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INSURANCE COMMISSIONER
OKLAHOMA

**BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA**

**IN RE: ELECTRONIC FILINGS OF PREPAID)
 FUNERAL BENEFITS PERMIT HOLDERS) Case No. 16-0610-PRJ
 IN THE STATE OF OKLAHOMA)**

**TO: ALL PREPAID FUNERAL BENEFITS PERMIT HOLDERS IN THE
 STATE OF OKLAHOMA**

JURISDICTION

1. The Insurance Commissioner, John D. Doak, is charged with the duty of administering and enforcing the provisions of the Oklahoma Insurance Code, 36 O.S. §§ 101 et seq., including the Prepaid Funeral Benefits Act, 36 O.S. §§ 6121 et seq.

2. Notwithstanding any other provision of law that requires a particular form and associated payment to be filed with the Insurance Department in paper form, or to be mailed or hand-delivered to the Insurance Department, the Insurance Commissioner may, by appropriate order, require that all filings of that specific type be filed or delivered in electronic format. 36 O.S. § 350.

FINDINGS OF FACT

1. Each organization desiring to accept money or anything of value for prepaid funeral benefits or an agreement to provide benefits in the future at a fixed or predetermined cost, shall file an application for a permit with the Insurance Commissioner, and shall at the time of filing an application, pay one initial filing fee of Fifty Dollars (\$50.00). 36 O.S. § 6124(A).

2. All permits shall expire on December 31 of the year the permit is first issued, unless renewed; permits may be renewed for a period not to exceed the succeeding December 31 upon the payment of a renewal fee of Fifty Dollars (\$50.00). 36 O.S. § 6124(A)(3).

3. Each organization shall file an annual report with the Insurance Commissioner on or before March 15 of each year in such form as the Insurance Commissioner may require, showing the names and addresses of all persons with whom contracts for prepaid funeral benefits have been made prior to December 31 of the preceding year, which had not been fully discharged on December 31 and, also showing the date of the contract, the name of the bank or depository holding the trust fund and the amount of the trust fund under each contract on the preceding December 31. 36 O.S. § 6128.

4. On November 1, 2014, the following statutory provision in the Oklahoma Insurance Code took effect:

DUTY TO FILE OR DELIVER PAYMENTS ELECTRONICALLY

Notwithstanding any other provision of law that requires a particular form and associated payment to be filed with the Insurance Department in paper form, or to be mailed or hand-delivered to the Insurance Department, the Insurance Commissioner may, by appropriate order, require that all filings of that specific type be filed or delivered in electronic format. 36 O.S. § 350.

5. This provision of law provides the Insurance Commissioner with the authority, by appropriate order, to require prepaid funeral benefits application and renewal application forms and associated payments to be filed electronically with the Insurance Department. It also provides the Insurance Commissioner with the authority, by appropriate order, to require prepaid funeral benefits annual reports to be filed electronically with the Insurance Department.

6. The Insurance Commissioner finds it proper to prescribe that all Prepaid Funeral Benefits applications, renewal applications and all accompanying fees for a Prepaid Funeral Benefits permit be filed by electronic means and format effective November 1, 2016 and all filings thereafter, pursuant to 36 O.S. § 350, as approved by the Commissioner.

7. The Insurance Commissioner further finds it proper to prescribe that all Prepaid Funeral Benefits annual reports be filed by electronic means and format effective January 1, 2017 and all filings thereafter.

CONCLUSIONS OF LAW

1. The Findings of Fact above are adopted, and incorporated by reference in these Conclusions of Law as if fully set forth herein.

ORDER

IT IS THEREFORE ORDERED, based upon the foregoing Findings of Fact and Conclusions of Law, that all Prepaid Funeral Benefits applications, renewal applications and all accompanying fees for a Prepaid Funeral Benefits permit be filed by electronic means and format effective November 1, 2016 and thereafter, pursuant to 36 O.S. § 350, as approved by the Commissioner.

IT IS FURTHER ORDERED, based upon the foregoing Findings of Fact and Conclusions of Law, that all Prepaid Funeral Benefits annual reports be filed by electronic means and format effective January 1, 2017 pursuant to 36 O.S. § 350, as approved by the Commissioner.

WITNESS My Hand and Official Seal this 6th day of July, 2016.



A handwritten signature in cursive script that reads "James A. Mills".

JAMES MILLS
CHIEF OF STAFF
STATE OF OKLAHOMA