



West Virginia Offices *of the* Insurance Commissioner

FAQ's Regarding Adjuster Licensing Bill 4502 Changes will be effective July 1, 2021

Adjuster Licensing Types and Lines of Authority

Question: What are the types of adjuster licenses offered effective July 1st, 2021?

1. Company adjuster with three lines of authority.
 - a. Property and Casualty
 - b. Crop
 - c. Workers' Compensation
2. Independent adjuster with three lines of authority
 - a. Property and Casualty
 - b. Crop
 - c. Workers' Compensation
3. Public Adjuster with one line of authority
 - a. Property and Casualty

Grandfathering of Current Licensees

Question: How will my current adjuster license appear on July 1, 2021 in the Producer Database (PDB)?

Answer: Current company adjusters on July 1, 2021 will be granted both a company adjuster license and independent adjuster license. Current company adjuster will auto change on July 1st, 2021 to the following:

- Company adjuster with property and casualty and workers' compensation lines of authority
- Independent adjuster with property and casualty and workers' compensation lines of authority

Answer: Current crop adjuster will auto change on July 1st, 2021 to both of the following:

- Company adjuster with crop line of authority
- Independent adjuster with crop line of authority

Answer: Current public adjuster will auto change on July 1st, 2021 to the following:

- Public adjuster with property and casualty line of authority

The 90-day expiration window prior to renewal in 2023 or 2024 will remain and adjusters will be allowed to surrender any license or line of authority at any time after July 1st, 2021. The surrender form is found at:

<https://www.wvinsurance.gov/Portals/0/pdf/agents/Surrender%20Form.pdf?ver=2020-07-28-111040-863>

Workers' Compensation Adjuster Exam

Question: When will the exam be available for the workers' compensation line of authority?

Answer: The exam will be available on April 1, 2021. Please note, the application for the workers' compensation line of authority may not be applied for before July 1, 2021. Examination and fingerprinting can be completed before July 1st, 2021, but the application will not be available prior to July 1st, 2021.

Question: Who is required to take the workers' compensation adjuster examination?

Answer: Any adjuster not possessing a company adjuster license on July 1st, 2021 will be required to take the new workers' compensation exam.

Continuing Education Requirements

Question: Who is required to take West Virginia continuing education?

Answer: West Virginia resident adjusters and any non-resident adjuster designating West Virginia as his or her home state.

Question: What is the continuing education requirement?

Answer: 24 hours of general education, including 3 hours in ethics, every two years based on adjuster birth month (commonly referred to as biennium). Adjusters with a workers' compensation line of authority are encouraged to take at least 3 hours of continuing education courses related specifically to the adjustment of workers' compensation claims.

Question: When does the continuing education requirement begin?

Answer: Starting July 1, 2021, an adjuster must complete 24 hours every two years (biennium).

Question: What courses are approved for continuing education credit?

Answer: An adjuster can take approved continuing education courses on property and casualty, crop, or workers' compensation.

Question: How do I track continuing education hours and find courses?

Answer: On our website in the Education – Resources section
www.wvinsurance.gov/Divisions/Licensing.

Fingerprinting and Criminal Background Checks

Question: If I obtain a new adjuster license type or add a license line of authority, will I need to be fingerprinted for a criminal background check?

Answer: Yes. You will need to be fingerprinted and undergo a criminal background check. Procedures and locations can be found on our website at:
www.wvinsurance.gov/Divisions/Licensing.

Question: How long are fingerprints valid?

Answer: The fingerprints are valid for 60 days. After 60 days, if you have not obtained an adjuster license you will need to be fingerprinted again.

Adjusting Companies and Firms

Question: Do adjusting companies and firms need a business entity license?

Answer: Yes. Adjusting companies and firms, effective July 1, 2021, will need to become licensed as business entities pursuant to W.Va. Code §33-12B-8. The annual business entity licensing fee is \$200 and can be applied for online at www.nipr.com. Applicants applying for a Business Entity license before March 1st, 2021, will also be required to renew the license at the upcoming license renewal (June 30).

Question: Do adjusting companies have lines of authority?

Answer: No. Business entities do not have lines of authority. The business entity's individual adjusters will have lines of authority for which the business entity can engage in business.

Company Adjuster Licensing Requirement Change

As of July 1, 2021, any company adjuster located outside West Virginia who adjusts claims solely by telephone, fax, mail, or email, and who does not physically enter West Virginia in the course of adjusting such claims will be exempted from this licensure requirement. There will no longer be a requirement for the adjuster to be located in a central office, an office, or otherwise in order to be exempted from licensure by the Insurance Commissioner.

For more information

Please review House Bill 4502 at:

https://www.wvlegislature.gov/Bill_Text_HTML/2020_SESSIONS/RS/bills/HB4502%20ENR.pdf

In addition to the statutory changes made during the 2020 Legislative Session in House Bill 4502, this guidance is based, in part, upon proposed amendments to the *West Virginia Code of State Rules*, 114CSR2A, 114CSR25, and 114CSR42. These rules have been published for public comment and are currently pending adoption by the Legislature during the 2021 legislative session. Please continue to check the West Virginia Offices of the Insurance Commissioner website for the latest information: www.wvinsurance.gov. The draft rules are also available at www.wvinsurance.gov/Resources/Policy-Legislation/Insurance-Rules.

For questions about the contents of this document while the Licensing and Education Division is working remotely due to Covid-19 please email: oiagentlicensing@wv.gov.