

Draft Pending Adoption

Draft: 8/23/26

Producer Licensing (D) Task Force
Columbus, Ohio
August 12, 2026

The Producer Licensing (D) Task Force met in Columbus, OH, Aug. 12, 2026. The following Task Force members participated: Vicki Schmidt, Chair, represented by Monicka Richmeier (KS); Scott A. White, Vice Chair, represented by Richard Tozer (VA); Heather Carpenter represented by Kayla Erickson (AK); Charles Bassett (AZ); Ricardo Lara represented by Charlene Ferguson (CA); Karima M. Woods represented by Sheila Johnson-Parker (DC); Trinidad Navarro represented by Jessica R. Luff (DE); Dean L. Cameron (ID); Sharon P. Clark represented by Shawn Boggs (KY); Timothy J. Temple represented by Lorie Gasior and Matthew Stewart (LA); Marie Grant represented by Mary Kwei (MD); Timothy N. Schott (ME); Angela L. Nelson represented by Marjorie Thompson (MO); Mike Chaney represented by Vanessa C. Miller (MS); Jon Godfread represented by Susan Daou (ND); Eric Dunning represented by Kevin Schlautman (NE); Ned Gaines represented by Jacob Roberts (NV); Judith L. French represented by Timothy Schirmer (OH); Glen Mulready represented by Erin Wainner (OK); TK Keen represented by John Haworth (OR); Michael Humphreys represented by Michael Fissel (PA); Elizabeth Kelleher Dwyer represented by Marial Garcia (RI); Larry D. Deiter (SD); Amanda Crawford represented by Jodie Delgado and Daniel McAdams (TX); Patty Kuderer represented by Andrew Davis (WA); Nathan Houdek represented by Jamie Adams (WI); and Erin K. Hunter represented by Rob Grishaber (WV).

1. Adopted its July 16 Minutes

The Task Force met July 16. During this meeting, the Task Force took the following action: 1) adopted its May 14 minutes; 2) received an update on the 1033 template and the definition of “conviction” survey; 3) received an update on the Uniform Appointment Termination for Cause Form; 4) received an update on remote exams for producer licensing testing; 5) received an update from the National Insurance Producer Registry (NIPR); and 6) received updates from its working groups.

Director Cameron made a motion, seconded by Stewart, to adopt the Task Force’s July 16 minutes (Attachment One). The motion passed unanimously.

2. Heard a Report from the NIPR Board of Directors on the NIPR Road Map

Director Deiter, on behalf of the NIPR Board of Directors, reported on the success of the 2025–2026 NAIC Zone training program, through which NIPR, in partnership with the NAIC, completed in-person trainings in each zone over the past two years. The training covered producer licensing history, licensing uniformity and reciprocity, NIPR and NAIC licensing tools, and emerging licensing issues. Director Deiter said NIPR is preparing for the NAIC/NIPR Insurance Summit scheduled for Sept. 29–Oct. 2 in Kansas City, MO, which will include a licensing track with sessions on NIPR’s future road map.

Eric Saul (NIPR) said that over the past five years, NIPR has rebuilt the foundation underlying its products by moving to new cloud infrastructure, adopting new software design, launching a new identity system, building an enterprise data warehouse, and creating a new design system. Saul said NIPR’s LicenseHub, which is the new version of NIPR’s licensing center where producers and licensing administrators apply for, renew, and manage licenses, will be released to production on Sept. 12. Saul described LicenseHub as the third piece of a three-year effort to modernize NIPR’s web experience.

Saul said NotifyPro is the new version of NIPR’s producer monitoring service that will replace the current alerts functionality. Saul said that while the current service notifies companies daily when producer data changes, it

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does not identify what changed. Saul said NotifyPro will specify what changed and is scheduled to be released to production by the end of the year.

Saul described two additional projects targeted for release around the middle of 2027. Saul said user accounts will provide applicants with an NIPR profile that saves their information. Saul said this will support increased security, personalization, and a stronger audit trail for states. Saul said the LicenseHub Document Center is a rebuilt version of the Attachments Warehouse and will feature a fully rewritten, tailorable alert system and a full application programming interface (API) to integrate documents into state back-office systems, such as Sircon and State Based Systems (SBS).

3. Heard a Presentation from the Coalition on the Evolving Fraud Landscape

Michelle Rafeld (Coalition Against Insurance Fraud—Coalition) presented on the evolving insurance fraud landscape and its intersection with the producer licensing process. Rafeld said more than \$308.6 billion is lost to insurance fraud annually, a cost ultimately passed to consumers and businesses through higher premiums. Rafeld cited a 2023 Coalition study conducted with Verisk, finding that 15% of the U.S. population, approximately 50 million people, do not view insurance fraud as a crime.

Rafeld described how insurance fraud has evolved from opportunistic, locally confined acts into organized, technology-enabled, and globally coordinated schemes, and identified three converging forces fundamentally changing insurance fraud: 1) the rapid expansion of technology and artificial intelligence (AI); 2) the growth of synthetic identities; and 3) the globalization of fraud operations. Rafeld explained that widely available AI has lowered the barrier for criminals to conduct sophisticated fraud by enabling them to steal consumer data; file bogus claims; take over accounts; and impersonate claimants, license applicants, and insurance professionals.

Rafeld described synthetic identities, which are manufactured by combining real and fictitious information over months or years, as extremely difficult to detect. Because of this, Rafeld said that identity verification can no longer be a one-time event and must be continually validated by insurers throughout the policy life cycle and by state insurance regulators throughout the licensing process. Rafeld said the removal of geographic boundaries has made insurance fraud a lucrative revenue source for transnational criminal organizations. Rafeld said fraud activities include increased cybersecurity attacks, counterfeit carrier websites and mobile apps, account takeovers using AI-generated audio and video, and the use of life and annuity products for money laundering.

Rafeld described a connection between organized insurance fraud and human trafficking, citing information shared by Michael Skiba (Colorado State University Global) regarding an operation involving hundreds of people forced to participate in insurance fraud schemes. Rafeld said individuals may be forced to commit licensing fraud to repay trafficking debts. She said criminal groups also attempt to place members inside insurance companies as job applicants using stolen or synthetic identities and AI-assisted interviews. Rafeld said that the infiltration risk has now entered the producer licensing process, making licensing a critical fraud-prevention function that warrants national background checks and added identity verification.

Rafeld recommended that the Task Force consider incorporating additional identity verification steps into the producer licensing process. She also recommended monitoring applications and examinations for the use of shared devices, IP addresses, telephone numbers, email addresses, payment methods, as well as unusually rapid completion and repeated attempts at producer licensing examinations. Rafeld said states should compare information across resident and nonresident applications and enhance the sharing of confirmed patterns among themselves, examination vendors, licensing organizations, law enforcement, and affected insurers. Rafeld said the NAIC should consider updating model acts to ensure states can promptly disable licensing credentials when fraud is identified.

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In response to questions, Rafeld said that fraud, which began in life and annuity lines, is now moving into property/casualty (P/C) lines, citing a Southern California scheme involving high-end vehicles, staged accidents, and body shops. Rafeld further described testing fraud in which organized groups circumvent online examination controls and complete exams in under 15 minutes. Rafeld urged the Task Force to consider ways to protect legitimate producers whose identities are stolen and used to obtain nonresident licenses.

4. Discussed the 1033 Written Consent Process—Definition of “Conviction”

Tozer provided an update on a survey of states regarding how they define the term “conviction” for the Title 15 U.S.C. Section 1033 written consent process. He said 33 jurisdictions had responded and encouraged the remaining states to complete the survey. Tozer said the responses revealed divergence among the states, with one of the largest areas of divergence concerning sealed records. Tozer said roughly half the states include them in the definition of “conviction,” and half do not. Tozer said a similar split exists regarding expunged convictions, with the primary distinction being whether expungement is viewed as eliminating the conviction for all purposes or whether the historical conviction remains relevant to licensure. Tozer said the Task Force would review the survey data over the next several meetings and provide additional analysis and suggested next steps.

5. Adopted the Reports of its Working Groups

A. Adjuster Licensing (D) Working Group

Gasior said the Working Group met four times since the Spring National Meeting, focusing on designated home state (DHS) issues and the need to clearly define terms that did not previously exist in the NAIC *Independent Adjuster Licensing Guideline* (GL 1224). Gasior said the Working Group received input from all interested parties to reach consensus on common concepts and definitions and adopted revisions to GL 1224. She said the Working Group would continue to partner with NIPR to further DHS reporting efficiencies that benefit states, industry, and companies.

Richmeier said GL 1224, adopted by the Working Group on July 15, would be exposed for a 30-day public comment period ending Sept. 11. The Task Force will review the comments and continue its discussion, with final adoption targeted for its Oct. 15 meeting.

B. Producer Licensing Uniformity (D) Working Group

Schlautman said the Working Group met three times since the Spring National Meeting, focusing on its review of the *State Licensing Handbook* and its assessment of state compliance with the NAIC Uniform Licensing Standards (ULS). Schlautman said the Working Group finalized its review of Chapter 12—Business Entities, agreeing to broad revisions to improve consistency with the *Producer Licensing Model Act* (#218) and to clarify business entity licensing and appointment language. Schlautman said the Working Group completed its review of Chapter 13—Temporary Licenses, aligning the introductory language with Model #218 while adding language addressing other circumstances deemed to be in the public interest. Schlautman said the Working Group reviewed Chapter 19—Bail Bond Agents, updating references to federal authorities and forms and simplifying language to recognize state-specific requirements.

Schlautman said the Working Group compiled state responses to the ULS charts to identify areas of compliance, which will be posted on the Working Group’s web page and used to evaluate low-compliance areas and opportunities for improvement.

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C. Uniform Education (D) Working Group

Delgado said the Working Group met three times since the Spring National Meeting, centering its work on four areas. Delgado said the Working Group adopted revisions to Appendix C of the Continuing Education Reciprocity (CER) Agreement to provide clarifications and replace the term “monitor” with “proctor.” Delgado said the NAIC Standardized Instructor Form still needs further review following a robust discussion about what additional identifying and background information should be collected. Delgado said the Working Group is also considering course category and difficulty options, as well as the collection of a Federal Employer Identification Number (FEIN) on provider applications, as it begins its review of Appendix B of the CER Agreement.

Schirmer made a motion, seconded by Haworth, to adopt the reports of the Adjuster Licensing (D) Working Group, including its July 15 (Attachment Two), June 25 (Attachment Three), May 27 (Attachment Four) and April 22 (Attachment Five) minutes; the Producer Licensing (D) Uniformity Working Group, including its July 21 (Attachment Six), June 16 (Attachment Seven) and April 21 (Attachment Eight) minutes; and the Uniform Education (D) Working Group, including its July 8 (Attachment Nine), May 13 (Attachment Ten) and April 15 (Attachment Eleven) minutes. The motion passed unanimously.

6. Discussed the Uniform Appointment Termination for Cause Form

Stegall said the Uniform Appointment Termination for Cause Form is intended to provide companies with a robust initial notification to regulators regarding terminations for cause. Stegall said the form would provide a starting point for regulators to identify a direct company contact, producer information, and the states to which the termination is reported. Stegall said the form would address the current lack of a uniform process. Stegall said the ultimate goal is for the form to become an electronic document with dropdown selections based on Model #218 termination reasons. Stegall said this would allow a company to complete a single report and route it to the selected states. Stegall said the approach would create efficiencies for companies and states and strengthen consumer protection by reducing missed or late termination reports. Stewart asked whether the form could be connected with the NAIC Online Fraud Reporting System so companies would not have to submit information twice. Richmeier said the Task Force is exploring electronic submission options to best facilitate submissions for companies and states.

Richmeier noted that a survey of state requirements for termination of appointments for cause would be circulated to regulators in the near future.

Having no further business, the Producer Licensing (D) Task Force adjourned.

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Adopted by the Adjuster Licensing (D) Working Group, July 15, 2026.

Revision marks reflect proposed changes to Guideline 1224 as adopted by the NAIC.

INDEPENDENT ADJUSTER LICENSING GUIDELINE

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Section 1. Purpose and Scope

This Guideline governs the qualifications and procedures for licensing independent adjusters. It specifies the duties of and restrictions on independent adjusters.

Drafting Note: It is recommended that any statute or regulation inconsistent with this Guideline be repealed or amended.

[Drafting Note: A state may adapt these guidelines to include staff \(company\) adjuster licensing where required.](#)

[Drafting Note: A state that issued independent adjuster licenses but does not require licensure of staff adjusters may consider permitting a staff adjuster who is a resident of that state to obtain a resident independent adjuster license to facilitate reciprocal licensure in other states.](#)

Section 2. Definitions

- A. “Apprentice independent adjuster” means one who is qualified in all respects as an independent adjuster except as to experience, education and/or training.
- B. “Business entity” means a corporation, association, partnership, limited liability company, limited liability partnership, or other legal entity.
- C. “Catastrophe” means an event that results in large numbers of deaths or injuries; causes extensive

damage or destruction of facilities that provide and sustain human needs; produces an overwhelming demand on state and local response resources and mechanisms; causes a severe long-term effect on general economic activity; or severely affects state, local and private sector capabilities to begin and sustain response activities. A catastrophe shall be declared by the Governor of the state, district, or territory in which the catastrophe occurred.

Drafting Note: Some states may need to expand the authority to include the insurance commissioner or other eligible governmental or regulatory body, if they are authorized to declare a catastrophe.

D. Designated Home State means a qualifying state or territory of the United States that:

(1) issues independent adjuster licenses;

(2) requires its resident independent adjusters to:

a) pass a license examination to meet the knowledge qualification,

b) undergo a national criminal background check to meet the fitness and character qualification, and

c) complete continuing education as required in this Guideline to ensure continued compliance; and

(3) will permit its designation as the home state of a nonresident who resides in a state that does not license independent adjusters, if that nonresident meets the same application and ongoing licensure requirements that its residents must meet.

Drafting Note: A state may choose to expand the definition of designated home state to include granting designated home state status to business entities where applicable.

~~D.~~E. “Fingerprints” for the purposes of this Guideline, means an impression of the lines on the finger taken for purpose of identification.

Drafting Note: States that require fingerprinting would incorporate this Section, states that do not require fingerprinting need to determine if this would apply.

~~E.~~F. “Home state” means the District of Columbia and any state or territory of the United States in which an independent adjuster maintains his, her or its principal place of residence or principal place of business where the adjuster physically works or is physically located (the single location where an applicant or licensee physically spends the majority of their time conducting the business of insurance) and is licensed to act as a resident independent adjuster. ~~If the resident state does not license independent adjusters for the line of authority sought, the independent adjuster shall designate as his, her or its home state any state in which the independent adjuster is licensed and in good standing.~~

~~F.~~G. “Independent adjuster” means a person who:

(1) Is an individual, a business entity, an independent contractor, or an employee of a contractor, who contracts for compensation with insurers or self-insurers;

(2) One whom the insurer’s or self-insurer’s tax treatment of the individual is consistent with that of an independent contractor rather than as an employee, as defined in the Internal

Revenue Code, United States Code, Title 26, Subtitle C; and

- (3) Investigates, negotiates or settles property, casualty or workers' compensation claims for insurers or for self-insurers.

~~G.~~H. "Individual" means a natural person.

~~H.~~I. "Insurer" means (insert reference to appropriate section of state law).

J. "Person" means an individual or business entity.

~~I.~~K. "Staff (Company) Adjuster means a person who is an employee of an insurer or an affiliate of the insurer, and who is engaged in adjusting insured losses solely for that company or other companies under common control or ownership."

Drafting Note: While the definition of employee can vary depending on the context (e.g. labor laws, taxes), it is generally construed to mean a worker whose employer controls both the work performed, and the methods used to complete it.

~~J.~~L. "Uniform Individual Application" means the current version of the National Association of Insurance Commissioners (NAIC) Uniform Individual Application for resident and nonresident individuals.

~~K.~~M. "Uniform Business Entity Application" means the current version of the National Association of Insurance Commissioners (NAIC) Uniform Business Entity Application for resident and nonresident business entities.

Drafting Note: Subsection ~~K.~~M. is optional and only applies to those states that have a business entity license requirement.

Drafting Note: If any term is similarly defined in a relevant section of the state's insurance code, do not include the definition of the term in this Guideline or, in the alternative, reference the statute: "[term] is defined in [insert appropriate reference to state law or regulation]."

Section 3. License Required

A person shall not act or hold himself out as an independent adjuster in this state unless the person is licensed as an independent adjuster in accordance with this Guideline, or is exempt from licensure as an independent adjuster under this Guideline.

