



ACTUARIAL STANDARDS BOARD

**Actuarial Standard
of Practice
No. 36**

**Statements of Actuarial Opinion Regarding
Property/Casualty Loss, Loss Adjustment Expense,
or Other Reserves**

**Developed by the
ASOP No. 36 Task Force of the
Casualty Committee of the
Actuarial Standards Board**

**Adopted by the
Actuarial Standards Board
March 2024**

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March 2024

TO: Members of Actuarial Organizations Governed by the Standards of Practice of the Actuarial Standards Board and Other Persons Interested in Statements of Actuarial Opinion Regarding Property/Casualty Loss, Loss Adjustment Expense, or Other Reserves

FROM: Actuarial Standards Board (ASB)

SUBJECT: Proposed Revision of Actuarial Standard of Practice (ASOP) No. 36

This document contains the revision of ASOP No. 36, now titled, *Statements of Actuarial Opinion Regarding Property/Casualty Loss, Loss Adjustment Expense, or Other Reserves*.

History of the Standard

In March 2000, the ASB adopted ASOP No. 36, *Statements of Actuarial Opinion Regarding Property/Casualty Loss and Loss Adjustment Expense Reserves* to provide guidance to actuaries when issuing specific types of statements of actuarial opinion.

ASOP No. 43, *Property/Casualty Unpaid Claim Estimates*, was adopted in 2007 and provides guidance to actuaries on estimating unpaid claims, both when such estimates are performed to support a statement of actuarial opinion covered by ASOP No. 36 and in other circumstances. In 2010, the ASB revised ASOP No. 36 to eliminate guidance and language that was redundant with the newly adopted ASOP No. 43, to maintain consistency between ASOP Nos. 36 and 43, and to clarify and provide further guidance within ASOP No. 36.

When ASOP No. 36 was revised in 2010, the NAIC required the actuary to comment only if there was a significant risk of material adverse deviation (RMAD). Since 2010, the NAIC has expanded its requirements for property/casualty statements of actuarial opinion. For example, it now requires the actuary to always comment on the RMAD. The current revision of ASOP No. 36 incorporates and expands upon the disclosures required in the NAIC Property/Casualty Annual Statement Instructions.

First Exposure Draft

The first exposure draft was released in July 2022 with a comment deadline of September 30, 2022. Nine comment letters were received and considered in making changes that were reflected in the second exposure draft.

Second Exposure Draft

The second exposure draft was released in July 2023 with a comment deadline of November 1, 2023. Four comment letters were received and considered in making changes that are reflected in this final standard.

Notable Changes from the Second Exposure Draft

There were no notable changes made to the second exposure draft. Notable changes are changes other than those made to improve readability, clarity, or consistency.

Notable Changes from the Existing Standard

Notable changes from the existing standard are below. Notable changes are changes other than those made to improve readability, clarity, or consistency.

1. In sections 1.1 and 1.2, the purpose and scope have been expanded beyond “issuing” and “providing” to “performing actuarial services with respect to a written statement of actuarial opinion regarding property/casualty loss, loss adjustment expense, or other reserves.”
2. In section 1.2, the scope was expanded to include other reserves and clarifies that this standard applies to the statements of actuarial opinion on reserves of other property/casualty risk financing systems.
3. In section 1.2, the scope was expanded to include actuaries “reviewing a statement of actuarial opinion.”
4. In section 2, definitions of counterparty and recoverable were added, and definitions of event, present value, unpaid claim estimates, and unpaid claim estimate analysis were deleted.
5. In section 3.3, the stated basis of the reserve was revised to include characteristics of other reserves being opined upon.
6. In sections 3.3(a) and 4.3(a), what the actuary is required to identify and disclose regarding discounting has been clarified.
7. Section 3.4.1 clarifies the requirement to determine that the scope of the analysis is appropriate for the scope of the statement of actuarial opinion, including the accounting date and valuation date in addition to the review date.
8. In section 3.4.2, guidance requiring the actuary to review work produced under the actuary’s direction was removed, as the requirement is covered in Precept 3 of the Code of Professional Conduct.
9. In section 3.4.4, guidance related to using another party’s work has been modified.
10. In section 3.6, guidance on uncollectable recoverables was expanded to include other recoverables in addition to reinsurance.

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11. In sections 3.9, 3.10, and 3.11, guidance was added for situations when the scope of the statement of actuarial opinion includes both direct and assumed reserves and reserves net of recoverables.
12. In section 3.9, guidance was added for situations when an actuary opines on different reserve items individually and reaches different conclusions on those items.
13. In section 3.10, guidance on determining a materiality standard was added.
14. In section 3.11, guidance on material adverse deviation was expanded.
15. In section 3.13, guidance on reliance on data or other information supplied by others was added.
16. In section 3.14, the documentation section was updated.
17. Section 4 was restructured and revised to align with the changes in section 3 and current ASOP format.
18. The disclosure requirements in section 4.2 were expanded to require additional discussion related to the risk of material adverse deviation.
19. Section 4.4(b) was deleted.

