

Chapter 284-17 WAC

LICENSING REQUIREMENTS AND PROCEDURES

WAC

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284-17-020	Definitions. [Order R-68-12, § 284-17-020, filed 1/13/69.] Repealed by Order R77-4, filed 6/17/77.		
284-17-030	Prohibited actions. [Order R-68-12, § 284-17-030, filed 1/13/69.] Repealed by Order R77-4, filed 6/17/77.	284-17-236	What happens if my renewal is received prior to expiration but is incomplete due to the submission of an invalid course(s), an incorrect fee or noncompletion of the renewal notice? [Statutory Authority: RCW 48.02.060, 48.17.150, 48.17.563, 48.85.040. WSR 05-07-091 (Matter No. R 2004-04), § 284-17-236, filed 3/17/05, effective 4/17/05.] Repealed by WSR 09-02-073 (Matter No. R 2008-06), filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.005.
284-17-040	Filings required. [Order R-68-12, § 284-17-040, filed 1/13/69.] Repealed by Order R77-4, filed 6/17/77.		
284-17-045	Review not approval. [Order R-68-12, § 284-17-045, filed 1/13/69.] Repealed by Order R77-4, filed 6/17/77.		
284-17-050	Filing precondition to solicitation. [Order R-68-12, § 284-17-050, filed 1/13/69.] Repealed by Order R77-4, filed 6/17/77.	284-17-238	What happens if I do not meet the continuing education requirement? [Statutory Authority: RCW 48.02.060, 48.17.150, 48.17.563, 48.85.040. WSR 05-07-091 (Matter No. R 2004-04), § 284-17-238, filed 3/17/05, effective 4/17/05.] Repealed by WSR 09-02-073 (Matter No. R 2008-06), filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.005.
284-17-060	Exclusions. [Order R-68-12, § 284-17-060, filed 1/13/69.] Repealed by Order R77-4, filed 6/17/77.		
284-17-070	Examination powers not diminished. [Order R-68-12, § 284-17-070, filed 1/13/69.] Repealed by Order R77-4, filed 6/17/77.		
284-17-080	Enforcement. [Order R-68-12, § 284-17-080, filed 1/13/69.] Repealed by Order R77-4, filed 6/17/77.		
284-17-090	Severability. [Order R-68-12, § 284-17-090, filed 1/13/69.] Repealed by Order R77-4, filed 6/17/77.	284-17-240	Can I reinstate my license? [Statutory Authority: RCW 48.02.060, 48.17.150, 48.17.563, 48.85.040. WSR 05-07-091 (Matter No. R 2004-04), § 284-17-240, filed 3/17/05, effective 4/17/05. Statutory Authority: RCW 48.17.150 as amended by 1979 ex.s. c 269 §§ 7, 10. WSR 80-04-042 (Order R 80-3), § 284-17-240, filed 3/20/80.] Repealed by WSR 09-02-073 (Matter No. R 2008-06), filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.005.
284-17-100	Agent, solicitor or adjuster examination scheduling and fees. [Statutory Authority: RCW 48.02.060. WSR 80-01-011 (Order R 79-6), § 284-17-100, filed 12/12/79.] Repealed by WSR 82-10-016 (Order R 82-2), filed 4/28/82. Statutory Authority: RCW 48.02.060.		
284-17-110	Reexamination after failure to pass examination. [Statutory Authority: RCW 48.02.060. WSR 80-01-011 (Order R 79-6), § 284-17-110, filed 12/12/79.] Repealed by WSR 82-10-016 (Order R 82-2), filed 4/28/82. Statutory Authority: RCW 48.02.060.	284-17-242	How long do I have to keep the course completion certificates? [Statutory Authority: RCW 48.02.060, 48.17.150, 48.17.563, 48.85.040. WSR 05-07-091 (Matter No. R 2004-04), § 284-17-242, filed 3/17/05, effective 4/17/05.] Repealed by WSR 09-02-073 (Matter No. R 2008-06), filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.005.