Section 4. Exceptions to License Requirement

The definition of independent adjuster shall not be deemed to include, and a license as an independent adjuster shall not be required of the following:

- A. Attorneys-at-law admitted to practice in this state, when acting in their professional capacity as an attorney;
- B. A person employed solely to obtain facts surrounding a claim or to furnish technical assistance to a licensed independent adjuster;
- C. An individual who is employed to investigate suspected fraudulent insurance claims but who does not adjust losses or determine claims payments;

- D. A person who solely performs executive, administrative, managerial or clerical duties or any combination thereof and who does not investigate, negotiate or settle claims with policyholders, claimants or their legal representative;
- E. A licensed health care provider or its employee who provides managed care services so long as the services do not include the determination of compensability;
- F. A managed care organization or any of its employees or an employee of any organization providing managed care services so long as the services do not include the determination of compensability;
- G. A person who settles only reinsurance or subrogation claims;
- H. An officer, director, manager or employee of an authorized insurer, surplus lines insurer, a risk retention group, or an attorney-in-fact of a reciprocal insurer;
- I. A U.S. Manager of the United States branch of an alien insurer;
- J. A person who investigates, negotiates or settles life, accident and health, annuity, or disability insurance claims;
- K. An individual employee, under a self-insured arrangement, who adjust claims on behalf of their employer;
- L. A licensed insurance producer, attorney-in-fact of a reciprocal insurer or managing general agent of the insurer to whom claim authority has been granted by the insurer;
- M. A person authorized to adjust workers' compensation or disability claims under the authority of a third party administrator (TPA) license pursuant to [insert applicable licensing statute].

Drafting Note: This Guideline is drafted to eliminate redundant licensure requirements with respect to the activities engaged in by a licensee. If licensed as an independent adjuster, third party administrator or similar business entity, licensees should not be required to obtain separate independent adjuster licenses, provided that the types of claims adjusted do not include life, health, annuity, or disability insurance claims.

Section 5. Temporary Licensure or Registration for Emergency Independent Adjusters

- A. In the event of a declared catastrophe, an insurer shall notify the insurance commissioner via an application for temporary emergency licensure, or registration if temporary emergency licensure is not statutorily required, of each individual, not already licensed in the state where the catastrophe has been declared, that will act as an emergency independent adjuster on behalf of the insurer. The insurance commissioner shall establish standards and procedures to allow for the temporary emergency licensure or registration of an emergency independent adjuster in this state.
- B. A person who is otherwise qualified to adjust claims, but not already licensed in this state where the catastrophe has been declared, may act as an emergency independent adjuster and adjust claims, if, within five days of deployment to adjust claims arising from the declared catastrophe, the insurer notifies the commissioner by providing the following information in a format prescribed by the insurance commissioner:

- (1) Name of the individual;
- (2) Social security number of individual;
- (3) Name of insurer the independent adjuster will represent;
- (4) Effective date of the contract between the insurer and independent adjuster;
- (5) Catastrophe or loss control number;
- (6) Catastrophe event name; and
- (7) Other information the insurance commissioner deems necessary.

Drafting Note: The participating states, by rule, should clarify the state’s meaning and application of “qualify” as used Section 5B.

- C. An emergency independent adjuster’s license or registration shall remain in force for a period not to exceed 90 days, unless extended by the insurance commissioner.

Drafting Note: The fee for emergency independent adjuster application for licensure or registration shall be in an amount determined by the insurance commissioner and shall be due and payable at the time of application for licensure or registration.

Drafting Note: The insurance commissioner may provide additional provisions that would trigger licensure or registration of an emergency independent adjuster.

Section 6. Application for License

- A. An individual applying for a resident independent adjuster license shall make application to the insurance commissioner on the appropriate NAIC Uniform Individual Application in a format prescribed by the insurance commissioner and declare under penalty of suspension, revocation or refusal of the license that the statements made in the application are true, correct and complete to the best of the individual’s knowledge and belief. Before approving the application, the insurance commissioner shall find that the individual:
 - (1) Is at least eighteen (18) years of age;
 - (2) Is eligible to designate this state as his or her home state;
 - (3) Is trustworthy, reliable and of good reputation, evidence of which shall be determined by the insurance commissioner;
 - (4) Has not committed any act that is a ground for probation, suspension, revocation or refusal of an independent adjuster’s license as set forth in Section 12;
 - (5) Has completed a prelicensing course of study for the line(s) of authority for which the person has applied, where required by the insurance commissioner; and
 - (6) Has successfully passed the examination for the line(s) of authority for which the person has applied;
 - (7) Has paid the fees set forth in [insert appropriate reference to state law or regulation.

- B. A business entity applying for a resident independent adjuster license shall make application to the insurance commissioner on the appropriate NAIC Uniform Business Entity Application in a format prescribed by the insurance commissioner and declare under penalty of suspension, revocation or refusal of the license that the statements made in the application are true, correct and complete to the best of the business entity's knowledge and belief. Before approving the application, the insurance commissioner shall find that the business entity:
- (1) Is eligible to designate this state as its home state;
 - (2) Has designated a licensed independent adjuster responsible for the business entities compliance with the insurance laws, rules and regulations of this state;
 - (3) Has not committed an act that is a ground for probation, suspension, revocation or refusal of an independent adjuster's license as set forth in Section 12; and
 - (4) Has paid the fees set forth in [insert appropriate reference to state law or regulation].

Drafting Note: This Section is optional and applies only to those states that have a business entity requirement.

Drafting Note: Employee of the authorized affiliate insurer may be considered under this exemption with the Commissioner's consent.

- C. In order to make a determination of license eligibility, the insurance commissioner is authorized to require fingerprints of applicants and to submit the fingerprints and the fee required to perform the criminal history record checks to the state identification bureau (or state department of justice public state agency) and the Federal Bureau of Investigation (FBI) for state and national criminal history record checks.

Drafting Note: The FBI requires that fingerprints be submitted to the state Department of Law Enforcement, Public Safety or Criminal Justice for a check of state records before the fingerprints are submitted to the FBI for a criminal history record check. The FBI recommends all fingerprint submissions be in an electronic format. Public Law 92-544 requires specific parameters to submit fingerprints and obtain criminal history record information. The FBI has approved the language in Section 6C to authorize a state identification bureau to submit fingerprints on behalf of its applicants in conjunction with licensing and employment.

- D. The insurance commissioner shall require a criminal history record check on each applicant in accordance with this Guideline. The insurance commissioner shall require each applicant to submit a full set of fingerprints (including a scanned file from a hard copy fingerprint) in order for the insurance commissioner to obtain and receive national criminal history records from the FBI Criminal Justice Information Services Division.
- E. The insurance commissioner may contract for the collection and transmission of fingerprints authorized under this Guideline. If the insurance commissioner does so, the insurance commissioner may order the fee for collecting and transmitting fingerprints to be payable directly to the contractor by the applicant. The insurance commissioner may agree to a reasonable fingerprinting fee to be charged by the contractor.
- F. The insurance commissioner shall treat and maintain an applicant's fingerprints and any criminal history record information obtained under this Guideline as confidential and shall apply security measures consistent with the Criminal Justice Information Services Division of the Federal Bureau of Investigation standards for the electronic storage of fingerprints and necessary identifying information and limit the use of records solely to the purposes authorized in this Guideline. The fingerprints and any criminal history record information shall not be subject to subpoena, other than one issued in a criminal action or investigation, and shall be confidential.

- G. The insurance commissioner is authorized to receive criminal history record information from another government agency in lieu of the state identification bureau (or state department of justice or other public state agency) that submitted the fingerprints to the FBI.

Drafting Note: If the state has adopted fingerprint requirements for other classes of licenses, it may not necessary to adopt this language. This provision does not permit the sharing of criminal history record information with the NAIC or other insurance commissioners as such sharing of information is prohibited by 28 CFR 20.33.

- H. The insurance commissioner may require any documents reasonably necessary to verify the information contained in the application.

Section 7. License

- A. Unless denied licensure pursuant to Section 12, persons who have met the requirements of Sections 6 and 8 shall be issued an independent adjuster license. An independent adjuster may qualify for a license in one or more of the following lines of authority:

- (1) Property and Casualty; or
- (2) Workers Compensation; or
- (3) Crop.

- B. Any person holding a license pursuant to this provision shall not be required to hold any other independent adjuster, insurance or self-insurance administrator license in this state pursuant to [insert applicable TPA law cross reference] or any other provision, including, but not limited to, licenses by the [Workers Compensation Commissions, the Department of Labor or other applicable cross reference] provided that he, she or it does not meet the Guideline as an independent adjuster with respect to life, health or annuity insurance, other than disability insurance.

Drafting Note: This Guideline is drafted to eliminate redundant licensure requirements with respect to the activities engaged in by the licensee. If licensed as an independent adjuster, third party administrator or similar business entity additional licenses should not be required provided that the type of claims adjusted do not include life, health, or annuity insurance claims, other than disability claims.

- C. An independent adjuster license shall remain in effect unless probated, suspended, revoked or refused as long as the request for renewal and fee set forth in [insert appropriate reference to state law or regulation] is paid and all other requirements for license renewal are met by the due date, otherwise the license expires.
- D. An independent adjuster whose license expires may, within twelve (12) months of the renewal date, be reissued an independent adjuster license upon receipt of the renewal request, as prescribed by the insurance commissioner. However, a penalty in the amount of double the unpaid renewal fee shall be required to reissue the expired license.
- E. An independent adjuster who is unable to comply with license renewal procedures and requirements due to military service, long-term medical disability or some other extenuating circumstance may request a waiver of same and a waiver of any examination requirement, fine or other sanction imposed for failure to comply with renewal procedures.

Drafting Note: Some states may not contain expiration date or reissue a license that has been discontinued for nonrenewal.

- F. An independent adjuster shall be subject to [cite state's Unfair Claims Settlement Act and state's

Trade Practices and Fraud sections of the Insurance Code].

- G. The independent adjuster shall inform the insurance commissioner by any means acceptable of any change in resident or business address(es) for the home state or in legal name, within thirty (30) days of the change.
- H. The license shall contain the licensee's name, address, personal identification number, the date of issuance and expiration and any other information the insurance commissioner deems necessary.
- I. In order to assist in the performance of the insurance commissioner's duties, the insurance commissioner may contract with non-governmental entities, including the NAIC, its affiliates or subsidiaries, to perform any ministerial functions, including the collection of fees and data, related to licensing that the insurance commissioner may deem appropriate.

Section 8. Examination

- A. An individual applying for an independent adjuster license under this Guideline shall pass a written examination unless exempt pursuant to Section 9. The examination shall test the knowledge of the individual concerning, the lines of authority for which application is made, the duties and responsibilities of an independent adjuster and the insurance laws and regulations of this state. Examinations required by this Section shall be developed and conducted under rules and regulations prescribed by the insurance commissioner.
- B. The insurance commissioner may make arrangements, including contracting with an outside testing service, for administering examinations and collecting the nonrefundable fee set forth in [insert appropriate reference to state law or regulation].
- C. Each individual applying for an examination shall remit a non-refundable fee as prescribed by the insurance commissioner as set forth in [insert appropriate reference to state law or regulation].
- D. An individual who fails to appear for the examination as scheduled or fails to pass the examination shall reapply for an examination and remit all required fees and forms before being rescheduled for another examination.

Drafting Note: A state may wish to prescribe by regulation limitations on the frequency of application for examination in addition to other prelicensing requirements.

Drafting Note: If the state has adopted the Producer Licensing Model Act, it may not be necessary to adopt this section. Rather, the state may want to amend its relevant insurance producer statute to include independent adjusters.

Section 9. Exemptions from Examination

- A. An individual who applies for an independent adjuster license in this state who is or was licensed in another state for the same line(s) of authority based on an independent adjuster examination shall not be required to complete any prelicensing education or examination. This exemption is only available if the person is currently licensed in another state or if that state license has expired and the application is received by this state within ninety (90) days of expiration. The applicant must provide certification from the other state that the applicant's license is currently in good standing or was in good standing at the time of expiration or certification from the other state that its Producer Database records, maintained by the NAIC, its affiliates or subsidiaries, indicate

that the applicant or their company is or was licensed in good standing. The certification must be of a license with the same line of authority for which the individual has applied;

- B. A person licensed as an independent adjuster in another state based on an independent adjuster examination who establishes legal residency in this state shall make application within ninety (90) days to become a resident independent adjuster licensee pursuant to Section 6, with the exception that no prelicensing education or examination shall be required of this person;
- C. An individual who applies for an apprentice independent adjuster license, pursuant to Section 11, and who adjust claims in that capacity, shall not be required to take and successfully complete the independent adjuster examination.

Drafting Note: If the state does not adopt Section 11, Apprentice Independent Adjuster License, then 9C should be removed as an exemption from examination.

Drafting Note: If the state has adopted the Producer Licensing Model Act, it may not be necessary to adopt this Section. Rather, the state may want to amend its relevant insurance producer statute to include independent adjusters.

Section 10. Nonresident License

- A. Unless refused licensure pursuant to Section 12, a nonresident person shall receive a nonresident independent adjuster license if:
 - (1) The person is currently licensed in good standing as an independent adjuster in his, her, or its resident or home state;
 - (2) The person has submitted the proper request for licensure, has paid the fees required by [insert appropriate reference to state law or regulation];
 - (3) The person has submitted or transmitted to the insurance commissioner the appropriate completed application for licensure; and
 - (4) The person's designated home state awards nonresident independent adjuster licenses to persons of this state on the same basis.
- B. The insurance commissioner may verify the independent adjuster's licensing status through any appropriate database, including the Producer Database maintained by the NAIC, its affiliates or subsidiaries, or may request certification of good standing as described in Section 9A of this Guideline.
- C. As a condition to the continuation of a nonresident independent adjuster license, the licensee shall maintain a resident independent adjuster license in his, her or its home state. The nonresident independent adjuster license issued under this Section shall terminate and be surrendered immediately to the insurance commissioner if the resident independent adjuster license terminates for any reason, unless the termination is due to the independent adjuster being issued a new resident independent adjuster license in his, her or its new home state. The new state resident independent adjuster license must have reciprocity with the licensing nonresident state(s) otherwise the nonresident independent adjuster license(s) will terminate. Notice of resident independent adjuster license termination must be given to any state(s) that issued a nonresident independent adjuster license. Notice must be given within thirty (30) days of the termination date; if terminated for change in resident home state then the notice must include

both the previous and current address. Maintaining a resident independent adjuster license is required for the nonresident independent adjuster license(s) to remain valid.

Drafting Note: If the state has adopted the Producer Licensing Model Act, it may not be necessary to adopt this Section. Rather, the state may want to amend its relevant insurance producer statute to include independent adjusters.

Drafting Note: In accordance with Public Law No. 106-102 (the “Gramm-Leach-Bliley Act”) states should not require any additional attachments to the Uniform Application or impose any other conditions on applicants that exceed the information requested within the Uniform Application.

Section 11. Apprentice Independent Adjuster License [Optional]

- A. The apprentice independent adjuster license is an optional license to facilitate the experience, education and/or training necessary to ensure reasonable competency of the responsibilities and duties of an independent adjuster as defined in this Guideline.
- B. An individual applying for a resident apprentice independent adjuster license shall make application to the insurance commissioner on the appropriate NAIC Uniform Individual Application in a format prescribed by the insurance commissioner and declare under penalty of suspension, revocation or refusal of the license that the statements made in the application are true, correct and complete to the best of the individual’s knowledge and belief. Before approving the application, the insurance commissioner shall find that the individual:
 - (1) Is at least eighteen (18) years of age;
 - (2) Is a resident of this state and has designated this state as his or her home state;
 - (3) Has a business or mailing address in this state for acceptance of service of process;
 - (4) Has not committed any act that is a ground for probation, suspension, revocation or denial of licensure as set forth in Section 12;
 - (5) Is trustworthy, reliable and of good reputation, evidence of which may be determined by the insurance commissioner;
 - (6) Has paid the fees set forth in [insert appropriate reference to state law or regulation].
- C. The apprentice independent adjuster license shall be subject to the following terms and conditions:
 - (1) Accompanying the apprentice adjuster application shall be an attestation, from a licensed independent adjuster with the same line(s) of authority for which the apprentice has applied, certifying that the apprentice will be subject to training, direction and control by the licensed independent adjuster and further certifying that the licensed independent adjuster assumes responsibility for the actions of the apprentice in the apprentice’s capacity as an independent adjuster;
 - (2) The apprentice independent adjuster is only authorized to adjust claims in the state that has issued the apprentice independent adjuster license;
 - (3) The apprentice licensee is restricted to participation in the investigation, settlement and negotiation of claims subject to the review and final determination of the claim by the

supervising licensed independent adjuster;

- (4) Compensation of an apprentice independent adjuster shall be on a salaried or hourly basis only;
 - (5) The apprentice independent adjuster shall not be required to take and successfully complete the independent adjuster examination pursuant to Section 8, to adjust claims as an apprentice independent adjuster. However, at any time during the apprenticeship the apprentice independent adjuster may choose to take the examination required by Section 8. If the individual takes and successfully completes the independent adjuster examination the apprentice independent adjuster license shall automatically terminate and an independent adjuster license shall be issued to that individual in place thereof;
 - (6) The apprentice independent adjuster license is for a period not to exceed twelve (12) months and is nonrenewable; and
 - (7) The licensee shall be subject to probation, suspension, revocation, or refusal pursuant to Section 12 of this Guideline.
- D. The licensed independent adjuster responsible for the apprentice independent adjuster, as stated in Section 11(C)(1), shall only supervise [insert appropriate reference to state law or regulation].

