



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: September 28, 2021

TIME: 8:12 AM

WSR 21-20-045

Agency: Office of the Insurance Commissioner

Effective date of rule:

Permanent Rules

- 31 days after filing.
- Other (specify) July 15, 2022 (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: Section 2, chapter 22, Laws of 2021 (SHB 1037) necessitates resident adjusters have continuing education requirements, therefore, the Commissioner is considering rulemaking to further clarify resident Independent Adjusters and Public Adjusters continuing education protocols.

Insurance Commissioner Matter R 2021-03.

Citation of rules affected by this order:

- New:
- Repealed:
- Amended: WAC 284-17-200, 284-17-220, 284-17-222, 284-17-224, 284-17-273, 284-17-278, and 284-17-292
- Suspended:

Statutory authority for adoption: RCW 48.02.060, 48.17.005, and 48.17.150

Other authority:

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 21-17-122 on August 17, 2021 (date).

Describe any changes other than editing from proposed to adopted version: None

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

- Name: David Forte
- Address: PO Box 40260, Olympia, WA 98504-0260
- Phone: 360-725-7042
- Fax: 360-586-3109
- TTY:
- Email: davidf@oic.wa.gov
- Web site:
- 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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___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	___	Amended	<u>7</u>	Repealed	___

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New	___	Amended	___	Repealed	___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New	___	Amended	___	Repealed	___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	<u>7</u>	Repealed	___

Date Adopted: September 28, 2021

Name: Mike Kreidler

Title: Insurance Commissioner

Signature:



AMENDATORY SECTION (Amending WSR 15-13-061, filed 6/10/15, effective 7/11/15)

WAC 284-17-200 Insurance continuing education—Purpose. WAC 284-17-200 through 284-17-312 establish the minimum continuing education requirements that must be met prior to the renewal of an insurance producer or adjuster license, and specify the minimum criteria that continuing education courses must meet to be approved by the commissioner.

AMENDATORY SECTION (Amending WSR 15-13-061, filed 6/10/15, effective 7/11/15)

WAC 284-17-220 Insurance continuing education required—Resident licensees. (1) Except as provided in WAC 284-17-222 or waived in accordance with WAC 284-17-254, all individual residents licensed to transact life, disability, personal lines, property, casualty or variable life and variable annuity products lines of authority must meet the continuing education requirements of this chapter.

(2) All individual residents licensed as independent adjuster, public adjuster, or crop adjuster must meet the continuing education requirements of this chapter.

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

WAC 284-17-222 Continuing insurance education exemptions. (~~Resident adjusters and~~) Individuals holding only limited credit insurance, travel insurance, or surety licenses are exempt from the continuing insurance education requirements of this chapter.

AMENDATORY SECTION (Amending WSR 15-13-061, filed 6/10/15, effective 7/11/15)

WAC 284-17-224 Insurance continuing education—Required credit hours—Producers and adjusters. Timely completion of this state's continuing insurance education requirement is a prerequisite for renewal or reinstatement of a license. Before applying for renewal or reinstatement of a license, except as provided in WAC 284-17-222 or waived in accordance with WAC 284-17-254, all resident producers licensed for personal lines, life, disability, property, casualty or variable life and variable annuity product lines of authority and all resident licensed adjusters must complete twenty-four credit hours of approved insurance continuing education. The twenty-four hours of education must include three credit hours of ethics education during every license continuation period.

- (1) Courses must be completed within the twenty-four month period prior to the:
 - (a) Expiration date of the license;
 - (b) Date of late renewal; or
 - (c) Date of the request for reinstatement.
- (2) ((Producers)) Licensees must maintain each continuing education certificate of completion for three years.
- (3) For producers required to complete the annuity suitability training, flood training or long-term care training, producers should maintain certificates for as long as the producer transacts business for these products, but not less than three years.
- (4) Adjusters must take either property and casualty insurance related continuing education courses, or insurance claim adjusting related continuing education courses, or both.

AMENDATORY SECTION (Amending WSR 15-13-061, filed 6/10/15, effective 7/11/15)

WAC 284-17-273 Continuing insurance education attendance register. A continuing education provider must use an attendance register in the format required by the commissioner to document attendance for a classroom or webinar course. The attendance register must include the following:

- (1) Continuing education provider's name and provider number;
- (2) Course title and course number;
- (3) Location of the classroom or instructor's location for a webinar;
- (4) Signature of the instructor or monitor for a classroom course;
- (5) For a classroom course, the attendee's:
 - (a) Name and phone number;
 - (b) Washington ((producer)) license number;
 - (c) Arrival time;
 - (d) Signature; and
 - (e) Departure time with the attendee's initials.

An attendance register form for a classroom course is available on the insurance commissioner's web site.

