



RULE-MAKING ORDER PERMANENT RULE ONLY

CR-103P (October 2017) (Implements RCW 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: October 18, 2023

TIME: 9:15 AM

WSR 23-21-103

Agency: Office of the Insurance Commissioner

Effective date of rule:

Permanent Rules

- 31 days after filing.
- Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes No If Yes, explain:

Purpose: The Commissioner is adopting rules to amend sections of Chapter 284-17 WAC following passage of HB 1061. HB 1061 changed the law by eliminating the requirement that an applicant for a resident insurance producer license complete a pre-licensure course of study for the lines of authority for which the person applied. This rulemaking will remove language referencing pre-licensing education from existing rules to align with statute. For purposes of clarification, a definition from repealed WAC 284-17-505 was preserved and listed under WAC 284-17-001.

Insurance Commissioner Matter R2023-04

Citation of rules affected by this order:

- New: WAC 284-17-126
- Repealed: WAC 284-17-505, 284-17-510, 284-17-515, 284-17-516, 284-17-517, 284-17-520, 284-17-530, 284-17-535, 284-17-537, 284-17-539, 284-17-540, 284-17-545, 284-17-547, 284-17-550, 284-17-560, 284-17-565, 284-17-572, 284-17-574, 284-17-576, 284-17-578 and 284-17-580
- Amended: WAC 284-17-001, 284-17-175, 284-17-551
- Suspended:
- Recodified: WAC 284-17-551 (as WAC 284-17-126)

Statutory authority for adoption: RCW 48.02.060 and 48.17.005

Other authority:

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 23-18-089 on September 6, 2023 (date).
Describe any changes other than editing from proposed to adopted version:

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: Rules Coordinator
 Address: P.O. Box 40255, Olympia, WA 98504-0255
 Phone: 360-725-7171
 Fax: 360-586-3109
 TTY: 360-586-0241
 Email: Rules.Coordinator@oic.wa.gov
 Web site: www.insurance.wa.gov
 Other:

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	<u>1</u>	Amended	3	Repealed	<u>21</u>

The number of sections adopted at the request of a nongovernmental entity:

New	___	Amended	___	Repealed	___
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The number of sections adopted on the agency's own initiative:

New	___	Amended	___	Repealed	___
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	___	Amended	___	Repealed	___
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The number of sections adopted using:

Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	___	Repealed	___

Date Adopted: October 18, 2023	Signature: 
Name: Mike Kreidler	
Title: Insurance Commissioner	

WAC 284-17-001 Definitions. For purposes of this chapter, unless the context requires otherwise:

(1) "Affiliation" is a type of appointment whereby a business entity authorizes an individual insurance producer or surplus line broker to represent it when conducting insurance business.

(2) "Business entity" has the meaning set forth in RCW 48.17.010(2) and includes a sole proprietorship having associated licensees authorized to act on its behalf in the business or trade name of the sole proprietorship.

(3) "Days" means calendar days including Saturday and Sunday and holidays, unless otherwise specified.

(4) "Electronic submission" or "submitted electronically" means submission of a licensing process by an applicant, licensee, insurer, or education provider by means of the commissioner's website or a third-party licensing provider or other state agency.

(5) "File" means a record in any retrievable format, and unless otherwise specified, includes paper and electronic formats.

(6) "Home state" has the meaning set forth in RCW 48.17.010(4).

(7) "Independent testing service" means the entity having a contract with the commissioner to develop, administer, and score insurance examinations.

(8) "Insurer" has the meaning set forth in RCW 48.17.010(7).

~~((8))~~ (9) "Licensee" means a person licensed by the commissioner under Title 48 RCW to sell, solicit or negotiate insurance and includes adjusters and surplus line brokers.

~~((9))~~ (10) "Line of authority" means a license issued in one or more lines of insurance listed in RCW 48.17.170.

~~((10))~~ (11) "NAIC" means the National Association of Insurance Commissioners.

~~((11))~~ (12) "Third-party licensing provider" is designated on the commissioner's website at: www.insurance.wa.gov.

~~((12))~~ (13) "Reinstatement" means the reissuance by the commissioner of a license that was not renewed more than ~~((sixty))~~ 60 days but fewer than ~~((twelve))~~ 12 months after its expiration date.

~~((13))~~ (14) "Resident" means a person who has elected to make Washington his or her home state, or, in the case of a business entity, has a place of business in this state.