Section 12. License Denial, Non-Renewal, or Revocation

- A. The insurance commissioner may place on probation, suspend, revoke, or refuse to issue or renew an independent adjuster's license or may levy a civil penalty in accordance with [insert appropriate reference to state law] or any combination of the above actions for any one or more of the following causes:
- (1) Providing incorrect, misleading, incomplete or materially untrue information in the license application;
 - (2) Violating any insurance laws, regulations, subpoena or order of the insurance commissioner or of another state's insurance commissioner;
 - (3) Obtaining or attempting to obtain a license through misrepresentation or fraud;
 - (4) Improperly withholding, misappropriating, or converting any monies or properties received in the course of doing insurance business;
 - (5) Intentionally misrepresenting the terms of an actual or proposed insurance contract or application for insurance;
 - (6) Having been convicted of a felony;
 - (7) Having admitted or been found to have committed any insurance unfair trade practice or fraud;
 - (8) Using fraudulent, coercive or dishonest practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility, in the conduct of insurance business in this

state or elsewhere;

- (9) Having an insurance license, or its equivalent, probated, suspended, revoked or refused in any other state, province, district, or territory;
- (10) Forging another's name to any document related to an insurance transaction;
- (11) Cheating, including improperly using notes or any other reference material, to complete an examination for an insurance license;
- (12) Failing to comply with an administrative or court order imposing a child support obligation; or
- (13) Failing to pay state income tax or comply with any administrative or court order directing payment of state income tax which remains unpaid.

Drafting Note: Paragraph (13) is for those states that have a state income tax.

- B. In the event that the action by the insurance commissioner is to refuse application for licensure or renewal of an existing license, the insurance commissioner shall notify the applicant or licensee in writing, advising of the reason for the refusal. The applicant or licensee may make written demand upon the insurance commissioner within [insert appropriate time period from state's Administrative Procedure Act] for a hearing before the insurance commissioner to determine the reasonableness of the refusal. The hearing shall be held within [insert time period from state law] and shall be held pursuant to [insert appropriate reference to state law].
- C. The license of a business entity may be probated, suspended, revoked, or refused if the insurance commissioner finds, after a hearing, that its designated individual licensee's violation occurred while acting on behalf of or representing the business entity and that the violation was known or should have been known by one or more of the business entity's partners, officers or managers and that the violation was neither reported to the insurance commissioner nor was corrective action taken.
- D. In addition to or in lieu of any applicable probation, suspension, revocation or refusal, a person may, after a hearing, additionally be subject to a civil fine according to [insert appropriate reference to state law].
- E. The insurance commissioner shall retain the authority to enforce the provisions of and impose any penalty or remedy authorized by this Guideline and Title [insert appropriate reference to state law] against any person who is under investigation for or charged with a violation of this Guideline or Title [insert appropriate reference to state law] even if the person's license or registration has been surrendered or has expired by operation of law.

Section 13. Continuing Education

- A. An individual, who holds an independent adjuster license and who is not exempt under Subsection B of this Section, shall satisfactorily complete a minimum of twenty-four (24) hours of continuing education courses, of which three (3) hours must be in ethics, reported to the insurance commissioner on a biennial basis in conjunction with their license renewal cycle.
- B. This Section shall not apply to:

- (1) Licensees not licensed for one (1) full year prior to the end of the applicable continuing education biennium; or
- (2) Licensees holding nonresident independent adjuster licenses who have met the continuing education requirements of their designated home state.

Section 14. Record Retention

An independent adjuster shall maintain a copy of each contract between the independent adjuster and the insurer or self-insurer and comply with the record retention policy as agreed to in that contract.

Section 15. Standards of Conduct of Independent Adjusters [Optional]

- A. An independent adjuster shall be honest and fair in all communications with the insured, the insurer and the public;
- B. An independent adjuster shall give policyholders and claimants prompt, knowledgeable service and courteous, fair and objective treatment at all times;
- C. An independent adjuster shall not give legal advice, and shall not deal directly with any policyholder or claimant who is represented by legal counsel without the consent of the legal counsel involved;
- D. An independent adjuster shall comply with all local, state and federal privacy and information security laws, if applicable;
- E. An independent adjuster shall identify himself as an independent adjuster and, if applicable, identify his employer when dealing with any policyholder or claimant; and
- F. An independent adjuster shall not have any financial interest in any adjustment or acquire for himself or any person any interest or title in salvage, without first receiving written authority from the principal.

Section 16. Reporting of Actions

- A. The independent adjuster shall report to the insurance commissioner any administrative action taken against the independent adjuster in another jurisdiction or by another governmental agency in this state within thirty (30) days of the final disposition of the matter. This report shall include a copy of the order, consent order and any other relevant legal documents.
- B. The independent adjuster shall report to the insurance commissioner any criminal action taken against the independent adjuster in this or any jurisdiction within thirty (30) days of the final disposition of the criminal matter. The report shall include a copy of the initial complaint filed, the final order issued by the court, and any other relevant legal documents.

Drafting Note: If the state has adopted the Producer Licensing Model Act, it may not be necessary to adopt this Section. Rather, the state may want to amend its relevant insurance producer statute to include independent adjusters.

Section 17. Regulations

The insurance commissioner may, in accordance with [insert appropriate reference to state law], promulgate reasonable regulations as are necessary or proper to carry out the purposes of this Guideline.

Section 18. Severability

If any provisions of this Guideline, or the application of a provision to any person or circumstances, shall be held invalid, the remainder of the Guideline, and the application of the provision to persons or circumstances other than those to which it is held invalid, shall not be affected.

Section 19. Effective Date

This Guideline shall take effect [insert date].

Note: A minimum of six months to one year implementation time for proper notice of changes, fees and procures is recommended.

Chronological Summary of Action (all references are to the Proceedings of the NAIC)

2008 Proc. 3rd Quarter, Vol. I 128, 147, 167, 173, 511-523 (adopted).

COMMENTS
INDEPENDENT ADJUSTER LICENSING GUIDELINES
Comment Deadline of Sept. 11, 2026

1. CALIFORNIA
2. NEVADA
3. AMERICAN PROPERTY CASUALTY INSURANCE ASSOCIATION
4. COLLISION CONSULTING

CALIFORNIA COMMENTS

NAIC Model Laws, Regulations, Guidelines and Other Resources—October 2008

Draft: 6/30/26

Adopted by the Adjuster Licensing (D) Working Group, July 15, 2026.

Revision marks reflect proposed changes to Guideline 1224 as adopted by the NAIC.

INDEPENDENT ADJUSTER LICENSING GUIDELINE

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Section 1. Purpose and Scope

This Guideline governs the qualifications and procedures for licensing independent adjusters. It specifies the duties of and restrictions on independent adjusters.

Drafting Note: It is recommended that any statute or regulation inconsistent with this Guideline be repealed or amended.

Drafting Note: A state may ~~best adopt~~ these guidelines to include staff (company) adjuster licensing where required.

Drafting Note: A state that issued independent adjuster licenses but does not require licensure of staff adjusters may consider permitting a staff adjuster who is a resident of that state to obtain a resident independent adjuster license to facilitate reciprocal licensure in other states.

Commented [CF1]: Edit this word to state "adopt."

Section 2. Definitions

- A. "Apprentice independent adjuster" means one who is qualified in all respects as an independent adjuster except as to experience, education and/or training.
- B. "Business entity" means a corporation, association, partnership, limited liability company, limited liability partnership, or other legal entity.
- C. "Catastrophe" means an event that results in large numbers of deaths or injuries; causes extensive

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damage or destruction of facilities that provide and sustain human needs; produces an overwhelming demand on state and local response resources and mechanisms; causes a severe long-term effect on general economic activity; or severely affects state, local and private sector capabilities to begin and sustain response activities. A catastrophe shall be declared by the Governor of the state, district, or territory in which the catastrophe occurred.

Drafting Note: Some states may need to expand the authority to include the insurance commissioner or other eligible governmental or regulatory body, if they are authorized to declare a catastrophe.

D. Designated Home State means a qualifying state or territory of the United States that:

(1) issues independent adjuster licenses;

(2) requires its resident independent adjusters to:

a) pass a license examination to meet the knowledge qualification,

b) undergo a national criminal background check to meet the fitness and character qualification, and

c) complete continuing education as required in this Guideline to ensure continued compliance; and

(3) will permit its designation as the home state of a nonresident who resides in a state that does not license independent adjusters, if that nonresident meets the same application and ongoing licensure requirements that its residents must meet.

Drafting Note: A state may choose to expand the definition of designated home state to include granting designated home state status to business entities where applicable.

~~D.E.~~ “Fingerprints” for the purposes of this Guideline, means an impression of the lines on the finger taken for purpose of identification.

Drafting Note: States that require fingerprinting would incorporate this Section, states that do not require fingerprinting need to determine if this would apply.

~~E.F.~~ “Home state” means the District of Columbia and any state or territory of the United States in which an independent adjuster maintains his, her or its principal place of residence or principal place of business where the adjuster physically works or is physically located (the single location where an applicant or licensee physically spends the majority of their time conducting the business of insurance assessing, investigating, and settling insurance claims) and is licensed to act as a resident independent adjuster. ~~If the resident state does not license independent adjusters for the line of authority sought, the independent adjuster shall designate as his, her or its home state any state in which the independent adjuster is licensed and in good standing.~~

Commented [CF2]: The phrase "Business of Insurance" is inaccurate when applied to the work of an independent adjuster.

~~F.G.~~ “Independent adjuster” means a person who:

- (1) Is an individual, a business entity, an independent contractor, or an employee of a contractor, who contracts for compensation with insurers or self-insurers;
- (2) One whom the insurer’s or self-insurer’s tax treatment of the individual is consistent with that of an independent contractor rather than as an employee, as defined in the Internal

Revenue Code, United States Code, Title 26, Subtitle C; and

- (3) Investigates, negotiates or settles property, casualty or workers' compensation claims for insurers or for self-insurers.

~~G~~~~H~~. "Individual" means a natural person.

~~H~~~~I~~. "Insurer" means (insert reference to appropriate section of state law).

~~J~~. "Person" means an individual or business entity.

~~L~~~~K~~. "Staff (Company) Adjuster means a person who is an employee of an insurer or an affiliate of the insurer, and who is engaged in adjusting insured losses solely for that company or other companies under common control or ownership."

Drafting Note: While the definition of employee can vary depending on the context (e.g. labor laws, taxes), it is generally construed to mean a worker whose employer controls both the work performed, and the methods used to complete it.

~~J~~~~L~~. "Uniform Individual Application" means the current version of the National Association of Insurance Commissioners (NAIC) Uniform Individual Application for resident and nonresident individuals.

~~K~~~~M~~. "Uniform Business Entity Application" means the current version of the National Association of Insurance Commissioners (NAIC) Uniform Business Entity Application for resident and nonresident business entities.

Drafting Note: Subsection ~~K~~~~M~~ is optional and only applies to those states that have a business entity license requirement.

Drafting Note: If any term is similarly defined in a relevant section of the state's insurance code, do not include the definition of the term in this Guideline or, in the alternative, reference the statute: "[term] is defined in [insert appropriate reference to state law or regulation]."

Section 3. License Required

A person shall not act or hold himself out as an independent adjuster in this state unless the person is licensed as an independent adjuster in accordance with this Guideline, or is exempt from licensure as an independent adjuster under this Guideline.

Section 4. Exceptions to License Requirement

The definition of independent adjuster shall not be deemed to include, and a license as an independent adjuster shall not be required of the following:

- A. Attorneys-at-law admitted to practice in this state, when acting in their professional capacity as an attorney;
- B. A person employed solely to obtain facts surrounding a claim or to furnish technical assistance to a licensed independent adjuster;
- C. An individual who is employed to investigate suspected fraudulent insurance claims but who does not adjust losses or determine claims payments;

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- D. A person who solely performs executive, administrative, managerial or clerical duties or any combination thereof and who does not investigate, negotiate or settle claims with policyholders, claimants or their legal representative;
- E. A licensed health care provider or its employee who provides managed care services so long as the services do not include the determination of compensability;
- F. A managed care organization or any of its employees or an employee of any organization providing managed care services so long as the services do not include the determination of compensability;
- G. A person who settles only reinsurance or subrogation claims;
- H. An officer, director, manager or employee of an authorized insurer, surplus lines insurer, a risk retention group, or an attorney-in-fact of a reciprocal insurer;
- I. A U.S. Manager of the United States branch of an alien insurer;
- J. A person who investigates, negotiates or settles life, accident and health, annuity, or disability insurance claims;
- K. An individual employee, under a self-insured arrangement, who adjust claims on behalf of their employer;
- L. A licensed insurance producer, attorney-in-fact of a reciprocal insurer or managing general agent of the insurer to whom claim authority has been granted by the insurer;
- M. A person authorized to adjust workers' compensation or disability claims under the authority of a third party administrator (TPA) license pursuant to [insert applicable licensing statute].

Drafting Note: This Guideline is drafted to eliminate redundant licensure requirements with respect to the activities engaged in by a licensee. If licensed as an independent adjuster, third party administrator or similar business entity, licensees should not be required to obtain separate independent adjuster licenses, provided that the types of claims adjusted do not include life, health, annuity, or disability insurance claims.

Section 5. Temporary Licensure or Registration for Emergency Independent Adjusters

- A. In the event of a declared catastrophe, an insurer shall notify the insurance commissioner via an application for temporary emergency licensure, or registration if temporary emergency licensure is not statutorily required, of each individual, not already licensed in the state where the catastrophe has been declared, that will act as an emergency independent adjuster on behalf of the insurer. The insurance commissioner shall establish standards and procedures to allow for the temporary emergency licensure or registration of an emergency independent adjuster in this state.
- B. A person who is otherwise qualified to adjust claims, but not already licensed in this state where the catastrophe has been declared, may act as an emergency independent adjuster and adjust claims, if, within five days of deployment to adjust claims arising from the declared catastrophe, the insurer notifies the commissioner by providing the following information in a format prescribed by the insurance commissioner:

- (1) Name of the individual;
- (2) Social security number of individual;
- (3) Name of insurer the independent adjuster will represent;
- (4) Effective date of the contract between the insurer and independent adjuster;
- (5) Catastrophe or loss control number;
- (6) Catastrophe event name; and
- (7) Other information the insurance commissioner deems necessary.

Drafting Note: The participating states, by rule, should clarify the state's meaning and application of "qualify" as used Section 5B.

- C. An emergency independent adjuster's license or registration shall remain in force for a period not to exceed 90 days, unless extended by the insurance commissioner.

Drafting Note: The fee for emergency independent adjuster application for licensure or registration shall be in an amount determined by the insurance commissioner and shall be due and payable at the time of application for licensure or registration.

Drafting Note: The insurance commissioner may provide additional provisions that would trigger licensure or registration of an emergency independent adjuster.

Section 6. Application for License

- A. An individual applying for a resident independent adjuster license shall make application to the insurance commissioner on the appropriate NAIC Uniform Individual Application in a format prescribed by the insurance commissioner and declare under penalty of suspension, revocation or refusal of the license that the statements made in the application are true, correct and complete to the best of the individual's knowledge and belief. Before approving the application, the insurance commissioner shall find that the individual:

- (1) Is at least eighteen (18) years of age;
- (2) Is eligible to designate this state as his or her home state;
- (3) Is trustworthy, reliable and of good reputation, evidence of which shall be determined by the insurance commissioner;
- (4) Has not committed any act that is a ground for probation, suspension, revocation or refusal of an independent adjuster's license as set forth in Section 12;
- (5) Has completed a preclicensing course of study for the line(s) of authority for which the person has applied, where required by the insurance commissioner; and
- (6) Has successfully passed the examination for the line(s) of authority for which the person has applied;
- (7) Has paid the fees set forth in [insert appropriate reference to state law or regulation].