The ASB thanks everyone who took the time to contribute comments and suggestions on the exposure drafts.

The ASB voted in March 2024 to adopt this standard.

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The Actuarial Standards Board (ASB) sets standards for appropriate actuarial practice in the United States through the development and promulgation of Actuarial Standards of Practice (ASOPs). These ASOPs describe the procedures an actuary should follow when performing actuarial services and identify what the actuary should disclose when communicating the results of those services.

ACTUARIAL STANDARD OF PRACTICE NO. 36

STATEMENTS OF ACTUARIAL OPINION
REGARDING PROPERTY/CASUALTY LOSS,
LOSS ADJUSTMENT EXPENSE, OR OTHER RESERVES

STANDARD OF PRACTICE

Section 1. Purpose, Scope, Cross References, and Effective Date

- 1.1 Purpose—This actuarial standard of practice (ASOP or standard) provides guidance to the actuary when performing actuarial services with respect to a written statement of actuarial opinion regarding property/casualty **loss, loss adjustment expense**, or other **reserves**.
- 1.2 Scope—This standard applies to actuaries when performing actuarial services with respect to a written statement of actuarial opinion regarding property/casualty **loss, loss adjustment expense**, or other **reserves** of an insurance company or other property/casualty risk financing system, under one or more of the following circumstances:
- a. the statement of actuarial opinion is prepared to comply with the NAIC Property/Casualty Annual Statement Instructions;
 - b. the statement of actuarial opinion is otherwise prescribed by applicable law (statutes, regulations, and other legally binding authority); or
 - c. the statement of actuarial opinion is represented by the actuary as complying with this standard.

“Other **reserves**” include such items as retrospective reinsurance premium **reserves**, unearned premium **reserves** for property/casualty long-duration contracts, unearned premium **reserves** for extended reporting endorsements, premium deficiency **reserves**, contingent commission **reserves**, or other **reserve** items for which the actuary is providing a statement of actuarial opinion.

Examples of property/casualty risk financing systems include reinsurers, self-insurers, and government and other risk-sharing pools.

Throughout this standard, the phrase “statement of actuarial opinion” refers to the written statement of actuarial opinion regarding property/casualty **loss, loss adjustment expense**, or other **reserves** of an insurance company or other property/casualty risk financing system.

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If the actuary is performing actuarial services that involve reviewing a written statement of actuarial opinion, the reviewing actuary should follow the guidance in this standard to the extent practicable within the scope of the actuary’s assignment.

When performing actuarial services with respect to a written statement of actuarial opinion that includes both property/casualty insurance liabilities and non-property/casualty insurance liabilities, other standards may apply in addition to this standard, such as ASOP No. 22, *Statements of Actuarial Opinion Based on Asset Adequacy Analysis for Life Insurance, Annuity, or Health Insurance Reserves and Other Liabilities*; ASOP No. 28, *Statements of Actuarial Opinion Regarding Health Insurance Liabilities and Assets*; or ASOP No. 57, *Statements of Actuarial Opinion Not Based on an Asset Adequacy Analysis for Life Insurance, Annuity, or Health Insurance Reserves and Related Actuarial Items*.

If the actuary determines that the guidance in this ASOP conflicts with an ASOP that applies to all practice areas, this ASOP governs.

If a conflict exists between this standard and applicable law, the actuary should comply with applicable law. If the actuary departs from the guidance set forth in this standard in order to comply with applicable law or for any other reason the actuary deems appropriate, the actuary should refer to section 4.

- 1.3 Cross References—When this standard refers to the provisions of other documents, the reference includes the referenced documents as they may be amended or restated in the future, and any successor to them, by whatever name called. If any amended or restated document differs materially from the originally referenced document, the actuary should follow the guidance in this standard to the extent it is applicable and appropriate.
- 1.4 Effective Date—This standard is effective for all statements of actuarial opinion regarding **loss, loss adjustment expense**, or other **reserves** issued on or after October 1, 2024.

Section 2. Definitions

The terms below are defined for use in this standard and appear in bold throughout the ASOP. The actuary should also refer to ASOP No. 1, *Introductory Actuarial Standard of Practice*, for definitions and discussions of common terms, which do not appear in bold in this standard.

- 2.1 Accounting Date—The stated cutoff date for reflecting events and recording amounts in a financial statement or accounting system. The **accounting date** is sometimes known as the “as of date.”
- 2.2 Counterparty—An entity with which the insurance company or other property/casualty risk financing system has a contractual relationship including, but not limited to, a ceding entity, an assuming entity, an insured, or a service provider.