284-17-121	Qualifications of agents of insurers authorized to transact more than one line of insurance—Exceptions. [Statutory Authority: RCW 48.01.030, 48.02.060(3), 48.14.010, 48.17.150(2), 48.17.160 (1)(5) and 48.17.500(3). WSR 94-14-033 (Order R 94-14), § 284-17-121, filed 6/28/94, effective 7/29/94. Statutory Authority: RCW 48.02.060. WSR 90-04-060 (Order R 90-1), § 284-17-121, filed 2/2/90, effective 3/5/90.] Repealed by WSR 09-02-073 (Matter No. R 2008-06), filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.005.	284-17-244	Request for approval of attendance at an insurance related education course that is not preapproved and is given by a nonapproved insurance education provider. [Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-244, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.150, 48.17.563, 48.85.040. WSR 05-07-091 (Matter No. R 2004-04), § 284-17-244, filed 3/17/05, effective 4/17/05.] Repealed by WSR 15-13-
284-17-135	Reexamination after failure to pass. [Statutory Authority: RCW 48.02.060. WSR 88-23-063 (Order R 88-11), § 284-17-135, filed 11/16/88.] Repealed by WSR 98-		

	061 (Matter No. R 2014-02), filed 6/10/15, effective 7/11/15. Statutory Authority: RCW 48.02.060, 48.17-005, 48.17.150(1), and 48.01.030.		2004-04), § 284-17-288, filed 3/17/05, effective 4/17/05.] Repealed by WSR 09-02-073 (Matter No. R 2008-06), filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.005.
284-17-246	Approval of continuing insurance education credit for insurance related college courses. [Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-246, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17-150, 48.17.563, 48.85.040. WSR 05-07-091 (Matter No. R 2004-04), § 284-17-246, filed 3/17/05, effective 4/17/05.] Repealed by WSR 15-13-061 (Matter No. R 2014-02), filed 6/10/15, effective 7/11/15. Statutory Authority: RCW 48.02.060, 48.17.005, 48.17.150(1), and 48.01.030.	284-17-290	How long must the provider maintain the attendance or purchase and completion records? [Statutory Authority: RCW 48.02.060, 48.17.150, 48.17.563, 48.85.040. WSR 05-07-091 (Matter No. R 2004-04), § 284-17-290, filed 3/17/05, effective 4/17/05. Statutory Authority: RCW 48.01.030, 48.02.060(3), 48.14.010, 48.17.150(2), 48.17.160(1)(5) and 48.17.500(3). WSR 94-14-033 (Order R 94-14), § 284-17-290, filed 6/28/94, effective 7/29/94. Statutory Authority: RCW 48.02.060. WSR 89-19-037 (Order R 89-10), § 284-17-290, filed 9/15/89, effective 10/16/89. Statutory Authority: RCW 48.17.150 as amended by 1979 ex.s. c 269 §§ 7,10. WSR 80-04-042 (Order R 80-3), § 284-17-290, filed 3/20/80.] Repealed by WSR 09-02-073 (Matter No. R 2008-06), filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.005.
284-17-248	How long are my certificates of completion valid? [Statutory Authority: RCW 48.02.060, 48.17.150, 48.17.563, 48.85.040. WSR 05-07-091 (Matter No. R 2004-04), § 284-17-248, filed 3/17/05, effective 4/17/05.] Repealed by WSR 09-02-073 (Matter No. R 2008-06), filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.005.	284-17-298	Must I submit an electronic attendance roster? [Statutory Authority: RCW 48.02.060, 48.17.150, 48.17.563, 48.85.040. WSR 05-07-091 (Matter No. R 2004-04), § 284-17-298, filed 3/17/05, effective 4/17/05.] Repealed by WSR 09-02-073 (Matter No. R 2008-06), filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.005.
