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**FOR IMMEDIATE RELEASE**

**PROCEDURAL CHECKLIST TO AVOID COMMON SUBMISSION ERRORS WHEN FILING  
A MEMORANDUM OF VARIABLE MATERIAL**

Although not intended to be an all-inclusive list of requirements for filing a Memorandum of Variable Material (MOV) for approval, we provide the following checklist to help filers avoid common submission problems. Please see the Department’s website for additional guidance. Note that this checklist need not be submitted with your filing, it is intended for your internal use only. The use of variations other than those that appear in the Memorandum of Variable Material would be considered the use of an unapproved policy form.

1.	All variable material is either bracketed (both beginning and ending brackets), underlined or boxed. Including hypothetical “John Doe” material.	
2.	The MOV states which method of denoting variability is used.	
3.	The name of the New York licensed company is set forth in the caption of the MOV, along with the current date and all form numbers to which the MOV pertains. These form numbers match <u>exactly</u> the form numbers on the forms.	
4.	The MOV is listed separately for each corresponding form in all relevant supporting documentation (i.e., CL-6 2004 Policy Form Compliance Certification, Flesch Score Certification, Statement of Self-Support).	
5.	If filing via SERFF, the MOV has been included under the Form Schedule tab and the Form Number field matches <u>exactly</u> the form number(s) to which it pertains.	
6.	An explanation has been provided for every variable item.	
7.	The form number on the form has not been denoted as variable.	
8.	The company’s name has not been denoted as variable.	
9.	The lower left-hand corner of the MOV is blank. (i.e., any numbers given to the MOV for internal company purposes are set forth somewhere other than	

	the lower left-hand corner.)	
10.	The types of riders that could appear on the form are referenced on the MOV.	
11.	The ranges for Rider charges (minimums & maximums) are referenced on the MOV.	
12.	Where text is variable, the MOV indicates the exact language of any alternate text and/or an explanation of when the variable text will be omitted in its entirety.	
13.	If a variable item may change and ranges or alternate text cannot be included the explanation provides that any such change will be submitted to the Department for prior approval in a revised MOV.	
14.	If the title of an officer of the company is bracketed the narrative description that “In the event the title of an officer signing the policy form changes, any new title utilized will be the title of an officer of the company.” This <u>exact</u> language must be used.	
15.	The form does not denote the entire specification or data page as variable.	
16.	Only those items that the Guidance says can be variable are listed as variable. Please see the Guidance on the Department Website, Item II.B 1-10 as two pages of guidance are available.	
17.	A List of Funds (LOF) is used to describe the variability of investment options.	
18.	The List of Funds is a separate document and is listed separately on the Policy Form Compliance Certification for each corresponding policy form.	
19.	The name of the New York licensed company is set forth in the caption, along with the current date and all form numbers to which the LOF pertains and match <u>exactly</u> the form numbers on the forms. The LOF indicates that any change in the subaccounts will be submitted for approval in a revised LOF. The funds have been submitted and/or approved by the Department’s NYC office (Plan of Operations).	
20.	Bracketing of the fixed account complies with the Guidance on the Department Website.	
21.	Marketing names must be indicated as variable on the MOV. The explanation must state in these <u>exact</u> words: “Any change in the marketing name will be submitted in a revised MOV for prior approval.”	
22.	Choice of payments and Credit Card options, if applicable, are referenced on the MOV.	