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- 2.3 Coverage—The terms and conditions of a plan or contract, or the requirements of applicable law, that create an obligation to pay benefits, expenses, or claims associated with contingent events.
- 2.4 Explicit Risk Margin—An explicit provision for uncertainty in a **reserve**.
- 2.5 Loss—The cost that is associated with an event that has taken place and that is subject to **coverage**. It is also known as “claim amount.” The term “**loss**” may include **loss adjustment expense** as appropriate.
- 2.6 Loss Adjustment Expense—The costs of administering, determining **coverage** for, settling, or defending claims even if it is ultimately determined that the claim is invalid. It is also known as “claim adjustment expense.”
- 2.7 Recoverable—An amount (for example, deductibles, ceded reinsurance, salvage, or subrogation) that may be collected from a **counterparty**.
- 2.8 Reserve—An amount recorded in a financial statement or accounting system to reflect potential obligations.
- 2.9 Reserve Evaluation—The process of evaluating the reasonableness of a **reserve**.
- 2.10 Review Date—The date (on or after the **valuation date**) through which material information known to the actuary is included in forming the statement of actuarial opinion. This date is sometimes known as the “information date.”
- 2.11 Valuation Date—The date(s) through which transactions are included in the data used in the analysis.

Section 3. Analysis of Issues and Recommended Practices

- 3.1 Purpose and Users of the Statement of Actuarial Opinion—The actuary should identify the intended purpose and intended users of the statement of actuarial opinion. For example, the intended purpose may be to satisfy the requirements for such an opinion under the NAIC Property/Casualty Annual Statement Instructions, where the intended users include the company’s board of directors and its regulators.
- 3.2 Reserves Being Opined Upon—The actuary should take into account the following regarding the **reserves** being opined upon:
- a. the amount of the **reserves**;
 - b. the **accounting date**; and
 - c. the accounting standards applicable to the **reserves** (for example, U.S. SAP, U.S. GAAP, or IFRS).

- 3.3 Stated Basis of the Reserves—The actuary should determine the stated basis of the **reserves**, which is a description of the nature of the **reserves**, usually found in the financial statement and the associated footnotes and disclosures. The stated basis often depends upon regulatory or accounting requirements. When determining the stated basis, the actuary should identify the following:
- a. whether the **reserves** are nominal or discounted for the time value of money and, if discounted, the items discounted (for example, tabular **reserves** only), the basis for the discount rate(s) (for example, risk-free rate or portfolio rate), and the discount rate(s) used;
 - b. whether the **reserves** include an **explicit risk margin** and, if so, the stated basis for the **explicit risk margin** (for example, stated percentile of distribution or stated percentage load above the **reserve** without the **explicit risk margin**);
 - c. whether the **reserves** are gross or net of specified **recoverables**;
 - d. whether the **reserves** reflect a provision for uncollectable **recoverables**. If so, the actuary should identify the categories of such uncollectable **recoverables** and whether those categories reflect currently known or potential ultimate collectability concerns. Possible categories of uncollectable **recoverables** include those related to disputes and those related to **counterparties** in financial difficulty;
 - e. the types of unpaid **loss adjustment expense** covered by the **reserves**, if any (for example, **coverage** dispute costs, defense costs, or adjusting costs);
 - f. the characteristics of other **reserves** being opined upon, if any (for example, the nature of the contracts generating unearned premium **reserves**); and
 - g. any other items that, in the actuary’s professional judgment, are needed to describe the **reserves** sufficiently for the **reserve evaluation**.

To the extent the actuary cannot determine all or a portion of the stated basis of the **reserves**, the actuary should request this information from the principal. If the actuary is unable to obtain this information from the principal, the actuary should select an assumed basis of the **reserves** with regard to the missing information for purposes of the **reserve evaluation**.

If the statement of actuarial opinion is only for a portion of the **reserves**, the actuary should identify the portion of the **reserves** within the scope of the statement of actuarial opinion (for example, line of business, year, or state).

- 3.4 Reserve Evaluation—The actuary should evaluate the reasonableness of **reserves** consistent with the applicable ASOPs and the identified stated basis of the **reserves**.

