

SERFF Tracking Number: GEFA-126066975 State: Arkansas  
Filing Company: Genworth Life and Annuity Insurance Company State Tracking Number: 41801  
Company Tracking Number: P5425 01/09  
TOI: A03I Individual Annuities - Deferred Variable Sub-TOI: A03I.002 Flexible Premium  
Product Name: Joint Owner/Annuitant & Waiver of Surrender Charge (P5425 01/09, P5428 01/09)  
Project Name/Number: Joint Owner/Annuitant & Waiver of Surrender Charge Endorsements/P5425 01/09, et al

## Filing at a Glance

Company: Genworth Life and Annuity Insurance Company

Product Name: Joint Owner/Annuitant & Waiver SERFF Tr Num: GEFA-126066975 State: Arkansas  
of Surrender Charge (P5425 01/09, P5428  
01/09)

TOI: A03I Individual Annuities - Deferred  
Variable

SERFF Status: Closed-Approved- State Tr Num: 41801  
Closed

Sub-TOI: A03I.002 Flexible Premium  
Filing Type: Form

Co Tr Num: P5425 01/09 State Status: Approved-Closed  
Reviewer(s): Linda Bird  
Author: Ronald Jackson Disposition Date: 03/17/2009  
Date Submitted: 03/10/2009 Disposition Status: Approved-  
Closed

Implementation Date Requested: 05/01/2009  
State Filing Description:

Implementation Date:

## General Information

Project Name: Joint Owner/Annuitant & Waiver of Surrender Charge  
Endorsements

Status of Filing in Domicile: Pending

Project Number: P5425 01/09, et al  
Requested Filing Mode: Review & Approval  
Explanation for Combination/Other:  
Submission Type: New Submission  
Overall Rate Impact:  
Filing Status Changed: 03/17/2009

Date Approved in Domicile:  
Domicile Status Comments: N/A  
Market Type: Individual  
Group Market Size:  
Group Market Type:  
Explanation for Other Group Market Type:  
State Status Changed: 03/17/2009  
Created By: Ronald Jackson  
Corresponding Filing Tracking Number:

Deemer Date:

Submitted By: Ronald Jackson

Filing Description:

Genworth Life and Annuity Insurance Company

NAIC Group 350, Company 65536

P5425 01/09, Joint Owner and Annuitant Endorsement

P5428 01/09, Waiver of Surrender Charge – Terminal Illness or Confinement to a Medical Care Facility Endorsement

We are submitting these forms for your review and approval. They are new forms and will not replace any existing

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forms. These forms are being submitted concurrently to Virginia, our state of domicile.

We may currently use these endorsements with form P1165A 4/05, Flexible Premium Variable Deferred Annuity Contract, which was approved by your Department on 09/16/05. We may also offer these endorsements with other contracts approved by your Department.

#### P5245 01/09

This form endorses the contract to which it is attached by amending the Joint Owner provision and the Annuitant provision of the contract. Pursuant to the form, if the Owner is an individual (natural person), a Joint Owner may be named at issue. The Joint Owner must be the Owner's spouse. If the Owner is a natural person, the Owner must also be an Annuitant and may name his or her spouse as a Joint Annuitant at issue. There is no charge for this endorsement. This form will not be provided to in-force policyholders.

#### P5248 01/09

This endorsement provides that we will waive the surrender charge for one or more withdrawals if the Owner or any Joint Owner is confined in a medical care facility or is diagnosed with a terminal illness. There is no charge for this endorsement. This form will not be provided to in-force policyholders.

We have bracketed certain information within the endorsements to indicate variability. These items are bracketed to indicate that we may change them for future issues without having to resubmit the rider to your Department for approval. Each variable item is addressed in the Statement of Variability.

Issue ages will be dictated by the base annuity contract.

Licensed agents and brokers selling through traditional distribution systems, as well as to customers of financial institutions, will market these variable annuity products. Features may vary based upon the distributor or market.