284-17-258	Long-term care education requirement. [Statutory Authority: RCW 48.02.060, 48.83.070, 48.83.110, 48.83.120, 48.83.130(1), and 48.83.140 (4)(a). WSR 08-24-019 (Matter No. R 2008-09), § 284-17-258, filed 11/24/08, effective 12/25/08. Statutory Authority: RCW 48.02.060, 48.17.150, 48.17.563, 48.85.040. WSR 05-07-091 (Matter No. R 2004-04), § 284-17-258, filed 3/17/05, effective 4/17/05.] Repealed by WSR 11-19-040 (Matter No. R 2011-12), filed 9/13/11, effective 10/14/11. Statutory Authority: RCW 48.02.060 (3)(a) and 48.17.005.	284-17-300	Continuing education advisory committee. [Statutory Authority: RCW 48.17.150 as amended by 1979 ex.s. c 269 §§ 7,10. WSR 80-04-042 (Order R 80-3), § 284-17-300, filed 3/20/80.] Repealed by WSR 98-09-041 (Matter No. R 98-01), filed 4/14/98, effective 5/15/98. Statutory Authority: RCW 48.02.060, 48.17.150, 48.44.040, 48.46.200 and 48.44.050.
284-17-260	Resident and nonresident agents required to complete the long-term care education requirement. [Statutory Authority: RCW 48.02.060, 48.83.070, 48.83.110, 48.83.120, 48.83.130(1), and 48.83.140 (4)(a). WSR 08-24-019 (Matter No. R 2008-09), § 284-17-260, filed 11/24/08, effective 12/25/08. Statutory Authority: RCW 48.02.060, 48.17.150, 48.17.563, 48.85.040. WSR 05-07-091 (Matter No. R 2004-04), § 284-17-260, filed 3/17/05, effective 4/17/05. Statutory Authority: RCW 48.01.030, 48.02.060(3), 48.14.010, 48.17.150(2), 48.17.160(1)(5) and 48.17.500(3). WSR 94-14-033 (Order R 94-14), § 284-17-260, filed 6/28/94, effective 7/29/94. Statutory Authority: RCW 48.02.060. WSR 89-19-037 (Order R 89-10), § 284-17-260, filed 9/15/89, effective 10/16/89. Statutory Authority: RCW 48.17.150 as amended by 1979 ex.s. c 269 §§ 7,10. WSR 80-04-042 (Order R 80-3), § 284-17-260, filed 3/20/80.] Repealed by WSR 11-19-040 (Matter No. R 2011-12), filed 9/13/11, effective 10/14/11. Statutory Authority: RCW 48.02.060 (3)(a) and 48.17.005.	284-17-301	Does the commissioner have the authority to levy a fine against a CE provider or revoke or suspend a CE provider's approval? [Statutory Authority: RCW 48.02.060, 48.17.150, 48.17.563, 48.85.040. WSR 05-07-091 (Matter No. R 2004-04), § 284-17-301, filed 3/17/05, effective 4/17/05.] Repealed by WSR 09-02-073 (Matter No. R 2008-06), filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.005.
284-17-274	Fee. [Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-274, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.150, 48.17.563, 48.85.040. WSR 05-07-091 (Matter No. R 2004-04), § 284-17-274, filed 3/17/05, effective 4/17/05.] Repealed by WSR 15-13-061 (Matter No. R 2014-02), filed 6/10/15, effective 7/11/15. Statutory Authority: RCW 48.02.060, 48.17.005, 48.17.150(1), and 48.01.030.	284-17-308	May I advertise a course prior to approval? [Statutory Authority: RCW 48.02.060, 48.17.150, 48.17.563, 48.85.040. WSR 05-07-091 (Matter No. R 2004-04), § 284-17-308, filed 3/17/05, effective 4/17/05.] Repealed by WSR 09-02-073 (Matter No. R 2008-06), filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.005.