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- 3.4.1 **Scope**—The actuary should ensure that the scope of the **reserve evaluation** is consistent with the scope of the statement of actuarial opinion, taking into account the following:
- a. **accounting date, valuation date, and the review date;**
 - b. if separate **reserves** for different **reserve** items, such as **loss** and **loss adjustment expense**, are disclosed in the statement of actuarial opinion, whether the statement of actuarial opinion applies to those items in the aggregate or individually; and
 - c. any other items that, in the actuary’s professional judgment, are needed to ensure that the scope of the **reserve evaluation** is consistent with the scope of the statement of actuarial opinion.
- 3.4.2 **Evaluation Based on the Actuary’s Estimates**—When developing estimates to evaluate the reasonableness of **reserves**, the actuary may develop a point estimate, a range of estimates, or both. The actuary should refer to applicable ASOPs for the development of these estimates. For example, when developing unpaid claim estimates to evaluate the reasonableness of unpaid claim **reserves**, the actuary should refer to ASOP No. 43, *Property/Casualty Unpaid Claim Estimates*.
- 3.4.3 **Using a Model Developed by Another Party**—When using a model developed by another party, the actuary should refer to ASOP No. 56, *Modeling*, and, if applicable, ASOP No. 38, *Catastrophe Modeling (for All Practice Areas)*.
- 3.4.4 **Using an Analysis or Opinion Not Produced Under the Actuary’s Direction**—If the actuary uses an analysis or opinion not produced under the actuary’s direction to support the statement of actuarial opinion, the actuary should understand the intended purpose of the analysis or opinion and assess whether the analysis or opinion is consistent with the stated basis of the **reserves**. For purposes of this section, “another party” refers to someone not under the actuary’s direction.

The actuary should use another party’s analysis or opinion only when, in the actuary’s professional judgment, it is reasonable to do so. In making this determination, the actuary should take into account the following:

- a. the amount of the **reserves** covered by another party’s analysis or opinion in comparison to the total **reserves** within the scope of the statement of actuarial opinion;
- b. the nature of the exposure and **coverage**;
- c. the way in which reasonably likely variations in estimates covered by another party’s analysis or opinion may affect the statement of actuarial opinion on the total **reserves** within the scope of the statement of actuarial opinion;

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- d. the credentials or expertise of the individual(s) who prepared the analysis or opinion; and
- e. whether the work complies with applicable industry, regulatory, and actuarial standards.

When, in the professional judgment of the actuary, the analysis or opinion of another party needs to be modified or expanded, the actuary should perform such analysis as necessary to issue the statement of actuarial opinion.

If the actuary reaches conclusions that are materially different from the other person's conclusions, the actuary should, when practical, contact the appropriate parties to discuss the differences. Where material differences exist, the actuary should understand the issues underlying the material differences. In this situation, the actuary should measure material differences relative to the **reserve evaluation** underlying the statement of actuarial opinion, not relative to the conclusions of the other person.

- 3.5 Discounting—If the actuary is providing a statement of actuarial opinion for discounted **loss** and **loss adjustment expense reserves**, the actuary should follow the guidance in ASOP No. 20, *Discounting of Property/Casualty Claim Estimates*.
- 3.6 Uncollectable Recoverables—If the statement of actuarial opinion includes **reserves** net of **recoverables** and the amount of **recoverables** is material, the actuary should take into account the collectability of those **recoverables** in evaluating net **reserves**. The actuary should obtain information regarding collectability problems, significant disputes with **counterparties**, and practices regarding provisions for uncollectable **recoverables**. The actuary is not required to express an opinion on the financial condition of any **counterparty**.
- 3.7 Work Underlying the Prior Statement of Actuarial Opinion—If the actuary prepared the prior statement of actuarial opinion, or if the actuary is able to review the prior opining actuary's work, then the actuary should determine whether the current assumptions, procedures, methods, or models differ from those used in the prior statement of actuarial opinion. If the current assumptions, procedures, methods, or models differ from those used in the prior statement of actuarial opinion, the actuary should determine whether the changes are likely to have a material effect on the actuary's estimate.

The use of assumptions, procedures, methods, or models for new exposures (for example, lines of business or accident years) that differ from those used previously is not a change in assumptions, procedures, methods, or models within the meaning of this section. Similarly, when the **reserve evaluation** is based on the periodic updating of experience data, factors, or weights, such periodic updating is not a change in assumptions, procedures, methods, or models within the meaning of this section.

