

**TITLE 114**  
**LEGISLATIVE RULE**  
**INSURANCE COMMISSIONER**

**SERIES 45**  
**RECOGNIZING ANNUITY MORTALITY TABLES**  
**FOR USE IN DETERMINING RESERVE LIABILITIES FOR ANNUITIES**

**§114-45-1. General.**

This Legislative rule applies to all life insurance companies and fraternal benefit societies doing business in this State and to all life insurance companies and fraternal benefit societies which are authorized to reinsure life insurance, annuities or accident and health insurance business in this State.

1.2. Authority. -- W. Va. Code §§33-2-10, 33-7-9a and 33-7-9(e)(2),(3) and (5)

1.3. Filing Date. -- May 7, 1999.

1.4. Effective Date. -- May 7, 1999.

**§114-45-2. Purpose.**

The purpose of this rule is to recognize the following mortality tables for use in determining the minimum standard of valuation for annuity and pure endowment contracts: the 1983 table "a"; the 1983 Group Annuity Mortality (1983 GAM) Table; the Annuity 2000 Mortality Table; and the 1994 Group Annuity Reserving (1994 GAR) Table.

**§114-45-3. Definitions.**

3.1. As used in this rule "1983 Table 'a'" means that mortality table developed by the Society of Actuaries Committee to recommend a new mortality basis for individual annuity valuation and adopted as a recognized mortality table for annuities in June 1982 by the National Association of Insurance Commissioners.

3.2. As used in this rule "1983 GAM Table" means that mortality table developed by the Society of Actuaries Committee on annuities and adopted as a recognized mortality table for annuities in December 1983 by the National Association of Insurance Commissioners.

3.3. As used in this rule "1994 GAR Table" means that mortality table developed by the Society of Actuaries Group Annuity Valuation Table Task Force and shown at XLVII Transactions of the Society of Actuaries 866-867 (1995).

3.4. As used in this rule "Annuity 2000 Mortality Table" means that mortality table developed by the Society of Actuaries Committee on Life Insurance Research and shown at XLVII Transactions of the Society of Actuaries 240 (1995).

**§114-45-4. Individual Annuity or Pure Endowment Contracts.**

4.1. Except as provided in subsections 4.2 and 4.3 of this section, the 1983 table "a" is recognized and approved as an individual annuity mortality table for valuation and, at the option of the life insurance company or fraternal benefit society, may be used for purposes of determining the minimum standard of valuation for any individual annuity or pure endowment contract issued on or after April 6, 1977.

4.2. Except as provided in subsection 4.3 of this section either the 1983 table "a" or the Annuity 2000 Mortality Table shall be used for determining the minimum standard of valuation for any individual annuity or pure endowment contract issued on or after January 1, 1997.

4.3. Except as provided in subsection 4.4 of this section, the Annuity 2000 Mortality Table shall be used for determining the minimum standard of valuation for any individual annuity or pure endowment contract issued on or after April 1, 1999.

4.4. The 1983 Table "a" without projection is to be used for determining the minimum standards of valuation for an individual annuity or pure endowment contract issued on or after April 1, 1999, solely when the contract is based on life contingencies and is issued to fund periodic benefits arising from:

a. Settlements of various forms of claims pertaining to court settlements or out of court settlements from tort actions;

b. Settlements involving similar actions such as worker's compensation claims; or

c. Settlements of long term disability claims where a temporary or life annuity has been used in lieu of continuing disability payments.

#### **§114-45-5. Group Annuity or Pure Endowment Contracts.**

5.1. Except as provided in subsections 5.2 and 5.3 of this section, the 1983 GAM Table, the 1983 table "a", and the 1993 GAR Table are recognized and approved as group annuity mortality tables for valuation and, at the option of the life insurance company or fraternal benefit society, any one of these tables may be used for purposes of valuation for any annuity or pure endowment purchased on or after April 6, 1977 under a group annuity or pure endowment contract.

5.2. Except as provided in subsection 5.3 of this section, either the 1983 GAM Table or the 1994 GAR Table shall be used for determining the minimum standard of valuation for any annuity or pure endowment purchased on or after January 1, 1997 under a group annuity or pure endowment contract.

5.3. The 1994 GAR Table shall be used for determining the minimum standard of valuation for any annuity or pure endowment purchased on or after April 1, 1999 under a group annuity or pure endowment contract.

#### **§114-45-6. Application of the 1994 GAR Table.**

In using the 1994 GAR Table, the mortality rate for a person age  $x$  in year  $(1994 + n)$  is calculated as follows:

$$q_x^{1994+n} = q_x^{1994} (1 - AA_x)^n$$

where the  $q_x^{1994}$  and  $AA_x$ s are as specified in the 1994 GAR Table.