

**United States
Department of
Agriculture**



**Federal Crop
Insurance
Corporation**



**Risk Management
Agency**

**Product
Administration
and Standards
Division**

**FCIC 24020
(06-2017)**

**FCIC 24020-01
(08-2017)**

WRITTEN AGREEMENT HANDBOOK

2018 and Succeeding Crop Years

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**UNITED STATES DEPARTMENT OF AGRICULTURE
WASHINGTON, D.C. 20250**

TITLE: WRITTEN AGREEMENT HANDBOOK	NUMBER: 24020-01
EFFECTIVE DATE: 2018 and succeeding crop years for all crops with a sales closing date after the issuance date of this directive.	ISSUE DATE: August 16, 2017
SUBJECT: Provides the standards, criteria, and instructions to the Risk Management Agency Regional Offices and Approved Insurance Providers for the handling of actuarial change requests and written agreements.	OPI: Product Administration and Standards Division
	APPROVED: <i>/s/Richard Flournoy</i> Deputy Administrator for Product Management

REASON FOR AMENDMENT

Listed below are changes for the 2018 FCIC 24020-01 WAH. Highlighted text throughout the WAH represents changes or additions, and three stars (***) identify removal of information.

1. In Paragraph 21, clarified that only the Request for Actuarial Change form must be signed, dated, and submitted by the producer to the agent no later than the applicable request deadline identified in Paragraph 21. This allows the flexibility to acquire the minimum supporting documentation and any applicable signatures after the producer request deadline date, however the Request for Actuarial Change form and all minimum supporting documentation must still be received by the RO no later than 15 business days after the applicable request deadline per Paragraph 23.

CONTROL CHART

	TP Page(s)	TC Page(s)	Text Page(s)	Date	Directive Number
Remove	1-4		7-10	06-2017	FCIC 24020
Insert	1-2		7-10	08-2017	FCIC 24020-01

FILING INSTRUCTIONS

These slipsheets replace the pages listed above in FCIC 24020 Written Agreement Handbook, dated June 14, 2017. These slipsheets are effective upon approval and until obsoleted.

12 General Rules (Continued)

- (f) WA is cancelled as a result of a change in entity (a new WA request is needed for the new entity; a renewal request is not applicable in this situation); or
 - (g) conditions under which the WA was issued have changed prior to the beginning of the insurance period.
- (17) Any existing policy and actuarial requirements will remain in effect if the:
- (a) request for a WA is denied or not accepted by the RO or AIP;
 - (b) WA offer is not accepted by the AIP or producer;
 - (c) WA offer is accepted by the producer after the expiration date; or
 - (d) crop's minimum potential yield per acre specified in Paragraph 42 is not met.
- (18) AIPs must be able to substantiate submission dates of all electronically submitted documents required for WA requests.
- (19) When the deadline date is based on a business day, the entirety of the business day counts as the same day even if submitted after typical working hours. However, the ROE system operates on Central Standard Time, thus the business day ends at 11:59 CST and anything submitted after this time is counted as the next business day.
- (20) Insurance agents are not considered to be authorized AIP representatives when AIP signatures are required.
- (21) In accordance with 7 CFR Part 400, Subpart G, the AIP (not the RO) is the verifier authorized by the FCIC to calculate approved APH yields. Accordingly, it is the AIP's responsibility to ensure that production records are acceptable and accurately entered on the APH database form or production report in accordance with applicable procedure contained in the CIH for yield based plans of insurance. If the production records are not acceptable or are not accurately entered on the APH database form or APH production report, the RO may contact the AIP for resolution or reject the request for a WA. If the potential for fraud, waste, or abuse exists, or inadequate APH information is a consistent issue for a particular agent/AIP, the RO must notify the applicable RMA Compliance Field Office and RMA Reinsurance Services Division.

13 Request for Actuarial Change Form

The Request for Actuarial Change form must be signed and dated by the producer, the insurance agent, and the authorized representative of the AIP. By signing the Request for Actuarial Change form, the producer accepts the applicable statements contained on the form, and certifies that all information provided on the form and documentation contained in the request for a WA is correct. See Exhibit 3A for the Request for Actuarial Change form standards and Exhibit 4 for a Request for Actuarial Change form example.

14-20 (Reserved)

Section 2 WA Submission Requirements

21 Deadlines for Producer to Request a WA

*** The producer must sign, date, and submit a completed **Request for Actuarial Change form** for a WA, or renewal of a WA, in writing to the agent no later than the applicable request deadline below. Any **Request for Actuarial Change form** that is submitted later than the applicable deadline will not be accepted by the RO. The **Request for Actuarial Change form** and all required supporting documentation must be submitted in the format approved by the AIP, provided there is a means to verify the date of submission. The agent should expeditiously submit the **Request for Actuarial Change form and all required supporting documentation** to the AIP to allow the AIP time to submit the WA request to RMA within the specified deadlines **identified in Paragraph 23**.