- 3.8 Types of Opinions—When issuing a statement of actuarial opinion, the actuary should issue one or more opinions of the following types.
- 3.8.1 Determination of Reasonable Provision—The **reserves** make a reasonable provision for the liabilities associated with the specified **reserves** when the **reserves** are within a range of estimates that could be produced and that the actuary considers reasonable, consistent with the applicable ASOPs, and consistent with the identified stated basis of the **reserves**.
- 3.8.2 Determination of Deficient or Inadequate Provision—The **reserves** do not make a reasonable provision for the liabilities associated with the specified **reserves** when the **reserves** are less than the minimum amount that the actuary believes is reasonable. The actuary should include the minimum amount that the actuary believes is reasonable.
- 3.8.3 Determination of Redundant or Excessive Provision—The **reserves** do not make a reasonable provision for the liabilities associated with the specified **reserves** when the **reserves** are greater than the maximum amount that the actuary believes is reasonable. The actuary should include the maximum amount that the actuary believes is reasonable.
- 3.8.4 Qualified Opinion—The **reserves** for a certain item or items are in question because the actuary cannot determine a reasonable estimate, or the actuary is unable to render an opinion on the **reserves** for those items. The actuary should determine whether the **reserves** make a reasonable provision for the liabilities associated with the specified **reserves** exclusive of the item or items to which the qualification relates. The actuary is not required to issue a qualified opinion if the actuary reasonably believes that the item or items in question are not likely to be material.
- 3.8.5 No Opinion—If the actuary cannot reach a conclusion due to deficiencies or limitations in the data, analyses, assumptions, or related information, then the actuary should either state that no opinion could be rendered or choose not to render an opinion. The actuary should include a description of the reasons no opinion could be given.
- 3.9 Issuing Multiple Opinions within the Statement of Actuarial Opinion—The actuary may issue multiple opinions within a statement of actuarial opinion.
- 3.9.1 Direct and Assumed Reserves and Reserves Net of Recoverables—If the scope of the statement of actuarial opinion includes both direct and assumed **reserves** and **reserves** net of **recoverables**, the actuary should issue an opinion on a direct and assumed basis and an opinion on a net of **recoverables** basis.
- 3.9.2 Opinion on Total Reserves—If, as described in section 3.4.1(b), the actuary is providing an opinion on different **reserve** items individually, the actuary should also issue an opinion on the total **reserves** within the scope of the statement of actuarial opinion.

When issuing different types of opinions within a statement of actuarial opinion, the actuary should include narrative comments to describe each conclusion.

- 3.10 **Determination of Materiality Standard**—The actuary should determine a materiality standard that is appropriate for the intended purpose of the statement of actuarial opinion.

When determining the materiality standard, the actuary should take into account the financial metrics that the actuary believes are relevant to the intended users of the statement of actuarial opinion and how those financial metrics are likely to be affected by changes in the total **reserves** within the scope of the statement of actuarial opinion. For example, for a statutory statement of actuarial opinion for an insurance company to be used for financial reporting to insurance regulators, the materiality standard might be based on an amount that would trigger a regulatory action for the company. Other examples of materiality standards include percentage of surplus, percentage of **reserves**, and the amount of adverse deviation that would cause surplus to fall below minimum capital requirements.

If the actuary chooses to comment on the risk of material adverse deviation on a direct and assumed basis, the actuary may select different materiality standards on a direct and assumed basis and on a net of **recoverables** basis.

The actuary should use the selected materiality standard to determine whether there is a significant risk of material adverse deviation. This materiality standard may not be appropriate for use in evaluating materiality in the **reserve evaluation** or in other contexts.

- 3.11 **Material Adverse Deviation**—The actuary should determine whether there are significant risks and uncertainties that could result in material adverse deviation. When making this determination, the actuary should take into account both quantitative and qualitative factors to assess whether there are significant risks that could result in future outcomes being greater than what is provided for in the total **reserves** within the scope of the statement of actuarial opinion by more than the materiality standard. The actuary should take into account the scope of the statement of actuarial opinion, the intended purpose and intended users of the statement of actuarial opinion, and the requirements of applicable law.

If the scope of the statement of actuarial opinion includes both direct and assumed **reserves** and **reserves** net of **recoverables**, the actuary should assess the risk of material adverse deviation on a net of **recoverables** basis. The actuary may choose to comment on the risk of material adverse deviation on a direct and assumed basis. The actuary's conclusion on the risk of material adverse deviation may differ between direct and assumed **reserves** and **reserves** net of **recoverables**.

The actuary should find that a significant risk of material adverse deviation exists when the sum of the materiality standard and the total **reserves** within the scope of the statement of actuarial opinion is within a range of estimates that could be produced and that the actuary considers reasonable, consistent with the applicable ASOPs, and consistent with the identified stated basis of the **reserves**. However, the actuary may find that a significant risk of material adverse deviation exists even when the sum of the materiality standard and the

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total **reserves** within the scope of the statement of actuarial opinion exceeds a range of reasonable estimates.

When the **reserve evaluation** is based on separate estimates for different **reserve** items, such as **loss, loss adjustment expense**, and other **reserves**, the actuary should take into account the combined risks and uncertainties of the total **reserves** within the scope of the statement of actuarial opinion to determine whether a significant risk of material adverse deviation exists. The actuary also may comment on the risk of material adverse deviation related to different **reserve** items.