284-17-275	Courses not approved. [Statutory Authority: RCW 48.02.060. WSR 89-19-037 (Order R 89-10), § 284-17-275, filed 9/15/89, effective 10/16/89; WSR 88-01-074 (Order R 87-12), § 284-17-275, filed 12/18/87, effective 3/1/88.] Repealed by WSR 05-07-091 (Matter No. R 2004-04), filed 3/17/05, effective 4/17/05. Statutory Authority: RCW 48.02.060, 48.17.150, 48.17.563, 48.85.040.	284-17-310	Content of a course advertisements. [Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-310, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17-150, 48.17.563, 48.85.040. WSR 05-07-091 (Matter No. R 2004-04), § 284-17-310, filed 3/17/05, effective 4/17/05. Statutory Authority: RCW 48.02.060. WSR 89-19-037 (Order R 89-10), § 284-17-310, filed 9/15/89, effective 10/16/89; WSR 82-10-016 (Order R 82-2), § 284-17-310, filed 4/28/82. Statutory Authority: RCW 48.02.060 and 48.17.150. WSR 81-18-049 (Order R 81-5), § 284-17-310, filed 8/31/81. Statutory Authority: RCW 48.17.150 as amended by 1979 ex.s. c 269 §§ 7,10. WSR 80-04-042 (Order R 80-3), § 284-17-310, filed 3/20/80.] Repealed by WSR 16-12-034 (Matter No. R 2016-03), filed 5/24/16, effective 6/24/16. Statutory Authority: RCW 48.02.060, 48.17.005, and 48.17.150(1).
284-17-280	What courses are eligible for approval? [Statutory Authority: RCW 48.02.060, 48.17.150, 48.17.563, 48.85.040. WSR 05-07-091 (Matter No. R 2004-04), § 284-17-280, filed 3/17/05, effective 4/17/05. Statutory Authority: RCW 48.02.060. WSR 89-19-037 (Order R 89-10), § 284-17-280, filed 9/15/89, effective 10/16/89. Statutory Authority: RCW 48.17.150 as amended by 1979 ex.s. c 269 §§ 7,10. WSR 80-04-042 (Order R 80-3), § 284-17-280, filed 3/20/80.] Repealed by WSR 09-02-073 (Matter No. R 2008-06), filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17-005.	284-17-320	What are the qualifications of an instructor? [Statutory Authority: RCW 48.02.060, 48.17.150, 48.17.563, 48.85.040. WSR 05-07-091 (Matter No. R 2004-04), § 284-17-320, filed 3/17/05, effective 4/17/05. Statutory Authority: RCW 48.01.030, 48.02.060(3), 48.14.010, 48.17.150(2), 48.17.160(1)(5) and 48.17.500(3). WSR 94-14-033 (Order R 94-14), § 284-17-320, filed 6/28/94, effective 7/29/94. Statutory Authority: RCW 48.02.060. WSR 89-19-037 (Order R 89-10), § 284-17-320, filed 9/15/89, effective 10/16/89. Statutory Authority: RCW 48.17.150 as amended by 1979 ex.s. c 269 §§ 7,10. WSR 80-04-042 (Order R 80-3), § 284-17-320, filed 3/20/80.] Repealed by WSR 09-02-073 (Matter No. R 2008-06), filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.005.
284-17-288	What attendance records must the provider maintain? [Statutory Authority: RCW 48.02.060, 48.17.150, 48.17.563, 48.85.040. WSR 05-07-091 (Matter No. R	284-17-400	Renewal dates for agents, brokers, solicitors and adjusters. [Statutory Authority: RCW 48.01.030, 48.02.060

	(3), 48.14.010, 48.17.150(2), 48.17.160 (1)(5) and 48.17.500(3). WSR 94-14-033 (Order R 94-14), § 284-17-400, filed 6/28/94, effective 7/29/94. Statutory Authority: RCW 48.02.060. WSR 84-19-022 (Order R 84-3), § 284-17-400, filed 9/12/84. Statutory Authority: RCW 48.02.060 and 1979 ex.s. c 269 § 10. WSR 80-04-041 (Order R 80-4), § 284-17-400, filed 3/20/80.] Repealed by WSR 06-12-025 (Matter No. R 2005-06), filed 5/30/06, effective 6/30/06. Statutory Authority: RCW 48.02.060 (3)(a) and 48.17.150 (1)(g)(ii).	