~~((14))~~ (15) "Sending written notice" or "sending a copy of the written notice" means transmitting the required information in writing and, where required, on forms designated by the commissioner for that purpose, via first class mail, commercial parcel delivery company, telefacsimile, or electronic transmission, unless a specific method of transmission is specified.

~~((15))~~ (16) "Specialty producer license—Portable electronics" means a license issued under RCW 48.120.010 that authorizes a vendor to offer or sell insurance as provided in RCW 48.120.015.

~~((16))~~ (17) "Surety" means that limited line of authority of insurance or bond that covers obligations to pay the debts of, or answer for the default of another, including faithlessness in a position of public or private trust.

~~((17))~~ (18) "Travel insurance" means insurance coverage for personal risks incident to planned travel including, but not limited to:

- (a) Interruption or cancellation of trip or event;
- (b) Loss of baggage or personal effects;
- (c) Damages to accommodations or rental vehicles; or
- (d) Sickness, accident, disability, or death occurring during limited duration travel.

Travel insurance does not include major medical plans, which provide comprehensive medical protection for travelers with trips lasting six months or longer, including those working overseas as an expatriate or military personnel being deployed.

~~((18))~~ (19) "Travel insurance producer" means a licensed limited lines producer of travel insurance.

~~((19))~~ (20) "Travel retailer" means a business entity that offers and disseminates travel insurance on behalf of and under the direction and supervision of a licensed travel insurance producer.

~~((20))~~ (21) "Written" or "in writing" means any retrievable method of recording an agreement or document, and, unless otherwise specified, includes paper and electronic formats.

AMENDATORY SECTION (Amending WSR 09-02-073, filed 1/6/09, effective 7/1/09)

WAC 284-17-175 Education referrals. No person may accept any rebate, refund, fee, commission, or discount in connection with referrals of students to ~~((an insurance education prelicense or))~~ a continuing insurance education provider without making a full disclosure to each student so referred.

AMENDATORY SECTION (Amending WSR 17-01-142, filed 12/20/16, effective 1/20/17)

WAC 284-17-551 (~~(Prelicensing insurance education)~~) Candidate information bulletin. The ~~((prelicensing insurance education curriculum is))~~ exam content outlines are described in the candidate information bulletin. The candidate information bulletin is incorporated by reference and its entire contents will be enforced by the commissioner. A copy of the current candidate information bulletin is available through the commissioner's website at www.insurance.wa.gov.

~~((1) Information in the current version of the candidate information bulletin must be provided to each license candidate at the time of enrollment.~~

~~((2) If changes are implemented in the prescribed prelicensing education curriculum, the prelicensing insurance education provider must submit a revised course outline at least fifteen calendar days before the implementation date.))~~

NEW SECTION

The following section of the Washington Administrative Code is decodified and recodified as follows:

Old WAC Number	New WAC Number
284-17-551	284-17-126

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 284-17-505	Definitions.
WAC 284-17-510	Prelicensing insurance education requirement.
WAC 284-17-515	Waiver of the prelicensing insurance education requirement—Equivalent education.
WAC 284-17-516	Home self-study—Candidate, course materials and approved providers.
WAC 284-17-517	Home self-study—Materials, course standards.
WAC 284-17-520	Certificates of completion required for admittance to licensing exam—Passing score report must be provided to the commissioner.
WAC 284-17-530	Requirements applicable to all prelicensing insurance education providers.
WAC 284-17-535	Program director's qualifications and responsibilities.
WAC 284-17-537	Prelicensing insurance education instructor qualifications and responsibilities.
WAC 284-17-539	Certificates of completion of a prelicensing insurance education course.
WAC 284-17-540	Requirements applicable to independent prelicensing insurance education providers.
WAC 284-17-545	Requirements applicable to insurer-based prelicensing education providers.
WAC 284-17-547	Renewal—Prelicensing insurance education provider.
WAC 284-17-550	Prelicensing insurance education course standards.
WAC 284-17-560	Providers denied approval.

WAC 284-17-565 Suspension or revocation of approved prelicensing insurance education providers.

WAC 284-17-572 Fee.

WAC 284-17-574 Prelicensing insurance education provider numbers.

WAC 284-17-576 Actions by a prelicensing insurance education provider that may result in a fine.

WAC 284-17-578 Reinstatement of approval of a prelicensing insurance education provider.

WAC 284-17-580 Grounds for revocation or suspension of approval of a prelicensing insurance education course.