- 3.12 Adequacy of Assets Supporting Reserves—This standard does not obligate the actuary to evaluate the adequacy of the assets supporting the **reserves** except as may be needed to comply with any applicable law or other ASOP.
- 3.13 Reliance on Data or Other Information Supplied by Others—When relying on data or other information supplied by others, the actuary should refer to ASOP No. 23, *Data Quality*, and ASOP No. 41, *Actuarial Communications*, for guidance.
- 3.14 Documentation—The actuary should prepare and retain documentation to support compliance with the requirements of section 3 and the disclosure requirements of section 4. The actuary should prepare such documentation in a form such that another actuary qualified in the same practice area could assess the reasonableness of the actuary’s work. The amount, form, and detail of such documentation should be based on the professional judgment of the actuary and may vary with the complexity and intended purpose of the statement of actuarial opinion. When the statement of actuarial opinion is provided to meet applicable law, the actuary should follow the detailed requirements specified by regulators with regard to the form and content of supporting reports and other documentation. In addition, the actuary should refer to ASOP No. 41 for guidance related to the retention of file material other than that which is to be disclosed under section 4.

Section 4. Communications and Disclosures

- 4.1 Required Disclosures in an Actuarial Report—When issuing an actuarial report supporting a statement of actuarial opinion to which this standard applies, the actuary should refer to ASOP Nos. 20, 23, 38, 41, 43, and 56.
- 4.2 Required Disclosures in the Statement of Actuarial Opinion—The actuary should include the words “statement of actuarial opinion,” or alternative words with similar meaning, in the title of the written statement of actuarial opinion. In addition, the actuary should disclose the following in the statement of actuarial opinion:
 - a. the intended purpose and intended users of the statement of actuarial opinion (see section 3.1);
 - b. the **reserves** being opined upon (see section 3.2);

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- c. the stated basis of the **reserves** (see section 3.3) or the assumed basis of the **reserves**, if the actuary is unable to obtain the stated basis for all or a portion of the **reserves** (see paragraph following section 3.3[g]);
- d. the **accounting date**, the **valuation date**, and the **review date** (see section 3.4.1[a]);
- e. the scope of the **reserve evaluation** (see sections 3.4.1[b] and 3.4.1[c]);
- f. the type(s) of opinion(s) (see section 3.8);
- g. the materiality standard and its basis (see section 3.10);
- h. the quantitative and qualitative factors underlying risks and uncertainties that the actuary considered in assessing whether there are significant risks and uncertainties that could result in material adverse deviation (see section 3.11); and
- i. whether there are significant risks and uncertainties that could result in material adverse deviation (see section 3.11).

4.3 Additional Disclosures in the Statement of Actuarial Opinion—When applicable and consistent with the intended purpose of the statement of actuarial opinion, the actuary should make the following additional disclosures:

- a. if the statement of actuarial opinion relies on discounted values, the amount of the discount included in the **reserves** within the scope of the statement of actuarial opinion, the items discounted, the basis for the discount rate(s) used, and whether the actuary believes that such reliance is likely to have a material effect on the results of the actuary's **reserve evaluation** (see section 3.3[a]);
- b. the name, credentials, and affiliation of the individual who prepared the analysis or opinion, if the actuary uses an analysis or opinion of another party not under the actuary's direction for a material portion of the **reserves** (see section 3.4.4);
- c. any material exposure to uncollectable **recoverables** (see section 3.6);
- d. the changes in assumptions, procedures, methods, or models from those used in the prior statement of actuarial opinion, if the actuary concludes the changes are likely to have a material effect on the actuary's estimate (see section 3.7);
- e. that the prior assumptions, procedures, methods, or models are unknown, if the actuary is not able to review the prior opining actuary's work (see section 3.7);
- f. the minimum amount that the actuary believes is reasonable, if the actuary determines that the **reserves** are deficient or inadequate (see section 3.8.2);

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- g. the maximum amount that the actuary believes is reasonable, if the actuary determines that the **reserves** are redundant or excessive (see section 3.8.3);
 - h. if the actuary issues a qualified opinion:
 - i. the item or items to which the qualification relates, the reasons for the qualification, and the amounts for such items, if disclosed by the entity, that are included in the **reserves**;
 - ii. that the **reserves** include unknown amounts for such items, if the amounts for such items are not disclosed by the entity; and
 - iii. whether the **reserves** make a reasonable provision for the liabilities associated with the specified **reserves** exclusive of the item or items to which the qualification relates (see section 3.8.4); or
 - i. the reasons no opinion could be rendered, if the actuary does not render an opinion (see section 3.8.5); and
 - j. narrative comments describing each conclusion, if the actuary issues different types of opinions (see section 3.9).
- 4.4 Additional Disclosures in an Actuarial Report—The actuary also should include disclosures in an actuarial report in accordance with ASOP No. 41 for any of the following circumstances:
- a. if any material assumption or method was prescribed by applicable law; or
 - b. if, in the actuary’s professional judgment, the actuary has deviated materially from the guidance of this ASOP.
- 4.5 Confidentiality—Nothing in this standard is intended to require the actuary to disclose confidential information.

