Date: November 7, 2008

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The Maryland Insurance Administration has become aware of the fact that some insurers and insurance producers are being asked to provide Certificate of Insurance forms which include language that seeks to amend or alter the coverage provided by the underlying insurance policy. As Certificates of Insurance are usually provided in lieu of providing the actual insurance policy and to serve as proof of insurance, it is important that a Certificate of Insurance clearly and accurately reflect the coverage being provided. A Certificate of Insurance may not be used as a means of altering, expanding or in any way modifying the terms and conditions of the underlying policy.

No person, including a licensed insurer or licensed insurance producer, may issue a Certificate of Insurance that either affirmatively or negatively amends, extends or alters, or otherwise modifies the coverage provided by the underlying insurance policy. It is a violation of the Insurance Article for a producer to alter standardized Certificate of Insurance forms to accommodate requests for "hold harmless" agreements or other types of clauses that seek to modify the terms or conditions of the underlying policy. No insurance producer should issue a Certificate of Insurance that does not accurately reflect the terms and conditions of the underlying insurance policy.

If you have any questions about this Bulletin, please contact David Diehl, Chief Administrator, Property & Casualty, by telephone at (410) 468-2320 or by e-mail at ddiehl@mdinsurance.state.md.us.

Ralph S. Tyler, Insurance Commissioner

By: P. Randi Johnson
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