A readability certification has not been included with this submission as these forms are regulated as a security by the Securities and Exchange Commission (SEC) and are not subject to readability requirements.

If there are any questions, please contact me using the information provided below.

Sincerely,

Ronald N. Jackson, Sr. Contract Analyst  
Email: [ronald.jackson@genworth.com](mailto:ronald.jackson@genworth.com)  
Phone #: (804) 289-6725  
Fax #: (804) 289-3617 or (804) 281-6916

SERFF Tracking Number: GEFA-126066975 State: Arkansas  
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## Company and Contact

### Filing Contact Information

Ronald N. Jackson, Contract Analyst ronald.jackson@genworth.com  
 Product Compliance 804-289-6725 [Phone]  
 P O Box 27601 804-281-6916 [FAX]  
 Richmond, VA 23261-7601

### Filing Company Information

Genworth Life and Annuity Insurance Company CoCode: 65536 State of Domicile: Virginia  
 6620 W Broad Street Group Code: 350 Company Type: LifeHealth &  
 Annuity  
 Richmond, VA 23230 Group Name: State ID Number:  
 (804) 281-6600 ext. [Phone] FEIN Number: 54-0283385

## Filing Fees

Fee Required? Yes  
 Fee Amount: \$20.00  
 Retaliatory? No  
 Fee Explanation: \$20 fee required for forms submitted separately from the contract.  
 Per Company: No

COMPANY	AMOUNT	DATE PROCESSED	TRANSACTION #
Genworth Life and Annuity Insurance Company	\$20.00	03/10/2009	26300938

SERFF Tracking Number: GEFA-126066975 State: Arkansas  
Filing Company: Genworth Life and Annuity Insurance Company State Tracking Number: 41801  
Company Tracking Number: P5425 01/09  
TOI: A031 Individual Annuities - Deferred Variable Sub-TOI: A031.002 Flexible Premium  
Product Name: Joint Owner/Annuitant & Waiver of Surrender Charge (P5425 01/09, P5428 01/09)  
Project Name/Number: Joint Owner/Annuitant & Waiver of Surrender Charge Endorsements/P5425 01/09, et al

## Correspondence Summary

### Dispositions

Status	Created By	Created On	Date Submitted
Approved-Closed	Linda Bird	03/17/2009	03/17/2009

*SERFF Tracking Number:* GEFA-126066975                      *State:* Arkansas  
*Filing Company:* Genworth Life and Annuity Insurance Company   *State Tracking Number:* 41801  
*Company Tracking Number:* P5425 01/09  
*TOI:* A031 Individual Annuities - Deferred Variable   *Sub-TOI:* A031.002 Flexible Premium  
*Product Name:* Joint Owner/Annuitant & Waiver of Surrender Charge (P5425 01/09, P5428 01/09)  
*Project Name/Number:* Joint Owner/Annuitant & Waiver of Surrender Charge Endorsements/P5425 01/09, et al

## **Disposition**

Disposition Date: 03/17/2009

Implementation Date:

Status: Approved-Closed

Comment:

Rate data does NOT apply to filing.

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Schedule	Schedule Item	Schedule Item Status	Public Access
Supporting Document	Flesch Certification		No
Supporting Document	Application		No
Supporting Document	Life & Annuity - Actuarial Memo		No
Supporting Document	Variability Certification		Yes
Form	Joint Owner and Annuitant Endorsement		Yes
Form	Waiver of Surrender Charge – Terminal Illness or Confinement to a Medical Care Facility Endorsement		Yes

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## Form Schedule

### Lead Form Number: P5425 01/09

Schedule Item Status	Form Number	Form Type Form Name	Action	Action Specific Data	Readability	Attachment
	P5425 01/09	Policy/Cont Joint Owner and ract/Fratern Annuitant al Endorsement Certificate: Amendmen t, Insert Page, Endorseme nt or Rider	Initial		0.000	P5425_0109.pdf
	P5428 01/09	Policy/Cont Waiver of Surrender ract/Fratern Charge – Terminal al Illness or Certificate: Confinement to a Amendmen Medical Care Facility t, Insert Endorsement Page, Endorseme nt or Rider	Initial		0.000	P5428_0109.pdf

## GENWORTH LIFE AND ANNUITY INSURANCE COMPANY

### JOINT OWNER AND ANNUITANT ENDORSEMENT

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This endorsement is added to the Contract.