Appendix 1

Background and Current Practices

Note: This appendix is provided for informational purposes and is not part of the standard of practice.

Background

Property/casualty statements of actuarial opinion were initially introduced by the NAIC in the mid-1970s in response to a number of property/casualty insurance insolvencies. Initially, the opinions were required to be signed by a qualified loss reserve specialist, which was defined as a member in good standing of the American Academy of Actuaries or someone whose qualifications otherwise satisfied the domiciliary commissioner. In response to the new requirements, the American Academy of Actuaries adopted Financial Reporting Recommendation 8, Statement of Actuarial Opinion for Fire and Casualty Insurance Company Statutory Annual Statements, along with Interpretations 8-A, 8-B, and 8-C.

By 1990, the NAIC had changed the NAIC Property/Casualty Instructions for the Annual Statement to require a statement of opinion by a qualified actuary. Over the years, the statement of opinion evolved to become a statement of actuarial opinion, and the number of specific aspects upon which the signer was instructed to comment has continually grown. Such aspects currently include anticipated salvage and subrogation; discount for time value of money; underwriting pools and associations; retroactive reinsurance; financial reinsurance; reinsurance collectability; other reserves such as unearned premium reserves for property/casualty long-duration contracts; NAIC IRIS Tests 9, 10, and 11; company-specific risk factors; risk of material adverse deviation; and any additional relevant topics.

In addition to the required statements of actuarial opinion for insurance companies, actuaries were being asked to issue statements of actuarial opinion for other types of entities, including self-insureds, self-insured pools, residual market mechanisms, voluntary pools, captives, and funds or other risk-pooling entities created by legislation or regulation.

With the increasing requirements for NAIC statements of actuarial opinion and the increasing demand for actuaries to issue non-NAIC opinions, the Actuarial Standards Board (ASB) determined that an actuarial standard of practice (ASOP) should be developed to replace the Financial Reporting Recommendation and Interpretations and be broad enough in scope to include other statements of actuarial opinion on property/casualty reserves. The ASB adopted ASOP No. 36, *Statements of Actuarial Opinion Regarding Property/Casualty Loss and Loss Adjustment Expense Reserves*, in 2000.

In 2007, the ASB issued ASOP No. 43, *Property/Casualty Unpaid Claim Estimates*, to provide guidance to actuaries performing evaluations of the reserves underlying the statements of actuarial opinion. Previously, actuaries were guided by the Statement of Principles Regarding Property and Casualty Loss and Loss Adjustment Expense Reserves adopted by the Board of Directors of the Casualty Actuarial Society (CAS) in May 1988. In 2020, the CAS rescinded this document.

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The issuance of ASOP No. 43, combined with increased requirements for issuing NAIC statements of actuarial opinion, has led the ASB to revise ASOP No. 36 in 2010 and again in 2024.

Current Practices

Actuaries are guided by ASOP No. 43 and other applicable ASOPs. In addition, since 1993, the Casualty Practice Council of the American Academy of Actuaries has published practice notes addressing current NAIC requirements for the statement of actuarial opinion required for the Property/Casualty Annual Statement. The practice notes describe some current practices and provide illustrative wording for handling issues and problems. While these practice notes are updated annually, they are not binding, and they have not gone through the exposure and adoption process of the standards of practice promulgated by the ASB.

Numerous educational papers in the public domain are relevant to the topic of reserves and reserve evaluations, including those published by the CAS. While these may provide useful educational guidance to practicing actuaries, they are not actuarial standards of practice and are not binding.

Appendix 2

Comments on the Second Exposure Draft and Responses

The second exposure draft of the proposed revision of ASOP No. 36, *Statements of Actuarial Opinion Regarding Property/Casualty Loss, Loss Adjustment Expense, or Other Reserves*, was issued in July 2023 with a comment deadline of November 1, 2023. Four comment letters were received, some of which were submitted on behalf of multiple commentators, such as by firms or committees. For purposes of this appendix, the term “commentator” may refer to more than one person associated with a particular comment letter. The ASOP No. 36 Task Force carefully considered all comments received, and the Casualty Committee of the Actuarial Standards Board (ASB) and the ASB reviewed (and modified, where appropriate) the changes proposed by the ASOP No. 36 Task Force.

Summarized below are the significant issues and questions contained in the comment letters and the responses. Minor wording or punctuation changes that were suggested but not significant are not reflected in the appendix, although they may have been adopted.