Independent Adjuster Licensing Guideline

- B. A business entity applying for a resident independent adjuster license shall make application to the insurance commissioner on the appropriate NAIC Uniform Business Entity Application in a format prescribed by the insurance commissioner and declare under penalty of suspension, revocation or refusal of the license that the statements made in the application are true, correct and complete to the best of the business entity's knowledge and belief. Before approving the application, the insurance commissioner shall find that the business entity:
- (1) Is eligible to designate this state as its home state;
 - (2) Has designated a licensed independent adjuster responsible for the business entities compliance with the insurance laws, rules and regulations of this state;
 - (3) Has not committed an act that is a ground for probation, suspension, revocation or refusal of an independent adjuster's license as set forth in Section 12; and
 - (4) Has paid the fees set forth in [insert appropriate reference to state law or regulation].

Drafting Note: This Section is optional and applies only to those states that have a business entity requirement.

Drafting Note: Employee of the authorized affiliate insurer may be considered under this exemption with the Commissioner's consent.

- C. In order to make a determination of license eligibility, the insurance commissioner is authorized to require fingerprints of applicants and to submit the fingerprints and the fee required to perform the criminal history record checks to the state identification bureau (or state department of justice public state agency) and the Federal Bureau of Investigation (FBI) for state and national criminal history record checks.

Drafting Note: The FBI requires that fingerprints be submitted to the state Department of Law Enforcement, Public Safety or Criminal Justice for a check of state records before the fingerprints are submitted to the FBI for a criminal history record check. The FBI recommends all fingerprint submissions be in an electronic format. Public Law 92-544 requires specific parameters to submit fingerprints and obtain criminal history record information. The FBI has approved the language in Section 6C to authorize a state identification bureau to submit fingerprints on behalf of its applicants in conjunction with licensing and employment.

- D. The insurance commissioner shall require a criminal history record check on each applicant in accordance with this Guideline. The insurance commissioner shall require each applicant to submit a full set of fingerprints (including a scanned file from a hard copy fingerprint) in order for the insurance commissioner to obtain and receive national criminal history records from the FBI Criminal Justice Information Services Division.
- E. The insurance commissioner may contract for the collection and transmission of fingerprints authorized under this Guideline. If the insurance commissioner does so, the insurance commissioner may order the fee for collecting and transmitting fingerprints to be payable directly to the contractor by the applicant. The insurance commissioner may agree to a reasonable fingerprinting fee to be charged by the contractor.
- F. The insurance commissioner shall treat and maintain an applicant's fingerprints and any criminal history record information obtained under this Guideline as confidential and shall apply security measures consistent with the Criminal Justice Information Services Division of the Federal Bureau of Investigation standards for the electronic storage of fingerprints and necessary identifying information and limit the use of records solely to the purposes authorized in this Guideline. The fingerprints and any criminal history record information shall not be subject to subpoena, other than one issued in a criminal action or investigation, and shall be confidential.

- G. The insurance commissioner is authorized to receive criminal history record information from another government agency in lieu of the state identification bureau (or state department of justice or other public state agency) that submitted the fingerprints to the FBI.

Drafting Note: If the state has adopted fingerprint requirements for other classes of licenses, it may not necessary to adopt this language. This provision does not permit the sharing of criminal history record information with the NAIC or other insurance commissioners as such sharing of information is prohibited by 28 CFR 20.33.

- H. The insurance commissioner may require any documents reasonably necessary to verify the information contained in the application.

Section 7. License

- A. Unless denied licensure pursuant to Section 12, persons who have met the requirements of Sections 6 and 8 shall be issued an independent adjuster license. An independent adjuster may qualify for a license in one or more of the following lines of authority:
- (1) Property and Casualty; or
 - (2) Workers Compensation; or
 - (3) Crop.
- B. Any person holding a license pursuant to this provision shall not be required to hold any other independent adjuster, insurance or self-insurance administrator license in this state pursuant to [insert applicable TPA law cross reference] or any other provision, including, but not limited to, licenses by the [Workers Compensation Commissions, the Department of Labor or other applicable cross reference] provided that he, she or it does not [meet the](#) Guideline as an independent adjuster with respect to life, health or annuity insurance, other than disability insurance.

Drafting Note: This Guideline is drafted to eliminate redundant licensure requirements with respect to the activities engaged in by the licensee. If licensed as an independent adjuster, third party administrator or similar business entity additional licenses should not be required provided that the type of claims adjusted do not include life, health, or annuity insurance claims, other than disability claims.

- C. An independent adjuster license shall remain in effect unless probated, suspended, revoked or refused as long as the request for renewal and fee set forth in [insert appropriate reference to state law or regulation] is paid and all other requirements for license renewal are met by the due date, otherwise the license expires.
- D. An independent adjuster whose license expires may, within twelve (12) months of the renewal date, be reissued an independent adjuster license upon receipt of the renewal request, as prescribed by the insurance commissioner. However, a penalty in the amount of double the unpaid renewal fee shall be required to reissue the expired license.
- E. An independent adjuster who is unable to comply with license renewal procedures and requirements due to military service, long-term medical disability or some other extenuating circumstance may request a waiver of same and a waiver of any examination requirement, fine or other sanction imposed for failure to comply with renewal procedures.

Drafting Note: Some states may not contain expiration date or reissue a license that has been discontinued for nonrenewal.

- F. An independent adjuster shall be subject to [cite state's Unfair Claims Settlement Act and state's

Trade Practices and Fraud sections of the Insurance Code].

- G. The independent adjuster shall inform the insurance commissioner by any means acceptable of any change in resident or business address(es) for the home state or in legal name, within thirty (30) days of the change.
- H. The license shall contain the licensee's name, address, personal identification number, the date of issuance and expiration and any other information the insurance commissioner deems necessary.
- I. In order to assist in the performance of the insurance commissioner's duties, the insurance commissioner may contract with non-governmental entities, including the NAIC, its affiliates or subsidiaries, to perform any ministerial functions, including the collection of fees and data, related to licensing that the insurance commissioner may deem appropriate.

Section 8. Examination

- A. An individual applying for an independent adjuster license under this Guideline shall pass a written examination unless exempt pursuant to Section 9. The examination shall test the knowledge of the individual concerning, the lines of authority for which application is made, the duties and responsibilities of an independent adjuster and the insurance laws and regulations of this state. Examinations required by this Section shall be developed and conducted under rules and regulations prescribed by the insurance commissioner.
- B. The insurance commissioner may make arrangements, including contracting with an outside testing service, for administering examinations and collecting the nonrefundable fee set forth in [insert appropriate reference to state law or regulation].
- C. Each individual applying for an examination shall remit a non-refundable fee as prescribed by the insurance commissioner as set forth in [insert appropriate reference to state law or regulation].
- D. An individual who fails to appear for the examination as scheduled or fails to pass the examination shall reapply for an examination and remit all required fees and forms before being rescheduled for another examination.

Drafting Note: A state may wish to prescribe by regulation limitations on the frequency of application for examination in addition to other preclicensing requirements.

Drafting Note: If the state has adopted the Producer Licensing Model Act, it may not be necessary to adopt this section. Rather, the state may want to amend its relevant insurance producer statute to include independent adjusters.

Section 9. Exemptions from Examination

- A. An individual who applies for an independent adjuster license in this state who is or was licensed in another state for the same line(s) of authority based on an independent adjuster examination shall not be required to complete any preclicensing education or examination. This exemption is only available if the person is currently licensed in another state or if that state license has expired and the application is received by this state within ninety (90) days of expiration. The applicant must provide certification from the other state that the applicant's license is currently in good standing or was in good standing at the time of expiration or certification from the other state that its Producer Database records, maintained by the NAIC, its affiliates or subsidiaries, indicate

that the applicant or their company is or was licensed in good standing. The certification must be of a license with the same line of authority for which the individual has applied;

- B. A person licensed as an independent adjuster in another state based on an independent adjuster examination who establishes legal residency in this state shall make application within ninety (90) days to become a resident independent adjuster licensee pursuant to Section 6, with the exception that no preclicensing education or examination shall be required of this person;
- C. An individual who applies for an apprentice independent adjuster license, pursuant to Section 11, and who adjust claims in that capacity, shall not be required to take and successfully complete the independent adjuster examination.

Drafting Note: If the state does not adopt Section 11, Apprentice Independent Adjuster License, then 9C should be removed as an exemption from examination.

Drafting Note: If the state has adopted the Producer Licensing Model Act, it may not be necessary to adopt this Section. Rather, the state may want to amend its relevant insurance producer statute to include independent adjusters.

Section 10. Nonresident License

- A. Unless refused licensure pursuant to Section 12, a nonresident person shall receive a nonresident independent adjuster license if:
 - (1) The person is currently licensed in good standing as an independent adjuster in his, her, or its resident or home state;
 - (2) The person has submitted the proper request for licensure, has paid the fees required by [insert appropriate reference to state law or regulation];
 - (3) The person has submitted or transmitted to the insurance commissioner the appropriate completed application for licensure; and
 - (4) The person's designated home state awards nonresident independent adjuster licenses to persons of this state on the same basis.
- B. The insurance commissioner may verify the independent adjuster's licensing status through any appropriate database, including the Producer Database maintained by the NAIC, its affiliates or subsidiaries, or may request certification of good standing as described in Section 9A of this Guideline.
- C. As a condition to the continuation of a nonresident independent adjuster license, the licensee shall maintain a resident independent adjuster license in his, her or its home state. The nonresident independent adjuster license issued under this Section shall terminate and be surrendered immediately to the insurance commissioner if the resident independent adjuster license terminates for any reason, unless the termination is due to the independent adjuster being issued a new resident independent adjuster license in his, her or its new home state. The new state resident independent adjuster license must have reciprocity with the licensing nonresident state(s) otherwise the nonresident independent adjuster license(s) will terminate. Notice of resident independent adjuster license termination must be given to any state(s) that issued a nonresident independent adjuster license. Notice must be given within thirty (30) days of the termination date; if terminated for change in resident home state then the notice must include

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both the previous and current address. Maintaining a resident independent adjuster license is required for the nonresident independent adjuster license(s) to remain valid.

Drafting Note: If the state has adopted the Producer Licensing Model Act, it may not be necessary to adopt this Section. Rather, the state may want to amend its relevant insurance producer statute to include independent adjusters.

Drafting Note: In accordance with Public Law No. 106-102 (the "Gramm-Leach-Bliley Act") states should not require any additional attachments to the Uniform Application or impose any other conditions on applicants that exceed the information requested within the Uniform Application.

Section 11. Apprentice Independent Adjuster License [Optional]

- A. The apprentice independent adjuster license is an optional license to facilitate the experience, education and/or training necessary to ensure reasonable competency of the responsibilities and duties of an independent adjuster as defined in this Guideline.
- B. An individual applying for a resident apprentice independent adjuster license shall make application to the insurance commissioner on the appropriate NAIC Uniform Individual Application in a format prescribed by the insurance commissioner and declare under penalty of suspension, revocation or refusal of the license that the statements made in the application are true, correct and complete to the best of the individual's knowledge and belief. Before approving the application, the insurance commissioner shall find that the individual:
 - (1) Is at least eighteen (18) years of age;
 - (2) Is a resident of this state and has designated this state as his or her home state;
 - (3) Has a business or mailing address in this state for acceptance of service of process;
 - (4) Has not committed any act that is a ground for probation, suspension, revocation or denial of licensure as set forth in Section 12;
 - (5) Is trustworthy, reliable and of good reputation, evidence of which may be determined by the insurance commissioner;
 - (6) Has paid the fees set forth in [insert appropriate reference to state law or regulation].
- C. The apprentice independent adjuster license shall be subject to the following terms and conditions:
 - (1) Accompanying the apprentice adjuster application shall be an attestation, from a licensed independent adjuster with the same line(s) of authority for which the apprentice has applied, certifying that the apprentice will be subject to training, direction and control by the licensed independent adjuster and further certifying that the licensed independent adjuster assumes responsibility for the actions of the apprentice in the apprentice's capacity as an independent adjuster;
 - (2) The apprentice independent adjuster is only authorized to adjust claims in the state that has issued the apprentice independent adjuster license;
 - (3) The apprentice licensee is restricted to participation in the investigation, settlement and negotiation of claims subject to the review and final determination of the claim by the

supervising licensed independent adjuster;

- (4) Compensation of an apprentice independent adjuster shall be on a salaried or hourly basis only;
 - (5) The apprentice independent adjuster shall not be required to take and successfully complete the independent adjuster examination pursuant to Section 8, to adjust claims as an apprentice independent adjuster. However, at any time during the apprenticeship the apprentice independent adjuster may choose to take the examination required by Section 8. If the individual takes and successfully completes the independent adjuster examination the apprentice independent adjuster license shall automatically terminate and an independent adjuster license shall be issued to that individual in place thereof;
 - (6) The apprentice independent adjuster license is for a period not to exceed twelve (12) months and is nonrenewable; and
 - (7) The licensee shall be subject to probation, suspension, revocation, or refusal pursuant to Section 12 of this Guideline.
- D. The licensed independent adjuster responsible for the apprentice independent adjuster, as stated in Section 11(C)(1), shall only supervise [insert appropriate reference to state law or regulation].

Section 12. License Denial, Non-Renewal, or Revocation

- A. The insurance commissioner may place on probation, suspend, revoke, or refuse to issue or renew an independent adjuster's license or may levy a civil penalty in accordance with [insert appropriate reference to state law] or any combination of the above actions for any one or more of the following causes:
- (1) Providing incorrect, misleading, incomplete or materially untrue information in the license application;
 - (2) Violating any insurance laws, regulations, subpoena or order of the insurance commissioner or of another state's insurance commissioner;
 - (3) Obtaining or attempting to obtain a license through misrepresentation or fraud;
 - (4) Improperly withholding, misappropriating, or converting any monies or properties received in the course of doing insurance business;
 - (5) Intentionally misrepresenting the terms of an actual or proposed insurance contract or application for insurance;
 - (6) Having been convicted of a felony;
 - (7) Having admitted or been found to have committed any insurance unfair trade practice or fraud;
 - (8) Using fraudulent, coercive or dishonest practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility, in the conduct of insurance business in this

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state or elsewhere;

- (9) Having an insurance license, or its equivalent, probated, suspended, revoked or refused in any other state, province, district, or territory;
- (10) Forging another's name to any document related to an insurance transaction;
- (11) Cheating, including improperly using notes or any other reference material, to complete an examination for an insurance license;
- (12) Failing to comply with an administrative or court order imposing a child support obligation; or
- (13) Failing to pay state income tax or comply with any administrative or court order directing payment of state income tax which remains unpaid.

Drafting Note: Paragraph (13) is for those states that have a state income tax.

- B. In the event that the action by the insurance commissioner is to refuse application for licensure or renewal of an existing license, the insurance commissioner shall notify the applicant or licensee in writing, advising of the reason for the refusal. The applicant or licensee may make written demand upon the insurance commissioner within [insert appropriate time period from state's Administrative Procedure Act] for a hearing before the insurance commissioner to determine the reasonableness of the refusal. The hearing shall be held within [insert time period from state law] and shall be held pursuant to [insert appropriate reference to state law].
- C. The license of a business entity may be probated, suspended, revoked, or refused if the insurance commissioner finds, after a hearing, that its designated individual licensee's violation occurred while acting on behalf of or representing the business entity and that the violation was known or should have been known by one or more of the business entity's partners, officers or managers and that the violation was neither reported to the insurance commissioner nor was corrective action taken.
- D. In addition to or in lieu of any applicable probation, suspension, revocation or refusal, a person may, after a hearing, additionally be subject to a civil fine according to [insert appropriate reference to state law].
- E. The insurance commissioner shall retain the authority to enforce the provisions of and impose any penalty or remedy authorized by this Guideline and Title [insert appropriate reference to state law] against any person who is under investigation for or charged with a violation of this Guideline or Title [insert appropriate reference to state law] even if the person's license or registration has been surrendered or has expired by operation of law.

Section 13. Continuing Education

- A. An individual, who holds an independent adjuster license and who is not exempt under Subsection B of this Section, shall satisfactorily complete a minimum of twenty-four (24) hours of continuing education courses, of which three (3) hours must be in ethics, reported to the insurance commissioner on a biennial basis in conjunction with their license renewal cycle.
- B. This Section shall not apply to:

- (1) Licensees not licensed for one (1) full year prior to the end of the applicable continuing education biennium; or
- (2) Licensees holding nonresident independent adjuster licenses who have met the continuing education requirements of their designated home state.

