

## REQUEST FOR NAIC MODEL LAW DEVELOPMENT

This form is intended to gather information to support the development of a new model law or amendment to an existing model law. Prior to development of a new or amended model law, approval of the respective Parent Committee and the NAIC's Executive Committee is required. The NAIC's Executive Committee will consider whether the request fits the criteria for model law development. Please complete all questions and provide as much detail as necessary to help in this determination.

Please check whether this is: ☐ New Model Law or ☒ Amendment to Existing Model

**1. Name of group to be responsible for drafting the model:**

Producer Licensing (D) Task Force

**2. NAIC staff support contact information:**

Market Regulation and Consumer Affairs (D) Committee – Tim Mullen/Randy Helder  
Producer Licensing (D) Task Force – Tim Mullen/Greg Welker

**3. Please provide a brief description of the proposed new model or the amendment(s) to the existing model. If you are proposing a new model, please also provide a proposed title. If an existing model law, please provide the title, attach a current version to this form and reference the section(s) proposed to be amended.**

Proposed amendments to the *Public Adjuster Licensing Model Act* (#228):

The model will be amended to strengthen regulatory standards governing the conduct of public adjusters for the following four issues: 1) individuals acting as unlicensed public adjusters; 2) contractors who are also acting as public adjusters on the same claim; 3) inappropriate assignment of benefit rights; and 4) excessive fees charged by public adjusters.

**4. Does the model law meet the Model Law Criteria?** ☒ Yes or ☐ No (Check one)

(If answering no to any of these questions, please reevaluate charge and proceed accordingly to address issues).

**a. Does the subject of the model law necessitate a national standard and require uniformity amongst all states?** ☒ Yes or ☐ No (Check one)

**If yes, please explain why:** Forty-six states license public adjusters and public adjusters are often licensed in multiple jurisdictions. Because of this, the adoption of uniform standards governing the licensing and conduct of public adjusters is an important consumer protection.

- b. Does Committee believe NAIC members should devote significant regulator and Association resources to educate, communicate and support this model law?

☒ Yes    or    ☐ No    (Check one)

5. What is the likelihood that your committee will be able to draft and adopt the model law within one year from the date of Executive Committee approval?

☒ 1                      ☐ 2                      ☐ 3                      ☐ 4                      ☐ 5                      (Check one)

High Likelihood

Low Likelihood

Explanation, if necessary:

6. What is the likelihood that a minimum two-thirds majority of NAIC members would ultimately vote to adopt the proposed model law?

☐ 1                      ☒ 2                      ☐ 3                      ☐ 4                      ☐ 5                      (Check one)

High Likelihood

Low Likelihood

Explanation, if necessary:

7. What is the likelihood that state legislatures will adopt the model law in a uniform manner within three years of adoption by the NAIC?

☐ 1                      ☒ 2                      ☐ 3                      ☐ 4                      ☐ 5                      (Check one)

High Likelihood

Low Likelihood

Explanation, if necessary:

8. Is this model law referenced in the NAIC Accreditation Standards? If so, does the standard require the model law to be adopted in a substantially similar manner?

No

9. Is this model law in response to or impacted by federal laws or regulations? If yes, please explain.

No