The term “reviewers” in appendix 2 includes the ASOP No. 36 Task Force, the ASB Casualty Committee, and the ASB. The section numbers and titles used in appendix 2 refer to those in the second exposure draft, which are then cross referenced with those in the final standard.

TRANSMITTAL MEMORANDUM	
Comment	One commentator suggested changing “determine” to “identify” in the notable changes regarding the discount rate.
Response	The reviewers agree and made the change.
GENERAL	
Comment	One commentator said the guidance for reviewing actuaries is unclear.
Response	The reviewers note that the language allows for professional judgment and made no change.
SECTION 1. PURPOSE, SCOPE, CROSS REFERENCES, AND EFFECTIVE DATE	
Section 1.1, Purpose	
Comment	One commentator asked whether the standard applies to supporting actuaries.
Response	The reviewers believe the language makes it clear that the standard applies to supporting actuaries and made no change.
Section 1.2, Scope	
Comment	One commentator questioned the conflict statement referring only to cross-practice ASOPs.
Response	The reviewers believe the language is appropriate, made no change, and refer the actuary to ASOP No. 1, <i>Introductory Actuarial Standard of Practice</i> , for guidance on conflicting provisions in ASOPs.

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SECTION 2. DEFINITIONS	
Comment	One commentator suggested defining “unpaid claim estimate” consistent with ASOP No. 43, <i>Property/Casualty Unpaid Claim Estimates</i> .
Response	The reviewers disagree and made no change.
Section 2.2, Counterparty	
Comment	One commentator suggested alternative language for the definition of counterparty.
Response	The reviewers agree and made changes consistent with the comment.
Section 2.8, Reserve	
Comment	One commentator suggested alternative language for the definition of reserve.
Response	The reviewers disagree and made no change.
SECTION 3. ANALYSIS OF ISSUES AND RECOMMENDED PRACTICES	
Section 3.1, Purpose and Users of the Statement of Actuarial Opinion	
Comment	One commentator suggested removing the examples.
Response	The reviewers disagree and made no change.
Section 3.4, Reserve Evaluation	
Comment	One commentator suggested adding a reference to the <i>Code of Professional Conduct (Code)</i> .
Response	The reviewers disagree, made no change, and note that the Code applies to all work performed under this standard.
Section 3.4.2, Evaluation Based on the Actuary’s Estimates	
Comment	One commentator suggested adding a reference to the Code.
Response	The reviewers disagree, made no change, and note that the Code applies to all work performed under this standard.
Comment	One commentator suggested that Precept 3 is not sufficiently clear with regard to work under the direction of the actuary.
Response	The reviewers disagree and made no change.
Section 3.4.3, Using a Model Developed by Another Party	
Comment	One commentator suggested adding “if relevant” before the reference to ASOP No. 38, <i>Catastrophe Modeling (for All Practice Areas)</i> .
Response	The reviewers agree and made changes consistent with the comment.
Section 3.5, Discounting	
Comment	One commentator suggested adding “or other reserves.”
Response	The reviewers disagree, made no change, and note that ASOP No. 20, <i>Discounting of Property/Casualty Claim Estimates</i> , applies only to claim estimates.

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Section 3.8.4, Qualified Opinion	
Comment	One commentator asked for “materiality” to be clarified.
Response	The reviewers believe the language is clear and made no change.
Section 3.8.5, No Opinion	
Comment	One commentator suggested adding “or have limited staff, time, or resources,” to the list of reasons for issuing no opinion.
Response	The reviewers disagree and made no change.
Section 3.9.2, Opinion on Total Reserves	
Comment	One commentator suggested clarifying the language.
Response	The reviewers agree and made the change.
Section 3.10, Determination of Materiality Standard	
Comment	One commentator suggested removing the examples.
Response	The reviewers disagree and made no change.
Section 3.11, Material Adverse Deviation	
Comment	One commentator suggested rewording the third paragraph.
Response	The reviewers agree and clarified the language.
SECTION 4. COMMUNICATIONS AND DISCLOSURES	
Section 4.2(c) Required Disclosures in the Statement of Actuarial Opinion	
Comment	One commentator suggested adding the rationale for the assumption if the actuary is unable to obtain the stated basis for all or a portion of the reserves.
Response	The reviewers disagree that the rationale for the assumption needs to be in the statement of actuarial opinion and made no change.
Section 4.3, Additional Disclosures in the Statement of Actuarial Opinion	
Comment	One commentator suggested adding a disclosure when the actuary is unable to or did not review the analysis work product of another party.
Response	The reviewers note that this disclosure would be inconsistent with the guidance in section 3.4.4.
Section 4.4, Additional Disclosures in an Actuarial Report	
Comment	One commentator suggested deleting the section.
Response	The reviewers disagree and made no change.