



**ACORD Forms Notification Service  
December 2021 Bulletin**

**ACORD P&C and Life/Annuity/Health Form Changes and Additions**

The following pages include both a list of any new and revised ACORD forms and an Explanation of the Changes made.

This Forms Notification contains specific information concerning Washington State and California. For clarification, this Forms Notification is for the December releases, released in January of 2022.

Forms can be found on the **ACORD Forms Portal** page at [www.acord.org](http://www.acord.org). The effective date included on the footer of all forms will match the date the form must be used in order to ensure compliance with our filings. To download forms, you will need to “sign-in” as an ACORD member with your user name and password.

If you need assistance, a sample of a form, or you would like to join ACORD, please call Member Services at (800) 444-3341, Option 2 or email us at [memberservices@acord.org](mailto:memberservices@acord.org).

If you do not wish to receive this notification, please email [memberservices@acord.org](mailto:memberservices@acord.org) requesting that we unsubscribe you to this Forms Notification Service.



**Forms Release 1-5-2022**

Form Number	Replaces	Title	For Use on or after:	Regulatory Change
REVISIONS				
P&C Countrywide				
NONE				
P&C – State Specific				
NONE				
NEW				
P&C-Countrywide				
NONE				
P&C - State Specific				
ACORD 80 WA (2021/06)		Washington Homeowner Application (Without Credit)	On release	x
ACORD 90 WA (2021/06)		Washington Personal Auto Application (Without Credit)	On release	X
ACORD 290 WA (2021/06)		Washington Personal Auto Application Section (Without Credit)	On release	X
ACORD 85 WA (2021/06)		Washington Mobile Home Application (Without Credit)	On release	X
ACORD 856 CA (2022/01)		California FAIR Plan Property Insurance – Application for Businessowners (BOP) Insurance	2022/01	X
NONE				
Life & Annuity				
NONE				
Withdrawn Forms				
NONE				



**December 2021**  
**EXPLANATION OF CHANGES**  
**P&C FORMS**

**State Specific**

**1. ACORD 856 CA California FAIR Plan Property Insurance – Application for Businessowners (BOP) (2022/01)**

California Fair Plan requested changes to be made to their form ACORD 856 CA to be implemented as soon as possible.

The changes to the form are as follows:

1. Update the California Fair Plan's Logo
2. Change form edition to 2022/01
3. Change revision date on the form to 1/2022 on the bottom of each page
4. Delete number 3 on page 1 of the General Guidelines
5. Delete on the last page of the form: "Attached are declination letters from three (3) separate insurance carriers, at least one is a surplus lines carrier."

**Washington**

In 2021, ACORD released new Washington forms to comply with the Commissioner's Emergency Rule prohibiting the use of credit history to determine premiums and eligibility for coverage in private automobile, homeowners, and renter's insurance products (R 2021-19). This Emergency Rule was overturned by Washington's highest court. After this decision was issued, Washington's Insurance Commissioner pursued a rule to prohibit for three years the use of credit history (R 2021-07). This Rule was to be effective January 1, 2022. A subsequent Rule has not yet been adopted. The Court's decision remains that credit histories can be used and can be a part of the aforementioned applications.

For those members who are continuing to write policies without credit history, we will continue to provide the forms without the credit history references. We will continue to follow for any updates.

The following forms are available for use:

1. ACORD 80 WA Washington Homeowner Application (Without Credit) (2021/06)
2. ACORD 85 WA Washington Mobile Home Application (Without Credit) (2021/06)
3. ACORD 90 WA Washington Personal Auto Application (Without Credit) (2021/06)
4. ACORD 290 WA Washington Personal Auto Application Section (Without Credit) (2021/06)

If a member is using credit history the following forms are available for use:

1. ACORD 80 Homeowner Application (2016/11)
2. ACORD 85 Mobile Home Application (2016/11)
3. ACORD 90 WA Washington Personal Auto Application (2016/12)
4. ACORD 290 WA Washington Personal Auto Application Section (2016/12)

We appreciate the member feedback about the implications of the change in law and the forms that are being used. There will be two versions of the state-specific forms for the Washington Personal Auto Application and the Washington Personal Auto Application. In the future, should there be a need to revise the forms, we will likely look to only release a single Auto Application for Washington. At present, this resolution of releasing two versions seemed, based on feedback we received, to accommodate those members that have discontinued credit history.

If there are questions, do not hesitate to contact ACORD.

### **Update: California**

California passed legislation that had an impact to California insurance applications. (SB 1511).

Section 1871.2 of the Insurance Code was amended to read:

(a) An insurer who, in connection with any insurance application, contract, or provision of contract described in Section 108, prints, reproduces, or furnishes a form to any person upon which that person applies for a policy, seeks to make a change to an existing policy, or gives notice of a claim to the insurer or makes a claim against the insurer by reason of accident, injury, death, or other noticed or claimed loss, or on a rider attached to the form,

shall cause to be printed or displayed in comparative prominence with other content the statement: "Any person who knowingly presents false or fraudulent information to obtain or amend insurance coverage or to make a claim for the payment of a loss is guilty of a crime and may be subject to fines and confinement in state prison." This statement shall be preceded by the words: "For your protection California law requires the following to appear on this form" or other explanatory words of similar meaning.

ACORD retained local counsel to ensure compliance for membership. The California Department of Insurance is reviewing ACORD's questions. Department has advised that the Department will issue **no** enforcement violations nor require any corrective action plans while we work through the issues and questions. The Department will ensure that companies will be provided adequate time/notice to amend forms before enforcement occurs.

We are continuing to follow this and welcome any questions you may have.

*(Released January 5, 2022)*