- (6) For a webinar course, the attendee's:
 - (a) Name and phone number;
 - (b) Washington ((producer)) license number;
 - (c) Log-in time to join the class;
 - (d) Chat history and polling responses; and
 - (e) Log-out time that the attendee exited the class.

AMENDATORY SECTION (Amending WSR 16-12-034, filed 5/24/16, effective 6/24/16)

WAC 284-17-278 Approval of an insurance continuing education course. (1) An application for approval of a continuing insurance education course or a new instruction method of a previously approved course must be submitted electronically or via email to the commis-

sioner's education mailbox no fewer than twenty days prior to the first date the course is offered for credit.

(a) If the continuing education provider does not know the first date the course will be offered at the time the provider submits the application, then if the commissioner approves the course, the provider cannot offer the course until twenty days after the commissioner receives the course application;

(b) The provider can advertise a course after the approval date, but cannot offer the course until the effective date;

(c) The commissioner will not process a new course application submitted by a provider until after the commissioner has sent the provider's continuing education course renewal notice. The provider must immediately submit the continuing education course renewal request for processing. After the commissioner processes the provider's course renewal request, the commissioner will continue reviewing the provider's new course application.

(2) The request must include all of the following, as applicable:

(a) **Classroom courses:**

(i) Completed request for course and credit approval form or the National Association of Insurance Commissioners Uniform Continuing Education Reciprocity Course filing form;

(ii) Detailed course outline, including a list of topics that the continuing education provider will cover and an estimate of the amount of time the provider will spend on each topic. The commissioner will not accept video presentation slides in lieu of the detailed course outline;

(iii) Biography or resume of instructor(s); and

(iv) Sample of the attendance register form that the provider will use.

(b) **Webinar courses:**

(i) Completed request for course and credit approval form or the National Association of Insurance Commissioners Uniform Continuing Education Reciprocity Course filing form;

(ii) Detailed course outline, including a list of topics that the provider will cover and an estimate of the amount of time the provider will spend on each topic. The commissioner will not accept video presentation slides in lieu of the detailed course outline;

(iii) Biography or resume of instructor(s);

(iv) Polling questions or verification codes, including two for each credit hour of the course;

(v) Description of the process for monitoring and verifying attendance; and

(vi) Sample of the document the provider will use to record each attendee's attendance and participation.

(c) **Self-study courses:**

(i) Completed request for course and credit approval form or the National Association of Insurance Commissioners Uniform Continuing Education Reciprocity Course filing form;

(ii) Detailed course outline with word count for each chapter, section or module;

(iii) If ethics content is included, a separate word count for the ethics content;

(iv) Samples of the course reading material to assist the commissioner in determining course difficulty level;

(v) Sample of video content, if included in the course. If the course includes video exceeding fifty minutes and the information is

mandatory for completing the course, one additional credit hour will be added to the course credit total;

(vi) Description of the verification process the provider will use to confirm that the licensee has completed the course study material before accessing the exam;

(vii) Resume of the course content developer showing education and work experience related to the course subject matter; and

(viii) Copy of the examination. All examination questions must be multiple choice.

(A) The provider must include a minimum of ten exam questions for a one credit hour course, with an additional five exam questions for each subsequent credit hour;

(B) To pass the exam, licensees must achieve a score of seventy percent or higher;

(C) If the licensee does not pass the first exam, the licensee must take a second exam that contains no more than fifty percent of the same questions from the first exam. If the licensee does not pass on the second attempt, the provider must alternate the exams until the licensee passes the exam.

(3) To be eligible for approval, a course must have a direct and specific application to insurance. A course about ethics or about laws and regulations specific to insurance is eligible. The subject matter should increase the (~~producer's~~) licensee's technical knowledge of insurance principles, insurance coverage, and insurance laws and regulations. The continuing education provider is responsible for the accuracy of facts and figures used in the course.

(4) The commissioner will not award credit for topics such as personal improvement, general education, sales, marketing, motivation, business management, time management, leadership, supportive office skills, internet use, social media use, automation, and other courses that are not directly and specifically related to insurance.

(5) Insurance prelicensing education courses are not eligible for approval for continuing insurance education credit.

AMENDATORY SECTION (Amending WSR 15-13-061, filed 6/10/15, effective 7/11/15)

WAC 284-17-292 Certificates of completion of insurance continuing education courses—Form. The form of certificate of course completion required by the commissioner is available to continuing education providers by contacting the commissioner's office. The certificate and signature may be in electronic format.

(1) The certificate must indicate that it is a Washington approved insurance continuing education course; and

(2) The certificate must include the following:

(a) Licensee's name and Washington (~~producer~~) license number;

(b) Course title and number;

(c) Date of course completion;

(d) Total number of credit hours and ethics credit hours if included;

(e) Continuing education provider's name and number; and

(f) Signature of the authorized designee of the provider and date.