



STATE OF HAWAII
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
INSURANCE DIVISION

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May 29, 2019

MEMORANDUM 2019 – 3R

TO: All Insurers Writing Residential Hurricane Coverage in Hawai`i

FROM: Colin M. Hayashida, Insurance Commissioner 

SUBJECT: Hurricane Insurance Data Call Worksheet

The Insurance Commissioner ("Commissioner") is requiring that any insurer writing residential hurricane coverage in Hawai`i at any time in the last fifteen years (i.e., since 2004) complete and submit a data call worksheet to the Insurance Division, Rate and Policy Analysis Branch, by August 30, 2019. Residential hurricane coverage is important for Hawai`i homeowners to obtain. As Hawai`i hurricane experience is not segregated in statutory financial information submitted by insurers, the Commissioner is seeking to capture Hawai`i-specific information on residential hurricane coverage through a separate data call.

The Commissioner may exercise his authority to investigate the adequacy of rates and compliance with rate regulation pursuant to Hawai`i Revised Statutes ("HRS") §§431 :2-201(a) and (b) and 431:14-114(c). Pursuant to HRS §431:2-201(a), "The commissioner shall have the authority expressly conferred upon the commissioner by or reasonably implied from the provisions of this code." Under HRS §431:2-201(b), "The commissioner shall execute the commissioner's duties and shall enforce this code." Pursuant to HRS §431: 14-114(c), "to further the uniform administration of rate regulatory laws, the commissioner and every insurer and rating organization may exchange information and experience data with insurance supervisory officials, insurers, and rating organizations in any state and may consult with them with respect to ratemaking and the application of rating systems." In addition, information disclosed in the data call worksheet is confidential and not subject to disclosure pursuant to HRS §431 :2D-114, which provides:

Whether through market analysis, market conduct action, or in response to another regulatory request, any information provided in response to a data call from the commissioner or the commissioner's

designee, shall be treated as confidential and privileged. It shall not be subject to subpoena and shall not be subject to discovery or admissible in evidence in any private civil action. No waiver of privilege or confidentiality shall occur as a result of responding to a data call.

Noteworthy changes to the worksheet from the previous year's template are stated below:

Section 3: Added new Event Timeframe, 1 in 50 Years

Section 7.0: Corrected typo in question from 2 or more to 3 or more

Please submit your completed data call worksheet by email to: rpatacall@dcca.hawaii.gov or by mail to: State of Hawai'i, Department of Commerce and Consumer Affairs, Insurance Division, 335 Merchant Street, Room 213, Honolulu, Hawai'i, 96813. Please direct any questions to Kathleen Nakasone, Insurance Rate and Policy Analysis Manager, at (808) 586-2790.

Thank you in advance for your cooperation and assistance in this matter.