Section 14. Record Retention

An independent adjuster shall maintain a copy of each contract between the independent adjuster and the insurer or self-insurer and comply with the record retention policy as agreed to in that contract.

Section 15. Standards of Conduct of Independent Adjusters [Optional]

- A. An independent adjuster shall be honest and fair in all communications with the insured, the insurer and the public;
- B. An independent adjuster shall give policyholders and claimants prompt, knowledgeable service and courteous, fair and objective treatment at all times;
- C. An independent adjuster shall not give legal advice, and shall not deal directly with any policyholder or claimant who is represented by legal counsel without the consent of the legal counsel involved;
- D. An independent adjuster shall comply with all local, state and federal privacy and information security laws, if applicable;
- E. An independent adjuster shall identify himself as an independent adjuster and, if applicable, identify his employer when dealing with any policyholder or claimant; and
- F. An independent adjuster shall not have any financial interest in any adjustment or acquire for himself or any person any interest or title in salvage, without first receiving written authority from the principal.

Section 16. Reporting of Actions

- A. The independent adjuster shall report to the insurance commissioner any administrative action taken against the independent adjuster in another jurisdiction or by another governmental agency in this state within thirty (30) days of the final disposition of the matter. This report shall include a copy of the order, consent order and any other relevant legal documents.
- B. The independent adjuster shall report to the insurance commissioner any criminal action taken against the independent adjuster in this or any jurisdiction within thirty (30) days of the final disposition of the criminal matter. The report shall include a copy of the initial complaint filed, the final order issued by the court, and any other relevant legal documents.

Drafting Note: If the state has adopted the Producer Licensing Model Act, it may not be necessary to adopt this Section. Rather, the state may want to amend its relevant insurance producer statute to include independent adjusters.

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Section 17. Regulations

The insurance commissioner may, in accordance with [insert appropriate reference to state law], promulgate reasonable regulations as are necessary or proper to carry out the purposes of this Guideline.

Section 18. Severability

If any provisions of this Guideline, or the application of a provision to any person or circumstances, shall be held invalid, the remainder of the Guideline, and the application of the provision to persons or circumstances other than those to which it is held invalid, shall not be affected.

Section 19. Effective Date

This Guideline shall take effect [insert date].

Note: A minimum of six months to one year implementation time for proper notice of changes, fees and procures is recommended.

Chronological Summary of Action (all references are to the Proceedings of the NAIC)

2008 Proc. 3rd Quarter, Vol. I 128, 147, 167, 173, 511-523 (adopted).

NEVADA COMMENTS

NAIC Model Laws, Regulations, Guidelines and Other Resources—October 2008

Draft: 6/30/26

Adopted by the Adjuster Licensing (D) Working Group, July 15, 2026.

Revision marks reflect proposed changes to Guideline 1224 as adopted by the NAIC.

INDEPENDENT ADJUSTER LICENSING GUIDELINE

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Section 1. Purpose and Scope

This Guideline governs the qualifications and procedures for licensing independent adjusters. It specifies the duties of and restrictions on independent adjusters.

Drafting Note: It is recommended that any statute or regulation inconsistent with this Guideline be repealed or amended.

[Drafting Note: A state may adapt these guidelines to include staff \(company\) adjuster licensing where required.](#)

[Drafting Note: A state that issued independent adjuster licenses but does not require licensure of staff adjusters may consider permitting a staff adjuster who is a resident of that state to obtain a resident independent adjuster license to facilitate reciprocal licensure in other states.](#)

Section 2. Definitions

- A. “Apprentice independent adjuster” means one who is qualified in all respects as an independent adjuster except as to experience, education and/or training.
- B. “Business entity” means a corporation, association, partnership, limited liability company, limited liability partnership, or other legal entity.
- C. “Catastrophe” means an event that results in large numbers of deaths or injuries; causes extensive

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damage or destruction of facilities that provide and sustain human needs; produces an overwhelming demand on state and local response resources and mechanisms; causes a severe long-term effect on general economic activity; or severely affects state, local and private sector capabilities to begin and sustain response activities. A catastrophe shall be declared by the Governor of the state, district, or territory in which the catastrophe occurred.

Drafting Note: Some states may need to expand the authority to include the insurance commissioner or other eligible governmental or regulatory body, if they are authorized to declare a catastrophe.

D. Designated Home State means a qualifying state or territory of the United States that:

(1) issues independent adjuster licenses;

(2) requires its resident independent adjusters to:

a) pass a license examination to meet the knowledge qualification,

b) undergo a national criminal background check to meet the fitness and character qualification, and

c) complete continuing education as required in this Guideline to ensure continued compliance; and

(3) will permit its designation as the home state of a nonresident who resides in a state that does not license independent adjusters, if that nonresident meets the same application and ongoing licensure requirements that its residents must meet.

Drafting Note: A state may choose to expand the definition of designated home state to include granting designated home state status to business entities where applicable.

~~D.E.~~ “Fingerprints” for the purposes of this Guideline, means an impression of the lines on the finger taken for purpose of identification.

Drafting Note: States that require fingerprinting would incorporate this Section, states that do not require fingerprinting need to determine if this would apply.

~~E.F.~~ “Home state” means the District of Columbia and any state or territory of the United States in which an independent adjuster maintains his, her or its principal place of residence or principal place of business where the adjuster physically works or is physically located (the single location where an applicant or licensee physically spends the majority of their time conducting the business of insurance) and is licensed to act as a resident independent adjuster. ~~If the resident state does not license independent adjusters for the line of authority sought, the independent adjuster shall designate as his, her or its home state any state in which the independent adjuster is licensed and in good standing.~~

~~F.G.~~ “Independent adjuster” means a person who:

- (1) Is an individual, a business entity, an independent contractor, or an employee of a contractor, who contracts for compensation with insurers or self-insurers;
- (2) One whom the insurer’s or self-insurer’s tax treatment of the individual is consistent with that of an independent contractor rather than as an employee, as defined in the Internal

Commented [JR1]: It goes without saying and I know NIPR is working on reducing some of this confusion, but I think it would be helpful to include that a person can only hold 1 DHS license from 1 state, you can’t have 3 DHS licenses from multiple states.

Revenue Code, United States Code, Title 26, Subtitle C; and

- (3) Investigates, negotiates or settles property, casualty or workers' compensation claims for insurers or for self-insurers.

~~G~~~~H~~. "Individual" means a natural person.

~~H~~~~I~~. "Insurer" means (insert reference to appropriate section of state law).

~~J~~. "Person" means an individual or business entity.

~~L~~~~K~~. "Staff (Company) Adjuster means a person who is an employee of an insurer or an affiliate of the insurer, and who is engaged in adjusting insured losses solely for that company or other companies under common control or ownership."

Drafting Note: While the definition of employee can vary depending on the context (e.g. labor laws, taxes), it is generally construed to mean a worker whose employer controls both the work performed, and the methods used to complete it.

~~J~~~~L~~. "Uniform Individual Application" means the current version of the National Association of Insurance Commissioners (NAIC) Uniform Individual Application for resident and nonresident individuals.

~~K~~~~M~~. "Uniform Business Entity Application" means the current version of the National Association of Insurance Commissioners (NAIC) Uniform Business Entity Application for resident and nonresident business entities.

Drafting Note: Subsection ~~K~~~~M~~ is optional and only applies to those states that have a business entity license requirement.

Drafting Note: If any term is similarly defined in a relevant section of the state's insurance code, do not include the definition of the term in this Guideline or, in the alternative, reference the statute: "[term] is defined in [insert appropriate reference to state law or regulation]."

Section 3. License Required

A person shall not act or hold himself out as an independent adjuster in this state unless the person is licensed as an independent adjuster in accordance with this Guideline, or is exempt from licensure as an independent adjuster under this Guideline.

Section 4. Exceptions to License Requirement

The definition of independent adjuster shall not be deemed to include, and a license as an independent adjuster shall not be required of the following:

- A. Attorneys-at-law admitted to practice in this state, when acting in their professional capacity as an attorney;
- B. A person employed solely to obtain facts surrounding a claim or to furnish technical assistance to a licensed independent adjuster;
- C. An individual who is employed to investigate suspected fraudulent insurance claims but who does not adjust losses or determine claims payments;

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- D. A person who solely performs executive, administrative, managerial or clerical duties or any combination thereof and who does not investigate, negotiate or settle claims with policyholders, claimants or their legal representative;
- E. A licensed health care provider or its employee who provides managed care services so long as the services do not include the determination of compensability;
- F. A managed care organization or any of its employees or an employee of any organization providing managed care services so long as the services do not include the determination of compensability;
- G. A person who settles only reinsurance or subrogation claims;
- H. An officer, director, manager or employee of an authorized insurer, surplus lines insurer, a risk retention group, or an attorney-in-fact of a reciprocal insurer;
- I. A U.S. Manager of the United States branch of an alien insurer;
- J. A person who investigates, negotiates or settles life, accident and health, annuity, or disability insurance claims;
- K. An individual employee, under a self-insured arrangement, who adjust claims on behalf of their employer;
- L. A licensed insurance producer, attorney-in-fact of a reciprocal insurer or managing general agent of the insurer to whom claim authority has been granted by the insurer;
- M. A person authorized to adjust workers' compensation or disability claims under the authority of a third party administrator (TPA) license pursuant to [insert applicable licensing statute].

Drafting Note: This Guideline is drafted to eliminate redundant licensure requirements with respect to the activities engaged in by a licensee. If licensed as an independent adjuster, third party administrator or similar business entity, licensees should not be required to obtain separate independent adjuster licenses, provided that the types of claims adjusted do not include life, health, annuity, or disability insurance claims.

Section 5. Temporary Licensure or Registration for Emergency Independent Adjusters

- A. In the event of a declared catastrophe, an insurer shall notify the insurance commissioner via an application for temporary emergency licensure, or registration if temporary emergency licensure is not statutorily required, of each individual, not already licensed in the state where the catastrophe has been declared, that will act as an emergency independent adjuster on behalf of the insurer. The insurance commissioner shall establish standards and procedures to allow for the temporary emergency licensure or registration of an emergency independent adjuster in this state.
- B. A person who is otherwise qualified to adjust claims, but not already licensed in this state where the catastrophe has been declared, may act as an emergency independent adjuster and adjust claims, if, within five days of deployment to adjust claims arising from the declared catastrophe, the insurer notifies the commissioner by providing the following information in a format prescribed by the insurance commissioner:

- (1) Name of the individual;
- (2) Social security number of individual;
- (3) Name of insurer the independent adjuster will represent;
- (4) Effective date of the contract between the insurer and independent adjuster;
- (5) Catastrophe or loss control number;
- (6) Catastrophe event name; and
- (7) Other information the insurance commissioner deems necessary.

Drafting Note: The participating states, by rule, should clarify the state's meaning and application of "qualify" as used Section 5B.

- C. An emergency independent adjuster's license or registration shall remain in force for a period not to exceed 90 days, unless extended by the insurance commissioner.

Drafting Note: The fee for emergency independent adjuster application for licensure or registration shall be in an amount determined by the insurance commissioner and shall be due and payable at the time of application for licensure or registration.

Drafting Note: The insurance commissioner may provide additional provisions that would trigger licensure or registration of an emergency independent adjuster.

Section 6. Application for License

- A. An individual applying for a resident independent adjuster license shall make application to the insurance commissioner on the appropriate NAIC Uniform Individual Application in a format prescribed by the insurance commissioner and declare under penalty of suspension, revocation or refusal of the license that the statements made in the application are true, correct and complete to the best of the individual's knowledge and belief. Before approving the application, the insurance commissioner shall find that the individual:

- (1) Is at least eighteen (18) years of age;
- (2) Is eligible to designate this state as his or her home state;
- (3) Is trustworthy, reliable and of good reputation, evidence of which shall be determined by the insurance commissioner;
- (4) Has not committed any act that is a ground for probation, suspension, revocation or refusal of an independent adjuster's license as set forth in Section 12;
- (5) Has completed a preclicensing course of study for the line(s) of authority for which the person has applied, where required by the insurance commissioner; and
- (6) Has successfully passed the examination for the line(s) of authority for which the person has applied;
- (7) Has paid the fees set forth in [insert appropriate reference to state law or regulation].

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- B. A business entity applying for a resident independent adjuster license shall make application to the insurance commissioner on the appropriate NAIC Uniform Business Entity Application in a format prescribed by the insurance commissioner and declare under penalty of suspension, revocation or refusal of the license that the statements made in the application are true, correct and complete to the best of the business entity's knowledge and belief. Before approving the application, the insurance commissioner shall find that the business entity:
- (1) Is eligible to designate this state as its home state;
 - (2) Has designated a licensed independent adjuster responsible for the business entities compliance with the insurance laws, rules and regulations of this state;
 - (3) Has not committed an act that is a ground for probation, suspension, revocation or refusal of an independent adjuster's license as set forth in Section 12; and
 - (4) Has paid the fees set forth in [insert appropriate reference to state law or regulation].

Drafting Note: This Section is optional and applies only to those states that have a business entity requirement.

Drafting Note: Employee of the authorized affiliate insurer may be considered under this exemption with the Commissioner's consent.

- C. In order to make a determination of license eligibility, the insurance commissioner is authorized to require fingerprints of applicants and to submit the fingerprints and the fee required to perform the criminal history record checks to the state identification bureau (or state department of justice public state agency) and the Federal Bureau of Investigation (FBI) for state and national criminal history record checks.

Drafting Note: The FBI requires that fingerprints be submitted to the state Department of Law Enforcement, Public Safety or Criminal Justice for a check of state records before the fingerprints are submitted to the FBI for a criminal history record check. The FBI recommends all fingerprint submissions be in an electronic format. Public Law 92-544 requires specific parameters to submit fingerprints and obtain criminal history record information. The FBI has approved the language in Section 6C to authorize a state identification bureau to submit fingerprints on behalf of its applicants in conjunction with licensing and employment.

- D. The insurance commissioner shall require a criminal history record check on each applicant in accordance with this Guideline. The insurance commissioner shall require each applicant to submit a full set of fingerprints (including a scanned file from a hard copy fingerprint) in order for the insurance commissioner to obtain and receive national criminal history records from the FBI Criminal Justice Information Services Division.
- E. The insurance commissioner may contract for the collection and transmission of fingerprints authorized under this Guideline. If the insurance commissioner does so, the insurance commissioner may order the fee for collecting and transmitting fingerprints to be payable directly to the contractor by the applicant. The insurance commissioner may agree to a reasonable fingerprinting fee to be charged by the contractor.
- F. The insurance commissioner shall treat and maintain an applicant's fingerprints and any criminal history record information obtained under this Guideline as confidential and shall apply security measures consistent with the Criminal Justice Information Services Division of the Federal Bureau of Investigation standards for the electronic storage of fingerprints and necessary identifying information and limit the use of records solely to the purposes authorized in this Guideline. The fingerprints and any criminal history record information shall not be subject to subpoena, other than one issued in a criminal action or investigation, and shall be confidential.

- G. The insurance commissioner is authorized to receive criminal history record information from another government agency in lieu of the state identification bureau (or state department of justice or other public state agency) that submitted the fingerprints to the FBI.

Drafting Note: If the state has adopted fingerprint requirements for other classes of licenses, it may not necessary to adopt this language. This provision does not permit the sharing of criminal history record information with the NAIC or other insurance commissioners as such sharing of information is prohibited by 28 CFR 20.33.

- H. The insurance commissioner may require any documents reasonably necessary to verify the information contained in the application.

Section 7. License

- A. Unless denied licensure pursuant to Section 12, persons who have met the requirements of Sections 6 and 8 shall be issued an independent adjuster license. An independent adjuster may qualify for a license in one or more of the following lines of authority:
- (1) Property and Casualty; or
 - (2) Workers Compensation; or
 - (3) Crop.
- B. Any person holding a license pursuant to this provision shall not be required to hold any other independent adjuster, insurance or self-insurance administrator license in this state pursuant to [insert applicable TPA law cross reference] or any other provision, including, but not limited to, licenses by the [Workers Compensation Commissions, the Department of Labor or other applicable cross reference] provided that he, she or it does not [meet the](#) Guideline as an independent adjuster with respect to life, health or annuity insurance, other than disability insurance.

Drafting Note: This Guideline is drafted to eliminate redundant licensure requirements with respect to the activities engaged in by the licensee. If licensed as an independent adjuster, third party administrator or similar business entity additional licenses should not be required provided that the type of claims adjusted do not include life, health, or annuity insurance claims, other than disability claims.