The Contract to which this endorsement is attached is amended by deleting the **Joint Owner** and the **Annuitant** provisions in their entirety and replacing them with the following:

#### **Joint Owner**

If the Owner is an individual (natural person), a Joint Owner may be named at issue. The Joint Owner must be the Owner's spouse. If the Owner marries after issue, the Owner may add his or her spouse as a Joint Owner after issue and prior to the Annuity Commencement Date, provided that we receive the request to add the spouse as a Joint Owner with satisfactory proof of marriage within one year of the date of marriage. The Joint Owner has an undivided interest in the Contract with the same ownership rights as the Owner. The Joint Owner and the Owner share ownership equally with the right of survivorship. If either the Owner or Joint Owner dies, the decedent's interest will pass to the survivor, subject to the Death Provisions. Joint Owners are not permitted if the Owner is a non-natural entity.

#### **Annuitant**

An Annuitant must be named. An Annuitant must be an individual (natural person). If the Owner is a natural person, the Owner must also be an Annuitant and may name his or her spouse as Joint Annuitant at issue. A Joint Owner must also be a Joint Annuitant. If the Owner marries after issue, the Owner may add his or her spouse as a Joint Annuitant after issue and prior to the Annuity Commencement Date, provided that we receive the request to add the spouse as a Joint Annuitant with satisfactory proof of marriage within one year of the date of marriage and the Joint Annuitant meets the age requirements of the Contract and any added optional riders. A non-natural entity Owner must name an Annuitant at issue and may name the Annuitant's spouse as a Joint Annuitant.

If any Annuitant dies before the Annuity Commencement Date and the surviving Owner is a natural person, the selected payment option will change to a single Annuitant plan. If any Annuitant dies before the Annuity Commencement Date and the Owner is a non-natural entity, the selected payment option will end.

For Genworth Life and Annuity Insurance Company,

[  ]  
[Pamela S. Schutz]  
President

**GENWORTH LIFE AND ANNUITY INSURANCE COMPANY  
WAIVER OF SURRENDER CHARGE - TERMINAL ILLNESS OR  
CONFINEMENT TO A MEDICAL CARE FACILITY ENDORSEMENT**

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This endorsement is added to the Contract. This endorsement is effective on the Contract Date. It amends the **CONTRACT VALUE BENEFITS** section by adding the following:

**Waiver of Surrender Charge in the Event of Terminal Illness**

We will waive the surrender charge for one or more withdrawals if, with respect to any Annuitant:

- the Annuitant has been diagnosed with a terminal illness by a licensed physician; and
- a licensed physician certifies the Annuitant's medical condition is expected to result in death within [12 months] of such certification; and
- the diagnosis is supported by clinical, radiological, laboratory or other evidence of the medical condition; and
- the diagnosis was made at least [90 days] after the Contract Date; and
- we receive satisfactory proof that you have a terminal illness; and
- the withdrawal occurs after receipt of satisfactory proof.

All Annuitants must be age [80 or younger] on the Contract Date to be eligible for this waiver.

