

(2) STANDARDS FOR MAXIMUM AMOUNTS OF DIVIDENDS, RETROSPECTIVE RATE CREDITS, AND ANY OTHER FORM OF REFUND OR BENEFIT TO POLICYHOLDERS.

436-I.

(F) GENERAL PREMIUM RATE STANDARDS; MANDATORY RATE REVISION; PROMULGATION OF PRIMA FACIE ACCEPTABLE RATES BY COMMISSIONER.

(1) PREMIUM RATES PROVIDED BY POLICIES OF CREDIT INSURANCE ARE PRESUMED TO BE REASONABLE IN RELATION TO BENEFITS IF THEY ARE IN ACCORDANCE WITH SECTION 436H(B), ~~IF THE LOSS RATIO FOR ANY CASE DURING AN EXPERIENCE PERIOD EQUALS OR EXCEEDS 50 PERCENT.~~

(2) WITHIN ~~60~~ 120 DAYS AFTER THE EXPIRATION OF THE EXPERIENCE PERIOD FOR ANY CASE ESTABLISHED PURSUANT TO SECTION 436C(8), THE INSURER SHALL FILE WITH THE COMMISSIONER AN APPROPRIATE EXPERIENCE REPORT SIGNED BY ITS ACTUARY WHICH CERTIFIES THE LOSS RATIO FOR THE CASE. IF THE LOSS RATIO CERTIFIED FOR THE CASE SATISFIES THE LOSS RATIO GUIDELINE PROVIDED ABOVE PROMULGATED BY THE COMMISSIONER, THE INSURER MAY CONTINUE TO CHARGE THE EXISTING PREMIUM RATES.

(3) IF THE LOSS RATIO FOR ANY CASE IS LESS THAN THE LOSS RATIO GUIDELINE, THE INSURER SHALL MAKE APPROPRIATE RATE REDUCTIONS, WHICH SHALL BE EFFECTIVE ON OR BEFORE 45 DAYS AFTER THE EXPERIENCE REPORT HAS BEEN FILED, OR SHOW CAUSE TO THE COMMISSIONER WHY ITS RATES FOR THE CASE SHOULD NOT BE REDUCED. IF THE LOSS RATIO FOR ANY CASE IS LESS THAN THAT REQUIRED ABOVE AND THE INSURER REFUSES TO REDUCE ITS RATES, THE COMMISSIONER, AFTER NOTICE AND HEARING AND WITHIN 60 DAYS AFTER THE FILING OF THE EXPERIENCE REPORT, SHALL NOTIFY THE INSURER IN WRITING AS TO THE RATES WHICH ARE AUTHORIZED FOR USE WITH THE CASE. THESE RATES SHALL BE IMPLEMENTED BY THE INSURER NO LATER THAN 45 DAYS AFTER RECEIPT OF THE COMMISSIONER'S NOTICE.

~~(4) IF THE LOSS RATIO FOR ANY CASE DURING AN EXPERIENCE PERIOD EQUALS OR EXCEEDS 55 PERCENT, THE INSURER MAY INCREASE THE PREMIUM RATES TO A LEVEL WHICH WOULD, ASSUMING THE LOSS EXPERIENCE DURING THE NEW EXPERIENCE PERIOD WILL BE THE SAME AS THAT FOR THE IMMEDIATELY PRECEDING EXPERIENCE PERIOD, PRODUCE A LOSS RATIO OF 50 PERCENT.~~

~~(5)~~ (4) FOR NEW CASES OR CASES WHICH DO NOT SATISFY THE EXPERIENCE PERIOD REQUIREMENT CONTAINED IN SECTION 436C(9), AND FOR BUSINESS WHICH DOES NOT MEET THE DEFINITION OF A CASE BY REASON OF BEING LESS THAN THE \$50,000 MINIMUM THRESHOLD, THE COMMISSIONER, ON A BIENNIAL BASIS AND AFTER NOTICE AND HEARING, SHALL PROMULGATE PRIMA FACIE ACCEPTABLE RATES APPLICABLE TO SPECIFIED PLANS OF BENEFITS FOR EACH CLASS OF BUSINESS. PRIMA FACIE RATES