- C. An independent adjuster license shall remain in effect unless probated, suspended, revoked or refused as long as the request for renewal and fee set forth in [insert appropriate reference to state law or regulation] is paid and all other requirements for license renewal are met by the due date, otherwise the license expires.
- D. An independent adjuster whose license expires may, within twelve (12) months of the renewal date, be reissued an independent adjuster license upon receipt of the renewal request, as prescribed by the insurance commissioner. However, a penalty in the amount of double the unpaid renewal fee shall be required to reissue the expired license.
- E. An independent adjuster who is unable to comply with license renewal procedures and requirements due to military service, long-term medical disability or some other extenuating circumstance may request a waiver of same and a waiver of any examination requirement, fine or other sanction imposed for failure to comply with renewal procedures.

Drafting Note: Some states may not contain expiration date or reissue a license that has been discontinued for nonrenewal.

- F. An independent adjuster shall be subject to [cite state's Unfair Claims Settlement Act and state's

Trade Practices and Fraud sections of the Insurance Code].

- G. The independent adjuster shall inform the insurance commissioner by any means acceptable of any change in resident or business address(es) for the home state or in legal name, within thirty (30) days of the change.
- H. The license shall contain the licensee's name, address, personal identification number, the date of issuance and expiration and any other information the insurance commissioner deems necessary.
- I. In order to assist in the performance of the insurance commissioner's duties, the insurance commissioner may contract with non-governmental entities, including the NAIC, its affiliates or subsidiaries, to perform any ministerial functions, including the collection of fees and data, related to licensing that the insurance commissioner may deem appropriate.

Section 8. Examination

- A. An individual applying for an independent adjuster license under this Guideline shall pass a written examination unless exempt pursuant to Section 9. The examination shall test the knowledge of the individual concerning, the lines of authority for which application is made, the duties and responsibilities of an independent adjuster and the insurance laws and regulations of this state. Examinations required by this Section shall be developed and conducted under rules and regulations prescribed by the insurance commissioner.
- B. The insurance commissioner may make arrangements, including contracting with an outside testing service, for administering examinations and collecting the nonrefundable fee set forth in [insert appropriate reference to state law or regulation].
- C. Each individual applying for an examination shall remit a non-refundable fee as prescribed by the insurance commissioner as set forth in [insert appropriate reference to state law or regulation].
- D. An individual who fails to appear for the examination as scheduled or fails to pass the examination shall reapply for an examination and remit all required fees and forms before being rescheduled for another examination.

Drafting Note: A state may wish to prescribe by regulation limitations on the frequency of application for examination in addition to other preclicensing requirements.

Drafting Note: If the state has adopted the Producer Licensing Model Act, it may not be necessary to adopt this section. Rather, the state may want to amend its relevant insurance producer statute to include independent adjusters.

Section 9. Exemptions from Examination

- A. An individual who applies for an independent adjuster license in this state who is or was licensed in another state for the same line(s) of authority based on an independent adjuster examination shall not be required to complete any preclicensing education or examination. This exemption is only available if the person is currently licensed in another state or if that state license has expired and the application is received by this state within ninety (90) days of expiration. The applicant must provide certification from the other state that the applicant's license is currently in good standing or was in good standing at the time of expiration or certification from the other state that its Producer Database records, maintained by the NAIC, its affiliates or subsidiaries, indicate

that the applicant or their company is or was licensed in good standing. The certification must be of a license with the same line of authority for which the individual has applied;

- B. A person licensed as an independent adjuster in another state based on an independent adjuster examination who establishes legal residency in this state shall make application within ninety (90) days to become a resident independent adjuster licensee pursuant to Section 6, with the exception that no preclicensing education or examination shall be required of this person;
- C. An individual who applies for an apprentice independent adjuster license, pursuant to Section 11, and who adjust claims in that capacity, shall not be required to take and successfully complete the independent adjuster examination.

Drafting Note: If the state does not adopt Section 11, Apprentice Independent Adjuster License, then 9C should be removed as an exemption from examination.

Drafting Note: If the state has adopted the Producer Licensing Model Act, it may not be necessary to adopt this Section. Rather, the state may want to amend its relevant insurance producer statute to include independent adjusters.

Section 10. Nonresident License

- A. Unless refused licensure pursuant to Section 12, a nonresident person shall receive a nonresident independent adjuster license if:
 - (1) The person is currently licensed in good standing as an independent adjuster in his, her, or its resident or home state;
 - (2) The person has submitted the proper request for licensure, has paid the fees required by [insert appropriate reference to state law or regulation];
 - (3) The person has submitted or transmitted to the insurance commissioner the appropriate completed application for licensure; and
 - (4) The person's designated home state awards nonresident independent adjuster licenses to persons of this state on the same basis.
- B. The insurance commissioner may verify the independent adjuster's licensing status through any appropriate database, including the Producer Database maintained by the NAIC, its affiliates or subsidiaries, or may request certification of good standing as described in Section 9A of this Guideline.
- C. As a condition to the continuation of a nonresident independent adjuster license, the licensee shall maintain a resident independent adjuster license in his, her or its home state or designated home state. The nonresident independent adjuster license issued under this Section shall terminate and be surrendered immediately to the insurance commissioner if the resident independent adjuster license terminates for any reason, unless the termination is due to the independent adjuster being issued a new resident independent adjuster license in his, her or its new home state. The new state resident independent adjuster license must have reciprocity with the licensing nonresident state(s) otherwise the nonresident independent adjuster license(s) will terminate. Notice of resident independent adjuster license termination must be given to any state(s) that issued a nonresident independent adjuster license. Notice must be given within thirty (30) days of the termination date; if terminated for change in resident home state then the notice

Commented [JR2]: Shouldn't this say "The person's resident state or designated home state..." since we changed the definition of home state above?

Independent Adjuster Licensing Guideline

must include both the previous and current address. Maintaining a resident independent adjuster license is required for the nonresident independent adjuster license(s) to remain valid.

Drafting Note: If the state has adopted the Producer Licensing Model Act, it may not be necessary to adopt this Section. Rather, the state may want to amend its relevant insurance producer statute to include independent adjusters.

Drafting Note: In accordance with Public Law No. 106-102 (the "Gramm-Leach-Bliley Act") states should not require any additional attachments to the Uniform Application or impose any other conditions on applicants that exceed the information requested within the Uniform Application.

Section 11. Apprentice Independent Adjuster License [Optional]

- A. The apprentice independent adjuster license is an optional license to facilitate the experience, education and/or training necessary to ensure reasonable competency of the responsibilities and duties of an independent adjuster as defined in this Guideline.
- B. An individual applying for a resident apprentice independent adjuster license shall make application to the insurance commissioner on the appropriate NAIC Uniform Individual Application in a format prescribed by the insurance commissioner and declare under penalty of suspension, revocation or refusal of the license that the statements made in the application are true, correct and complete to the best of the individual's knowledge and belief. Before approving the application, the insurance commissioner shall find that the individual:
 - (1) Is at least eighteen (18) years of age;
 - (2) Is a resident of this state and has designated this state as his or her home state;
 - (3) Has a business or mailing address in this state for acceptance of service of process;
 - (4) Has not committed any act that is a ground for probation, suspension, revocation or denial of licensure as set forth in Section 12;
 - (5) Is trustworthy, reliable and of good reputation, evidence of which may be determined by the insurance commissioner;
 - (6) Has paid the fees set forth in [insert appropriate reference to state law or regulation].
- C. The apprentice independent adjuster license shall be subject to the following terms and conditions:
 - (1) Accompanying the apprentice adjuster application shall be an attestation, from a licensed independent adjuster with the same line(s) of authority for which the apprentice has applied, certifying that the apprentice will be subject to training, direction and control by the licensed independent adjuster and further certifying that the licensed independent adjuster assumes responsibility for the actions of the apprentice in the apprentice's capacity as an independent adjuster;
 - (2) The apprentice independent adjuster is only authorized to adjust claims in the state that has issued the apprentice independent adjuster license;
 - (3) The apprentice licensee is restricted to participation in the investigation, settlement and negotiation of claims subject to the review and final determination of the claim by the

supervising licensed independent adjuster;

- (4) Compensation of an apprentice independent adjuster shall be on a salaried or hourly basis only;
 - (5) The apprentice independent adjuster shall not be required to take and successfully complete the independent adjuster examination pursuant to Section 8, to adjust claims as an apprentice independent adjuster. However, at any time during the apprenticeship the apprentice independent adjuster may choose to take the examination required by Section 8. If the individual takes and successfully completes the independent adjuster examination the apprentice independent adjuster license shall automatically terminate and an independent adjuster license shall be issued to that individual in place thereof;
 - (6) The apprentice independent adjuster license is for a period not to exceed twelve (12) months and is nonrenewable; and
 - (7) The licensee shall be subject to probation, suspension, revocation, or refusal pursuant to Section 12 of this Guideline.
- D. The licensed independent adjuster responsible for the apprentice independent adjuster, as stated in Section 11(C)(1), shall only supervise [insert appropriate reference to state law or regulation].

Section 12. License Denial, Non-Renewal, or Revocation

- A. The insurance commissioner may place on probation, suspend, revoke, or refuse to issue or renew an independent adjuster's license or may levy a civil penalty in accordance with [insert appropriate reference to state law] or any combination of the above actions for any one or more of the following causes:
- (1) Providing incorrect, misleading, incomplete or materially untrue information in the license application;
 - (2) Violating any insurance laws, regulations, subpoena or order of the insurance commissioner or of another state's insurance commissioner;
 - (3) Obtaining or attempting to obtain a license through misrepresentation or fraud;
 - (4) Improperly withholding, misappropriating, or converting any monies or properties received in the course of doing insurance business;
 - (5) Intentionally misrepresenting the terms of an actual or proposed insurance contract or application for insurance;
 - (6) Having been convicted of a felony;
 - (7) Having admitted or been found to have committed any insurance unfair trade practice or fraud;
 - (8) Using fraudulent, coercive or dishonest practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility, in the conduct of insurance business in this

Independent Adjuster Licensing Guideline

state or elsewhere;

- (9) Having an insurance license, or its equivalent, probated, suspended, revoked or refused in any other state, province, district, or territory;
- (10) Forging another's name to any document related to an insurance transaction;
- (11) Cheating, including improperly using notes or any other reference material, to complete an examination for an insurance license;
- (12) Failing to comply with an administrative or court order imposing a child support obligation; or
- (13) Failing to pay state income tax or comply with any administrative or court order directing payment of state income tax which remains unpaid.

Drafting Note: Paragraph (13) is for those states that have a state income tax.

- B. In the event that the action by the insurance commissioner is to refuse application for licensure or renewal of an existing license, the insurance commissioner shall notify the applicant or licensee in writing, advising of the reason for the refusal. The applicant or licensee may make written demand upon the insurance commissioner within [insert appropriate time period from state's Administrative Procedure Act] for a hearing before the insurance commissioner to determine the reasonableness of the refusal. The hearing shall be held within [insert time period from state law] and shall be held pursuant to [insert appropriate reference to state law].
- C. The license of a business entity may be probated, suspended, revoked, or refused if the insurance commissioner finds, after a hearing, that its designated individual licensee's violation occurred while acting on behalf of or representing the business entity and that the violation was known or should have been known by one or more of the business entity's partners, officers or managers and that the violation was neither reported to the insurance commissioner nor was corrective action taken.
- D. In addition to or in lieu of any applicable probation, suspension, revocation or refusal, a person may, after a hearing, additionally be subject to a civil fine according to [insert appropriate reference to state law].
- E. The insurance commissioner shall retain the authority to enforce the provisions of and impose any penalty or remedy authorized by this Guideline and Title [insert appropriate reference to state law] against any person who is under investigation for or charged with a violation of this Guideline or Title [insert appropriate reference to state law] even if the person's license or registration has been surrendered or has expired by operation of law.

Section 13. Continuing Education

- A. An individual, who holds an independent adjuster license and who is not exempt under Subsection B of this Section, shall satisfactorily complete a minimum of twenty-four (24) hours of continuing education courses, of which three (3) hours must be in ethics, reported to the insurance commissioner on a biennial basis in conjunction with their license renewal cycle.
- B. This Section shall not apply to:

- (1) Licensees not licensed for one (1) full year prior to the end of the applicable continuing education biennium; or
- (2) Licensees holding nonresident independent adjuster licenses who have met the continuing education requirements of their designated home state.

Section 14. Record Retention

An independent adjuster shall maintain a copy of each contract between the independent adjuster and the insurer or self-insurer and comply with the record retention policy as agreed to in that contract.

Section 15. Standards of Conduct of Independent Adjusters [Optional]

- A. An independent adjuster shall be honest and fair in all communications with the insured, the insurer and the public;
- B. An independent adjuster shall give policyholders and claimants prompt, knowledgeable service and courteous, fair and objective treatment at all times;
- C. An independent adjuster shall not give legal advice, and shall not deal directly with any policyholder or claimant who is represented by legal counsel without the consent of the legal counsel involved;
- D. An independent adjuster shall comply with all local, state and federal privacy and information security laws, if applicable;
- E. An independent adjuster shall identify himself as an independent adjuster and, if applicable, identify his employer when dealing with any policyholder or claimant; and
- F. An independent adjuster shall not have any financial interest in any adjustment or acquire for himself or any person any interest or title in salvage, without first receiving written authority from the principal.

Section 16. Reporting of Actions

- A. The independent adjuster shall report to the insurance commissioner any administrative action taken against the independent adjuster in another jurisdiction or by another governmental agency in this state within thirty (30) days of the final disposition of the matter. This report shall include a copy of the order, consent order and any other relevant legal documents.
- B. The independent adjuster shall report to the insurance commissioner any criminal action taken against the independent adjuster in this or any jurisdiction within thirty (30) days of the final disposition of the criminal matter. The report shall include a copy of the initial complaint filed, the final order issued by the court, and any other relevant legal documents.

Drafting Note: If the state has adopted the Producer Licensing Model Act, it may not be necessary to adopt this Section. Rather, the state may want to amend its relevant insurance producer statute to include independent adjusters.

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Section 17. Regulations

The insurance commissioner may, in accordance with [insert appropriate reference to state law], promulgate reasonable regulations as are necessary or proper to carry out the purposes of this Guideline.

Section 18. Severability

If any provisions of this Guideline, or the application of a provision to any person or circumstances, shall be held invalid, the remainder of the Guideline, and the application of the provision to persons or circumstances other than those to which it is held invalid, shall not be affected.

Section 19. Effective Date

This Guideline shall take effect [insert date].

Note: A minimum of six months to one year implementation time for proper notice of changes, fees and procures is recommended.

Chronological Summary of Action (all references are to the Proceedings of the NAIC)

2008 Proc. 3rd Quarter, Vol. I 128, 147, 167, 173, 511-523 (adopted).

September 11, 2025

Tim Mullen
Director, Market Regulation
National Association of Insurance Commissioners
1100 Walnut Street, Suite 1000,
Kansas City, MO 64106-2197

RE: Comments on the Draft of the Independent Adjuster Licensing Guidelines

Sent via Electronic Mail to: TMullen@naic.org

Dear Mr. Mullen,

The American Property Casualty Insurance Association (APCIA) appreciates the opportunity to provide comments on the Independent Adjuster Licensing Guidelines. APCIA supports efforts to promote greater uniformity, consistency, and efficiency in producer and adjuster licensing requirements across jurisdictions while preserving appropriate consumer protections and regulatory oversight. As the NAIC considers potential revisions, we appreciate your willingness to receive our suggested edits.

APCIA Members have provided the following suggested changes to the current draft to the Independent Adjuster Licensing Guidelines:

Recommended Change 1:

Section 1. Purpose and Scope

Drafting Note: A state that issued independent adjuster licenses but does not require licensure of staff adjusters may consider permitting a staff adjuster who is a resident of that state to obtain a resident independent adjuster license to facilitate reciprocal licensure in other states.

Recommended Change - Drafting Note: A state that issued independent adjuster licenses but does not require licensure of staff adjusters will permit a staff adjuster who is a resident of that state to obtain a resident independent adjuster license to facilitate reciprocal licensure in other states.

APCIA supports this change because it promotes greater licensing uniformity and reciprocity across states by ensuring that resident staff adjusters in states that do not license staff adjusters have a pathway to obtain a resident independent adjuster license. Making this provision mandatory rather than discretionary will help qualified adjusters secure reciprocal licenses in other jurisdictions, improving adjuster mobility and facilitating the timely deployment of experienced claims professionals

Recommended Change 2:

Section 2. Definitions

Subsection K: “Staff (Company) Adjuster means a person who is an employee of an insurer or an affiliate of the insurer, and who is engaged in adjusting insured losses solely for that company or other companies under common control or ownership.