**Waiver of Surrender Charge in the Event of Confinement to a Medical Care Facility**

We will waive the surrender charge for one or more withdrawals if, with respect to any Annuitant:

- the Annuitant enters a state-licensed facility providing medically necessary in-patient care (the "Facility"); and
- the confinement must be prescribed by a licensed physician in writing and be based on limitations that prohibit daily living in a non-institutional environment; and
- the Annuitant has spent at least [30 consecutive days] in the Facility; and
- the confinement began at least [90 days] after the Contract Date; and
- we receive satisfactory proof of such confinement; and
- we receive the request for the withdrawal in our administrative office while the Annuitant is confined or within [90 days] after the discharge from the Facility.

All Annuitants must be age [80 or younger] on the Contract Date to be eligible for this waiver.

**Satisfactory Proof**

For purposes of the provisions above, satisfactory proof will include a properly completed claim form and a written statement from a licensed physician. The licensed physician must be someone other than you or your relative. We reserve the right to obtain a second opinion at our expense and to contest whether the illness is terminal or the confinement is medically necessary.

For Genworth Life and Annuity Insurance Company,



[  
Pamela S. Schutz]  
President

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## Supporting Document Schedules

	<b>Item Status:</b>	<b>Status Date:</b>
<b>Bypassed - Item:</b> Flesch Certification		
<b>Bypass Reason:</b> A readability certification has not been included with this submission as these forms are regulated as a security by the Securities and Exchange Commission (SEC) and are not subject to readability requirements.		

**Comments:**

	<b>Item Status:</b>	<b>Status Date:</b>
<b>Bypassed - Item:</b> Application		
<b>Bypass Reason:</b> There is no application required for these endorsements.		

**Comments:**

	<b>Item Status:</b>	<b>Status Date:</b>
<b>Satisfied - Item:</b> Variability Certification		
<b>Comments:</b>		
<b>Attachment:</b> VarStmt.pdf		

## **CERTIFICATION OF VARIABILITY**

**RE: P5425 01/09, Joint Owner and Annuitant Endorsement  
P5428 01/09, Waiver of Surrender Charge – Terminal Illness or Confinement to a  
Medical Care Facility Endorsement**

We have bracketed certain information within the above-mentioned forms and addressed the rider information that would appear on the data pages, to indicate variability. The ranges stated below will allow for additional flexibility in granting benefits. We certify that these forms will never reflect a lesser benefit or amount than what your state mandates. We certify that the ranges for the bracketed items contained in the riders and sample data pages for the riders are as follows:

### **P5425 01/09, Joint Owner and Annuitant Endorsement**

#### Officer Signature

Our current president's signature will appear at issue.

There is no charge for this endorsement.

### **P5428 01/09, Waiver of Surrender Charge – Terminal Illness or Confinement to a Medical Care Facility Endorsement**

#### Terminal Illness:

We may require the medical condition to result in death at least 3 months (90 days) but no more than 24 months after a certification made by a licensed physician.

We may require the diagnosis to be made at least 30 days but no more than 365 days after the effective date.

We may require all annuitants to be no more than 75 or younger but reserve the right to allow a maximum age up to 85 and younger on the contract date to be eligible for the waiver.

#### Confinement to a Medical Care Facility:

The annuitant may be required to spend a minimum of 15 consecutive days up to a maximum of 90 consecutive days in the facility to be eligible for the benefit provided.

The confinement must have begun no less than 30 days after the effective date up to a maximum of 365 days after the effective date.

We may require notification of confinement be received at least 15 days after discharge up to a maximum of 120 to be eligible for a waiver on a withdrawal.

We may require all annuitants to be no more than 75 or younger but reserve the right to allow a maximum age up to 85 and younger on the contract date to be eligible for the waiver.

Officer Signature

Our current president's signature will appear at issue..

There is no charge for this endorsement.

None of these items will be bracketed upon issuance of the contract to the owner. We hereby certify that any change will be done so in a uniform and non-discriminatory manner and shall not result in unfair discrimination.

For Genworth Life and Annuity Insurance Company,

A handwritten signature in cursive script, appearing to read "Paul Loveland".

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Paul Loveland  
Vice President, Product Compliance