Note: If the date by which the producer is required to submit a **Request for Actuarial Change form** for a WA, or a renewal of a WA, falls on a Saturday, Sunday, or a Federal holiday, such documentation must be submitted by the next business day. This does not extend any subsequent deadline, which is calculated using the original deadline date.

Example: A producer must submit a **Request for Actuarial Change form** by the March 15 SCD, which falls on a Sunday, the submission deadline date is then the following Monday, March 16. The deadline date for any subsequent deadline is calculated from March 15.

- (1) **A completed Request for Actuarial Change form** for a WA, or renewal of a WA, must be submitted on or before the SCD for the crop except as provided in (2), (3), and (4) of this paragraph.
- (2) **A completed Request for Actuarial Change form** must be submitted on or before the ARD if the producer can prove his or her physical inability to apply prior to the SCD (such as, the producer was hospitalized or a blizzard has made it impossible to timely submit a **Request for Actuarial Change form**).
- (3) For the first year the WA will be in effect, **a completed Request for Actuarial Change form** must be submitted:
 - (a) on or before the ARD, unless specified otherwise in the CP or Special Provisions, to:
 - (i) insure unrated land (UC type) or an unrated P/T of a crop (SG type, TC type, and TP type), including those specified in Paragraph 78 (SC type);
 - (ii) establish optional units that otherwise would not be allowed (UA type), as specified in Part 4; or
 - (iii) change the premium rate or T-Yield for designated high-risk land (HR type) as specified in Paragraph 72.

21 Deadlines for Producer to Request a WA (Continued)

- (b) on or before the cancellation date contained in the CP or Special Provisions, if applicable, to insure a crop in a county that does not have AD available for the crop (XC type), as specified in Paragraph 85. If the CP or Special Provisions do not provide a cancellation date for the county:
 - (i) use the cancellation date for other insurable crops in the same state that have similar final planting and harvesting dates; or
 - (ii) use the cancellation date in the closest county or state where the crop is insurable, if there are no other insurable crops with similar final planting and harvesting dates in the state.
- (c) on or before the date contained in the CP or Special Provisions for any type of situation or WA not specified in (2), (3)(a), or (3)(b) of this paragraph.
- (4) **A completed Request for Actuarial Change form for a** nursery (NL type) WA request must be requested with the nursery application for the initial crop year. **A completed Request for Actuarial Change form** for renewal of a nursery (NL type) WA must be submitted by the cancellation date preceding the beginning of the insurance period unless:
 - (a) the producer can demonstrate his or her physical inability to have applied timely; and
 - (b) after physical examination of the nursery plant inventory, it is determined the inventory will be marketable at the value shown on the Plant Inventory Value Report.

22 Required Information for WA Requests

A. New WA Requests

All new requests for a WA must include:

- (1) a completed Request for Actuarial Change form;
- (2) the current year's completed APH database form (only for crop policies that require APH) signed and dated by the producer (if the most recent year's production is unavailable at the WA request deadline, such as due to an open claim, complete the APH database using the temporary yield and note this on the request; see CIH Part 15, Section 1, Subparagraph 1503A for temporary yield procedures), based on records previously certified to the AIP for the crop and county for which the WA is being requested;

A. New WA Requests (continued)

- (a) The current year's completed unsigned APH database form, based on records previously certified to the AIP, may be submitted and accepted only if the current year's applicable production reports, signed and dated by the producer, are also submitted. The production reports must be based on verifiable records (see CIH Part 14, Section 2) or farm management records (see CIH Part 14, Section 3) of actual yields for the crop and county for which the WA is being requested, for at least the most recent crop year during the base period (see CIH Part 15, Section 1, Paragraph 1507 for use of another person's acreage and production history).

Example: For a 2018 crop year corn request, the AIP would submit a report of the producer's 2017 production and acres signed and dated by the producer with a copy of the unsigned, completed APH database form for the 2018 crop year policy which contains production previously certified to the AIP.

- (b) If required by the RO, acceptable verifiable production records of actual yields must be submitted (these records will be requested as additional required information from the RO if necessary). Production records provided to or requested by the RO that are subsequently determined to be unacceptable may result in a request for a WA being incomplete.
 - (c) If the producer has not produced the requested crop or P/T in the county, an APH database form must still contain the requested crop or P/T, however show zero acres and production with the corresponding crop years (see CIH Exhibit 15B and 15D).
 - (d) A completed APH database form must include all APH databases for the requested crop(s) in the county.
- (3) evidence of adaptability from agricultural experts that the crop/P/T or variety can be produced in the county (including planting and harvesting dates) if the request for a WA is to provide insurance for a crop/P/T or variety that is not insurable, unless such evidence is not required by the RO (Evidence of adaptability should include area research and/or area yield data. Duplicate university or other information that show adaptability is not needed for repeat requests from the same area. Prior to submitting the WA request into ROE, contact the RO to determine if evidence of adaptability is required.);
 - (4) the legal description of the land, where available (such as, section, township, range);
 - (5) FSA FN, Tract number, and Field numbers, when provided by FSA (resource land units, or RLUs, are not allowed for WA requests);