Recommended Change - Subsection K: “Staff (Company) Adjuster” means a person who is an employee of an insurer or an affiliate of the insurer, ~~and who is engaged in adjusting insured losses solely for that company or other companies under common control or ownership.~~

APCIA appreciates that the proposed definition is largely in conformity with existing definitions. APCIA supports this proposed change because it provides a more straightforward definition of a staff adjuster based on the individual's employment relationship with an insurer or its affiliate. This approach reduces ambiguity, accommodates evolving claim-handling practices within insurance groups, and promotes greater consistency in the application of licensing requirements across jurisdictions.

APCIA appreciates the NAIC’s consideration of these comments and looks forward to continuing to work collaboratively with regulators and interested stakeholders to promote greater licensing uniformity, reciprocity, and efficiency within the independent adjuster licensing framework.

Sincerely,

MICHAEL RICHMOND-CRUM

Michael Richmond-Crum
American Property Casualty Insurance Association
Michael.Richmond-Crum@APCI.org



Jeff D. Butler AIC | Public Adjuster
WAOIC# 1098364 / NPN# 19881384
(206) 367-5065 / info@ccofwa.com
www.ccofwa.com

Dear Members of the Producer Licensing Task Force and Adjuster Licensing Working Group:

I am submitting these comments regarding the proposed revisions to the NAIC Independent Adjuster Licensing Guideline, GL 1224.

By way of background, I am a Washington-licensed public and independent adjuster, insurance appraiser and umpire, Associate in Claims, and ASE Master Collision and Master Automobile Technician. I have more than 36 years of experience investigating, documenting, estimating, repairing, and resolving motor vehicle property-damage claims. I am also the owner of a factory-certified collision-repair facility and Collision Consulting of Washington. My comments are based on the practical effect licensing and claim-handling standards have on policyholders, repairers, appraisers, insurers, and regulators.

I support the NAIC's objective of improving uniformity and reciprocity. The proposed definitions are a constructive effort, but several provisions should be clarified before final adoption to avoid jurisdiction shopping, uncertain licensing status, and inconsistent accountability among people performing substantially the same claim functions.

1. A licensee should have only one designated home state for each line of authority

The proposed guideline does not clearly prohibit an adjuster from claiming multiple designated home states. The comments accompanying the proposal acknowledge that licensees claiming multiple designated home states is an existing problem but suggest that multiple licenses may sometimes be necessary because jurisdictions do not issue identical lines of authority.

That legitimate concern can be addressed without allowing unrestricted use of multiple designated home states. The guideline should require one designated home state for each line of authority. It should also require the adjuster to identify that state as the primary licensing and disciplinary jurisdiction for that line.

I recommend language substantially similar to the following:

An independent adjuster may designate only one designated home state for each line of authority. A change in designated home state must be reported to the former designated home state and every state in which the adjuster holds a nonresident license within thirty days.

Without this limitation, a licensee may be able to select among jurisdictions based on differences in continuing education, enforcement, background-review, or disciplinary requirements. It may also be unclear which regulator is responsible for monitoring the licensee's ongoing qualifications.

2. The proposed physical-location test is ambiguous and may create unintended license instability

The proposed "home state" definition refers to the single location where an adjuster physically spends the majority of the adjuster's time conducting the business of insurance. While I understand the objective of preventing the use of a nominal business address in a state where the licensee does not actually work, the proposed language may create new problems.

Independent adjusters frequently work in the field, from home offices, at temporary catastrophe locations, and across multiple states. A licensee's physical work location may change over time without any change in residence, business ownership, regulatory contacts, or intended home-state designation. A majority-of-time test could cause a licensee's home state to change unintentionally or make the licensee's status dependent on a retrospective calculation of working hours.

The guideline should instead use an objectively declared principal place of residence or bona fide principal place of business. A business location should not qualify merely because it is a mailing address, registered-agent address, or employer headquarters. However, a home-state designation should change only through a formal filing—not automatically because the licensee temporarily works more hours in another jurisdiction.

I recommend defining "principal place of business" as a bona fide location from which the adjuster regularly directs or conducts the adjuster's insurance business and at which licensing and business records are maintained or made available to the regulator.

3. The proposed staff-adjuster definition does not create equivalent accountability

The addition of a "Staff (Company) Adjuster" definition is helpful, but the definition by itself does not establish a substantive requirement. Section 4 continues to exempt many insurer employees from independent-adjuster licensing, and the new drafting notes leave staff-adjuster licensing largely to each state.

From the consumer's perspective, the distinction between an insurer employee and an independent contractor is not particularly meaningful. Both may investigate the loss, interpret policy provisions, prepare an estimate, determine what the insurer will pay, negotiate with the policyholder, or communicate a claim decision. Their responsibilities to act competently, honestly, and fairly should not depend solely on how the insurer classifies the worker for employment or tax purposes.

Even where a state elects not to license staff adjusters individually, the guideline should provide that staff adjusters performing substantive claim functions remain subject to equivalent

competency, conduct, identification, and regulatory-accountability requirements. The insurer should be expressly responsible for their conduct.

The definition should also use “employee” rather than “salaried employee.” Compensation on an hourly or other wage basis should not remove an insurer employee from the staff-adjuster classification.

4. The guideline should clearly address contractual appraisers and umpires

The proposed guideline does not expressly state whether an appraiser or umpire functioning under an insurance-policy appraisal clause is included within the definition of an independent adjuster.

An insurer-retained appraiser may be an independent contractor who investigates and determines the amount of a loss. An insured-selected appraiser performs substantially the same valuation function but does not contract with the insurer. Unless the guideline addresses this distinction, similar appraisal activities could be treated differently depending upon which party selected and paid the appraiser.

The guideline should expressly state whether appraisal-clause appraisers and umpires are within its scope. Whatever approach the NAIC selects should apply symmetrically to insurer-selected and insured-selected appraisers and should preserve the independence and impartiality required by the applicable policy and state law.

At minimum, the guideline should distinguish between:

- Adjusting a claim or negotiating a settlement on behalf of an insurer;
- Determining the amount of loss as a party-selected appraiser; and
- Resolving valuation differences as a neutral umpire.

These are different functions and should not be inadvertently combined through an ambiguous definition.

5. The standards of conduct should not remain optional

Section 15 contains some of the guideline’s most important consumer protections, including honesty, fairness, knowledgeable service, objective treatment, proper identification, and restrictions on financial interests. Labeling the entire section “optional” undermines national uniformity and allows the jurisdictions with the least substantive oversight to qualify as home or designated-home-state jurisdictions.

At a minimum, the following standards should be mandatory for every licensed independent adjuster:

- Honest, accurate, and non-misleading communications;
- Reasonable competency for the type of loss being adjusted;

- Prompt and objective investigation;
- Disclosure of the insurer or entity represented;
- Disclosure of material conflicts of interest;
- Compliance with applicable unfair-claims-settlement laws;
- Preservation of relevant claim records; and
- Cooperation with lawful regulatory investigations.

Reciprocity should establish a common minimum level of accountability, not merely a common method for obtaining a license.

6. Claim-record retention should not be controlled exclusively by a private insurer-adjuster contract

Section 14 requires an independent adjuster to retain contracts and comply with the record-retention policy agreed upon with the insurer or self-insurer. This allows a private agreement to determine how long potentially important claim-investigation records remain available.

A contract between an insurer and its independent adjuster should not limit a regulator's access to records or permit the destruction of material claim information before the applicable regulatory, contractual, or legal period expires. This is particularly important where an insurer or outside adjuster later characterizes estimates, photographs, market surveys, valuation materials, communications, or investigative findings as proprietary information or protected "work product."

The guideline should establish a uniform minimum retention period and provide that records must be made available to the insurance commissioner upon lawful request. Contractual confidentiality provisions should not override regulatory access or applicable disclosure obligations.

7. Business-entity treatment should be uniform

The proposed drafting note allows each state to decide whether designated-home-state status extends to business entities. That optional approach may perpetuate the same inconsistency the guideline is intended to correct.

If business entities are eligible, the guideline should require each entity to:

- Maintain one designated home state;
- Identify a designated responsible licensed adjuster;
- Report changes in control, address, or responsible licensee;
- Maintain complete adjustment records; and
- Accept responsibility for the acts of adjusters working on its behalf.

8. The draft requires a final technical and legal review

Several provisions appear incomplete or unclear. For example, Section 7B presently states that a person is not required to hold another license provided the person “does not meet the Guideline as an independent adjuster” with respect to certain lines. That phrase is not grammatically or legally clear and appears to be missing operative language.

The draft also contains inconsistent terminology, missing punctuation, possessive errors, and unresolved statutory placeholders. These should be corrected before the guideline is approved and presented to states as model language.

Summary

The proposed revisions can improve reciprocity, but reciprocity should not come at the expense of accountability or regulatory clarity. I respectfully recommend that the Task Force:

1. Permit only one designated home state per line of authority;
2. Replace the floating majority-of-physical-work-time test with an objective, formally declared home-state standard;
3. Apply equivalent competency and conduct requirements to staff and independent adjusters performing the same substantive claim functions;
4. Clarify the treatment of appraisal-clause appraisers and umpires;
5. Make core conduct standards mandatory;
6. Establish minimum record-retention and regulatory-access requirements; and
7. Complete a technical and legal review before final adoption.

Thank you for considering these comments. I would be willing to provide additional information regarding the practical effect of these issues in motor vehicle property-damage claims and insurance appraisal proceedings.

cc: Andrew Davis, Washington Office of the Insurance Commissioner

Respectfully submitted,

Jeff Butler
AIC | Public Adjuster | Automobile Appraiser |
Automobile Repair Expert | ASE Master Technician



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Adopted by the Producer Licensing (D) Task Force, Aug. 12, 2025

Template for 1033 Written Consent Process

Suggestion on How to Make the 1033 Written Consent Process Effective and Efficient

1. Introduction

- A. Federal law provides penalties for a person who: (a) has been convicted of a felony involving dishonesty or breach of trust; and (b) willfully engages in the business of insurance affecting interstate commerce, unless the person receives written consent from the state insurance regulatory official with appropriate jurisdiction. See, Violent Crime Control and Law Enforcement Act of 1994, 18 U.S.C. §§1033 and 1034.
- B. A person who has not obtained written consent and who has been convicted of a felony involving dishonesty or breach of trust is a “prohibited person.” A prohibited person who engages in the business of insurance faces possible federal criminal and civil action.
- C. Federal law also penalizes those in the insurance industry who willfully allow prohibited persons to engage in the business of insurance. They must notify the [Insert Jurisdiction Insurance Department] (“the Department”) in writing of an employee or agent who is a prohibited person. Insurance entities that already employ a prohibited person who does not have a written consent shall take the necessary steps to have the individual apply for a 1033 written consent.

Drafting note: Any state that has enacted the NAIC *Insurance Fraud Prevention Model Act* (#680) should be aware that Subsection 3.C (1) of the model states, “A person convicted of a felony involving dishonesty or breach of trust shall not participate in the business of insurance.”

Drafting note: The term “waiver” as used in this document refers to the process of a prohibited person seeking a “written consent.” The term “written consent” as used in this document refers to the state insurance regulatory official with appropriate jurisdiction allowing a prohibited person to engage in the business of insurance.

2. A Prohibited Person Must Seek Written Consent

- A. A prohibited person must seek written consent in their Home State prior to engaging in the business of insurance. The process for obtaining written consent is set forth in this document. The process shall be made available to a person with a qualifying felony conviction seeking an insurance license or who wishes to be employed in the business of insurance in a non-licensed capacity in [Insert Jurisdiction]. Nonresident prohibited person applicants may not have to apply for 1033 written consent if they have received 1033 written consent in their Home State. States may require a nonresident prohibited person to apply for 1033 written consent if: (a) the Home State did not require 1033 written consent; or (b) when the Home State does not issue 1033 written consents on the same basis. The [Insert Jurisdiction Insurance Department] may require the prohibited person to release any information the [Insert Jurisdiction Insurance Department] may request as part of the investigation, including but not limited to, records of former employment, state and federal tax returns, business records, and banking records.

3. Definition of Relevant Terms

Adopted by the Producer Licensing (D) Task Force, Aug. 12, 2025

- A. Breach of trust: A wrongful act, use, misappropriation, or omission with respect to any property or fund which has been committed to a person in an official fiduciary capacity or some other relationship based on trust; or the misuse of one's official fiduciary, or other position based on trust, to engage in a wrongful act, use, misappropriation, or omission. (For example, a fiduciary relationship is present in a lawyer/client relationship, physician/patient relationship, or caregiver/elder adult relationship.)
- B. Business of insurance: The writing of insurance, adjusting claims, or the reinsuring of risks, by an insurer, including all acts necessary or incidental to such writing or reinsuring and the activities of persons who act as, or are, officers, directors, agents, or other licensed or unlicensed employees of insurers or who are other persons authorized to act on behalf of such persons, otherwise required under 18 U.S.C. § 1033.
- C. Conviction: Includes but is not limited to having been found guilty by verdict of a judge or jury, having entered a plea of guilty or nolo contendere or no contest, or having been sentenced to probation, a suspended sentence, or a fine.

Drafting note: States should not consider for written consent a person who has successfully completed deferred adjudication and has not been convicted of a qualifying felony. States may include in the definition of "Conviction" a plea in abeyance, a diversion, a sealed, or an expunged conviction.

- D. Dishonesty: To directly or indirectly cheat or defraud; to cheat or defraud for monetary gain or its equivalent; or to wrongfully take property belonging to another in violation of any criminal statute. Dishonesty includes acts involving lack of integrity, lack of probity, or a disposition to distort, cheat, or act deceitfully or fraudulently, and may include crimes which federal, state, or local laws define as dishonest. Common definitions for dishonesty include: lie, cheat, deceive, defraud; untrustworthiness; lack of integrity, honesty, fairness, etc.
- E. Felony: An offense that is specifically classified as such in [insert appropriate reference to state law]. If there is no classification, an offense is a felony if the maximum term of imprisonment authorized is more than one year, or if the maximum penalty is death.

Drafting note: The definition of "felony" varies according to state law.

Drafting note: Attachment C of the NAIC *Guidelines for State Insurance Regulators to the Violent Crime Control and Law Enforcement Act of 1994* provides guidance for evaluating which felonies involve "Dishonesty or Breach of Trust."

4. Applying for Written Consent (This section is not applicable in jurisdictions that incorporate the 1033 written consent process into the producer licensing process and do not require a separate Application for Written Consent.)

- A. Each prohibited person seeking written consent must submit a completed Application for Written Consent to Engage in the Business of Insurance ("Application") addressed to [Insert Individual Name to Review Request]. An Application shall be electronically submitted to [Insert Jurisdiction Email Address].
- B. A prohibited person has the responsibility to read the Application in its entirety and answer every question completely and accurately. Failure to complete the Application or submit any requested documentation may result in the denial [or dismissal] of the Application. An amendment to the Application must be filed upon the

Adopted by the Producer Licensing (D) Task Force, Aug. 12, 2025

occurrence of any event, discovery, or recollection of any fact that would change any answer on the Application, and a copy of that amendment must be sent to other states where written consent was granted. Failure to file a timely amendment may result in the denial of written consent or withdrawal of previously granted written consent.

5. Process For Granting or Denying an Application

- A. Each jurisdiction will establish a process for the receipt and review of an Application. This may include incorporating the 1033 written consent process into the process a jurisdiction uses to issue an insurance license.
- B. Notification of 1033 waiver application availability should be clearly presented prior to or during the licensing application process.
- C. A jurisdiction's process for review of a 1033 waiver application should be provided to an applicant at the time of submission.
- D. A jurisdiction should submit its final decision to grant or deny a 1033 waiver to the NAIC's 1033 State Decision Repository.

6. Standard by Which an Application Is Evaluated

- A. An Application provides a prohibited person with the opportunity to demonstrate that, notwithstanding the conviction(s), they are trustworthy to engage or participate in the business of insurance. A prohibited person has the burden of satisfying this standard. Factors that may be considered by the Commissioner may be determined by each jurisdiction's rules, and may include, but are not limited to, the following:
 - i. The nature and severity of the offense and sentence.
 - ii. The date of conviction(s).
 - iii. The age at the time of committing the crime(s).
 - iv. The nature and extent of injury and/or loss caused by the act for which the prohibited person was convicted.
 - v. Unpaid judgment(s).
 - vi. Whether the crime was related to the business of insurance or the exercise of any professional or other license or authority conferred by a federal, state, or local governmental agency.
 - vii. Whether the prohibited person received an expungement or pardon from the sovereign that convicted him or her, and the reason for it.
 - viii. Whether the prohibited person successfully completed parole or probation without incident and all court requirements, including, but not limited to, completion of community service, court-ordered treatment, payment of all fines, penalties, or other assessments.
 - ix. Any aggravating or mitigating factors.
 - x. Whether other jurisdictions have granted or denied an 18 U.S.C. § 1033 written consent.
 - xi. The nature and strength of any letters of recommendation and other evidence of rehabilitation.
 - xii. The prohibited person's employment history before and after the commission of the crime(s).
 - xiii. the nature of any consumer complaints in the Department's possession or reported by the prohibited person.
 - xiv. Whether and to what extent the prohibited person has made materially false statements in any license application or in any other documents filed with the Department.
 - xv. The prohibited person's proposed type of employment in the insurance industry.
 - xvi. The extent to which the prohibited person will be supervised in that employment.

Adopted by the Producer Licensing (D) Task Force, Aug. 12, 2025

- xvii. Whether and to what extent the prohibited person has made materially false statements in any application or in other documents filed with any other state or federal agency.
- xviii. Whether the prohibited person has had any professional license revoked or suspended by any state or federal agency.
- xix. Whether the prohibited person's civil rights have been restored.
- xx. Whether the prohibited person has a pattern of unlawful activity.
- xxi. The extent to which an insurance license offers opportunity to engage in further criminal activity.
- xxii. The level of cooperativeness of the prohibited person during the application process.

7. Conditions of Written Consent

- A. An Application granted by the Commissioner is conditioned on the truth of the documents and information submitted by or on behalf of the prohibited person. If a prohibited person has made materially false or misleading statements, has presented materially false or misleading information, or has failed to disclose material information, that may constitute a separate violation of law.
- B. A person whose Application is granted has the Commissioner's written consent to engage in the business of insurance according to the terms and conditions of the written consent.

Adopted by the Producer Licensing (D) Task Force, Aug. 12, 2025

**SHORT FORM APPLICATION
FOR WRITTEN CONSENT TO ENGAGE IN THE BUSINESS OF INSURANCE
PURSUANT TO 18 U.S.C. §§ 1033**

Notice to Applicant: 18 U.S.C. § 1033 prohibits certain activities by or affecting persons engaged, or proposing to become engaged, in the business of insurance:

- (e)(1)(A) Any individual who has been convicted of any criminal felony involving dishonesty or a breach of trust, or who has been convicted of an offense under this section, and who willfully engages in the business of insurance whose activities affect interstate commerce or participates in such business, shall be fined as provided in this title or imprisoned not more than five (5) years, or both.**
- (B) Any individual who is engaged in the business of insurance whose activities affect interstate commerce and who willfully permits the participation described in subparagraph (A) shall be fined as provided in this title or imprisoned not more than five (5) years, or both.**
- (e)(2) A person described in paragraph (1)(A) may engage in the business of insurance or participate in such business if such person has the written consent of any regulatory official authorized to regulate the insurer, which written consent specifically refers to this section.**

This Application will be reviewed by the chief insurance regulatory official in this state to determine whether the Applicant should be given written consent to engage in the business of insurance or participate in the business pursuant to 18 U.S.C. § 1033(e)(2).

You must answer every question on the Application. If a question does not apply, indicate N/A in the space provided for the answer. Your answers are not limited to the space provided on the Application. Attach additional pages as needed. The Department of Insurance will not process incomplete Applications. Additional information may be requested.

Adopted by the Producer Licensing (D) Task Force, Aug. 12, 2025

PLEASE TYPE

SECTION I - APPLICANT INFORMATION

Full Name of Applicant:

Last Name

First Name

Middle Name

Have you ever been known by or used another name, including a maiden name?

☐ Yes ☐

No

If yes, identify: _____

Home Address:

Street Address

City

State

ZIP

Mailing Address:

P.O. Box or Street Address

City

State

ZIP

Personal Email Address: _____

Home Telephone Number: _____ Work Telephone Number: _____

Social Security No. _____

Have you ever used or been issued another Social Security number? _____

If so, provide an explanation and previous/other Social Security number(s)

Place and Date of Birth:

(Answer all questions fully and completely. Failure to answer the questions fully will result in delays in the application process. You are not limited to the space below. Attach additional pages if needed.)

SECTION II - CRIMINAL HISTORY

1. List any felony(s) for which you have been convicted. Include details of any negotiated plea agreements and pleas of nolo contendere to an Information or Indictment.

Provide a full description of your acts involved in these matters. Include the following:

- A. Dates of charge
- B. Location
- C. Nature of offense
- D. Detailed written statement explaining the circumstances of each incident

Adopted by the Producer Licensing (D) Task Force, Aug. 12, 2025

- E. Sentence
- F. Dates of incarceration
- G. Dates of probation/parole (if you are currently under probation/parole, include the name and phone number of the person supervising your parole or probation)
- H. Restitution ordered/paid
- I. Fines/costs ordered/paid
- J. Pardons granted
- K. Information as to whether your civil and political rights have been restored.

Attach additional pages if needed.

2. Have you ever applied for written consent from an insurance regulatory authority? ☐ Yes ☐ No
If yes, provide details below:

State(s): _____

- ☐ Granted
☐ Denied
☐ Other _____

Please provide details of the outcome of prior or pending applications for written consent:

SECTION III - PRESENT/PROPOSED INSURANCE EMPLOYMENT

1. Please specify the name and address of your current or proposed employer to which the requested written consent will apply.

2. Please describe in detail the office, position, and title to which the requested written consent will apply, and provide a complete description of the activities, duties, and responsibilities. Please attach or describe any proposed or current written or oral agreements, contracts, or understandings with any entity engaged in the business of insurance as defined by 18 U.S.C. § 1033. (If written consent is given, it will be applicable to the activities described herein.) Please include your date of employment or proposed date of employment.

Adopted by the Producer Licensing (D) Task Force, Aug. 12, 2025

SECTION IV - ATTACHMENTS

Attach the following documents to this Application for written consent. Applications without attachments and applications with incomplete attachments will be returned to the applicant.

1. Certified copy of the applicant's criminal history.
2. Certified copy of the indictment, criminal complaint, docket sheet, or other initiating documents for the charge(s) that is the subject of this Application.
3. Certified copy of the order of judgment and sentence of the court for the conviction(s) that is the subject of this Application, including certification of completion and performance of all conditions imposed by the court.
4. If applicable, an affidavit or written statement from the individual that seeks to employ you stating in detail the duties and responsibilities that you are performing or are to perform for them and for which you seek written consent and that it is that individual's opinion that the performance of these responsibilities does not constitute a threat to the public.
5. If applicable, letters of recommendation.
6. If applicable, a letter from the applicant's employer or prospective employer indicating they are aware of the felony conviction.

Drafting note: Some jurisdictions may not require certified copies of documents.

I, _____ (name of applicant), swear under penalty of law that my statements in the attached Application, and the documents appended thereto, are true and correct and complete. I understand that my statements in the Application and the attachments to my Application will be relied upon by the Insurance Commissioner, Director, or Superintendent of Insurance, or other appropriate party, in the jurisdiction for which this application is made in the execution of his or her duties under the Insurance Code, and 18 U.S.C. § 1033, in making a decision on this Application. I understand that if I have made any false statement in this Application, or if there are any false statements included in the attachments to this Application, I may be criminally prosecuted under any state criminal or administrative remedies available and that any insurance license(s) that I currently hold, or for which I have applied, will be subject to suspension or revocation. I further understand that these false statement(s) would also constitute a violation of 18 U.S.C. § 1033. For purposes of this Application, I do not contest the validity of any felony conviction upon which this request would be granted. *By signing this Application, I grant permission to the Commissioner, Director or Superintendent of Insurance, or other appropriate party in the jurisdiction for which this application is made to verify information with any federal, state or local government agency, current or former employer, or insurance company, to request records of former employment, state and federal tax returns, business records, and banking records to confirm the information in this Application and I expressly consent and authorize any person, business or agency to release any information the Insurance Department may request as part of the investigation, including but not limited to, records of my former employment, state and federal tax returns, business records, and banking records.*

Signature of Applicant: _____ Date: _____

Drafting note: Some jurisdictions may require applications to be notarized.

STATE OF _____

COUNTY OF _____

Subscribed, sworn to, and acknowledged before me by _____ to be his/her free act

Adopted by the Producer Licensing (D) Task Force, Aug. 12, 2025

and deed this ____ day of _____, 20____.

Notary Public State at Large My Commission Expires:

Company Notice of Termination for Cause

Company report of termination FOR CAUSE only.
This form should not be used for normal production cancellations.

All other appointment changes may be electronically processed using NIPR (National Insurance Producer Registry) unless a different format is prescribed by the state insurance commissioner.

⇒ **Producer/Advisor Information**

Producer name as it appears on NIPR: [text block]

NPN (National Producer Number): [number block]

Producer's State of Residence: [text block]

Resident State License #: [text block] (optional)

Producer's Last Known Address: [text block]

⇒ **Reporting Insurer Information:**

Name of Insurance Company: [text block]

NAIC CoCode: [number block]

Address of Insurance Company: [text block]

Requests for additional information related to this termination for cause are to be sent directly to the "Authorized Contact for Investigation Follow Up" identified below.

Authorized Contact for Investigation Follow Up:

The Department may request additional information on this submission.

NOTE: DIRECT contact information is required; general 800 numbers and shared mailboxes are not acceptable.

Contact Name: [text block]

Title: [text block]

Contact Phone Number: [text block] (ext)

Contact email address: [text block]

Alternate Contact Name: [text block]

Alternate Contact mail address: [text block]

Email Address: [text block]

Title: [text block]

Name of Firm Contact: [text block]

⇒ **Documents Attached (add ability to attach termination letter)**

Producer's termination letter: [Yes/No drop down]

⇒ **Additional Information REQUEST FOR TERMINATION OF APPOINTMENT**

Effective Date of Termination: [text block]

PLEASE TERMINATE THE APPOINTMENT Y/N

APPOINTMENT HAS BEEN TERMINATED IN THE SYSTEM BY THE COMPANY Y/N

Was the producer notified of the termination? Y/N

Date Notified: [text block]

Line(s) of business included in this termination for cause: [text block]

Is there a prior complaint history with this producer? [Yes/No drop down]

Did the insurer conduct an investigation of this producer? [Yes/No drop down]

Investigation start date: [text block]

Were other producers identified in the insurer's investigation? [Yes/No drop down – add blocks to include the names/NPNS]

Producer name [NAME] [NPN]

Producer name [NAME] [NPN]

****Note: a form submission should be made for each individual producer terminated as well as added to the boxes above.**

Did the insurer file a fraud referral against the producer? [Yes/No drop down]

If Yes, identify the agencies with which the referral was filed: [check boxes: NAIC-OFRS; NICB; Other – with blank space to identify the agency, etc.)

Was the producer contracted with a producer agency at time of misconduct/investigation? [Yes/No/Unknown drop down]

If Yes, identify the agency and NPN: [text block]

⇒ **Reason for Termination:** [drop down of choices from NAIC Producer Licensing Model Act Section 12 A (1)–(14)]

If a termination is for any of the reasons listed in the NAIC Producer Licensing Model Act, Section 12, "License Denial, Non-Renewal or Revocation of Model #218," insurers are required to notify the insurance commissioner(s) within thirty (30) days of the effective date of the termination for cause. See attached PRODUCER LICENSING MODEL ACT document.

States listed below are being notified of a termination for cause against the producer/advisor identified on this document		
State	Business was sold in this state	Consumers were associated with this issue (regardless of if they were actually harmed).
[drop down]	[Yes/No drop down]	[Yes/No drop down]

⇒ **Attestation by Authorized Insurer/Representative**

I attest and affirm that I am authorized to submit all statements on this form. I further attest that any supporting documents are true and accurate, and to the best of my knowledge; and are made for the purpose of notifying the state(s) indicated regarding the appointment termination for cause, as indicated by this completed form.

Name of Insurer's Representative: [text block] Title: [text block]

Email Address: [text block]

Mailing Address: [text block]

Direct Phone Number [text block]

Insurer Representative Signature: _____ Date: [date text block]

Disclosure: This termination for cause notice is submitted in accordance with applicable state and federal regulations and may be shared with regulatory authorities and authorized parties as permitted by law.

Draft: 9/27/26

Adopted by the Executive (EX) Committee and Plenary, XX, 2026

Adopted by the Market Regulation and Consumer Affairs (D) Committee, XX, 2026

Adopted by the Producer Licensing (D) Task Force, Oct. XX, 2026

2027 Proposed Charges

PRODUCER LICENSING (D) TASK FORCE

The mission of the Producer Licensing (D) Task Force is to: 1) develop and implement uniform license applications, standards, interpretations, and treatment of producer and adjuster licensees and licensing terminology; 2) monitor and respond to developments related to licensing reciprocity; 3) coordinate with industry and consumer groups regarding priorities for licensing reforms; and 4) provide direction based on NAIC membership initiatives to the National Insurance Producer Registry (NIPR) Board of Directors regarding the development and implementation of uniform producer licensing initiatives, with a primary emphasis on encouraging the use of electronic technology.

Ongoing Support of NAIC Programs, Products, or Services

1. The **Producer Licensing (D) Task Force** will:

- A. Work closely with NIPR to encourage the full utilization of NIPR products and services by all states and producers, and encourage accurate and timely reporting of state administrative actions to the NAIC's Regulatory Information Retrieval System (RIRS) to ensure that this data is properly reflected in the State Producer Licensing Database (SPLD) and the Producer Database (PDB).
- B. Facilitate roundtable discussions, as needed, with state producer licensing directors to exchange views, opinions, and ideas on producer licensing activities in states and at the NAIC.
- C. Discuss, as needed, state perspectives regarding the regulation and benefit of the activities of the federal Affordable Care Act (ACA), established enrollment assisters (including navigators and non-navigator assisters and certified application counselors), and the activities of producers in assisting individuals and businesses purchasing in the health insurance marketplaces. Coordinate with the Health Insurance and Managed Care (B) Committee and the Antifraud (D) Task Force, as needed.
- D. Monitor the activities of the National Association of Registered Agents and Brokers (NARAB) in the development and enforcement of the NARAB membership rules, including the criteria for successfully passing a background check.
- E. Coordinate through NAIC staff to provide guidance to NIPR on producer licensing-related electronic initiatives. Hear a report from NIPR at each national meeting.
- F. Coordinate with the Market Information Systems (D) Working Group and the Antifraud (D) Task Force to evaluate and make recommendations regarding the entry, retention, and use of data in the NAIC's Market Information Systems (MIS).
- G. Discuss how criminal convictions may affect producer licensing applicants, review, and amend the NAIC's *Guidelines for State Insurance Regulators to the Violent Crime Control and Law Enforcement Act of 1994* as needed to create a more simplified and consistent approach in how states review 1033 waiver requests.
- H. Develop a Uniform Appointment Termination for Cause Form.

2. The **Adjuster Licensing (D) Working Group** will:

- A. Monitor state implementation of adjuster licensing and reciprocity, and update the NAIC adjuster licensing standards, as needed.

PRODUCER LICENSING (D) TASK FORCE (*Continued*)

3. The **Producer Licensing Uniformity (D) Working Group** will:
 - A. Work closely with state producer licensing directors and exam vendors to ensure that: 1) the states achieve full compliance with the standards in order to achieve greater uniformity; and 2) the exams test the qualifications for an entry-level position as a producer.
 - B. Provide oversight and ongoing updates to the *State Licensing Handbook*, as needed.
 - C. Monitor and assess the state implementation of the Uniform Licensing Standards (ULS), and update the standards, as needed.
 - D. Review and update the NAIC's uniform producer licensing applications and uniform appointment form, as needed. Provide any recommended updates to the Producer Licensing (D) Task Force by the NAIC Summer National Meeting.
4. The **Uniform Education (D) Working Group** will:
 - A. Update the reciprocity guidelines, the uniform application forms for continuing education (CE) providers, and the process for state review and approval of instructors and courses, as needed. Provide any recommended updates to the Producer Licensing (D) Task Force by the Fall National Meeting.
 - B. Coordinate with NAIC parent committees, task forces, and/or working groups to review and provide recommendations on prelicensing education and CE requirements that are included in NAIC model acts, regulations, and/or standards, as needed.

NAIC Support Staff: Tim Mullen/Greg Welker