284-17-410	Appointment renewal and termination procedures for insurance agents. [Statutory Authority: RCW 48.01.030, 48.02.060(3), 48.14.010, 48.17.150(2), 48.17.160 (1)(5) and 48.17.500(3). WSR 94-14-033 (Order R 94-14), § 284-17-410, filed 6/28/94, effective 7/29/94. Statutory Authority: RCW 48.02.060. WSR 84-19-022 (Order R 84-3), § 284-17-410, filed 9/12/84. Statutory Authority: RCW 48.02.060 and 1979 ex.s. c 269 § 10. WSR 80-04-041 (Order R 80-4), § 284-17-410, filed 3/20/80.] Repealed by WSR 06-12-025 (Matter No. R 2005-06), filed 5/30/06, effective 6/30/06. Statutory Authority: RCW 48.02.060 (3)(a) and 48.17.150 (1)(g)(ii).	284-17-447
284-17-420	Appointment, affiliation and renewal procedures for licensed persons empowered to exercise the authority conferred to a corporate or firm licensee. [Statutory Authority: RCW 48.01.030, 48.02.060(3), 48.14.010, 48.17.150(2), 48.17.160 (1)(5) and 48.17.500(3). WSR 94-14-033 (Order R 94-14), § 284-17-420, filed 6/28/94, effective 7/29/94. Statutory Authority: RCW 48.02.060. WSR 84-19-022 (Order R 84-3), § 284-17-420, filed 9/12/84. Statutory Authority: RCW 48.02.060 and 1979 ex.s. c 269 § 10. WSR 80-04-041 (Order R 80-4), § 284-17-420, filed 3/20/80.] Repealed by WSR 06-12-025 (Matter No. R 2005-06), filed 5/30/06, effective 6/30/06. Statutory Authority: RCW 48.02.060 (3)(a) and 48.17.150 (1)(g)(ii).	284-17-451
284-17-421	Definitions. [Statutory Authority: RCW 48.02.060. WSR 08-17-063 (Matter No. R 2008-03), § 284-17-421, filed 8/18/08, effective 9/18/08. Statutory Authority: RCW 48.02.060 (3)(a) and 48.17.150 (1)(g)(ii). WSR 06-12-025 (Matter No. R 2005-06), § 284-17-421, filed 5/30/06, effective 6/30/06.] Repealed by WSR 09-02-073 (Matter No. R 2008-06), filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.-005.	284-17-453
284-17-425	How long are initial and reinstated business entity licenses in effect? [Statutory Authority: RCW 48.02.060 (3)(a) and 48.17.150 (1)(g)(ii). WSR 06-12-025 (Matter No. R 2005-06), § 284-17-425, filed 5/30/06, effective 6/30/06.] Repealed by WSR 09-02-073 (Matter No. R 2008-06), filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.005.	284-17-455
284-17-427	What is the renewal period for a license? [Statutory Authority: RCW 48.02.060 (3)(a) and 48.17.150 (1)(g)(ii). WSR 06-12-025 (Matter No. R 2005-06), § 284-17-427, filed 5/30/06, effective 6/30/06.] Repealed by WSR 09-02-073 (Matter No. R 2008-06), filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.005.	284-17-457
284-17-431	What is the renewal period for an appointment? [Statutory Authority: RCW 48.02.060 (3)(a) and 48.17.150 (1)(g)(ii). WSR 06-12-025 (Matter No. R 2005-06), § 284-17-431, filed 5/30/06, effective 6/30/06.] Repealed by WSR 09-02-073 (Matter No. R 2008-06), filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.005.	284-17-459
284-17-433	How long is an appointment effective? [Statutory Authority: RCW 48.02.060 (3)(a) and 48.17.150 (1)(g)(ii). WSR 06-12-025 (Matter No. R 2005-06), § 284-17-433, filed 5/30/06, effective 6/30/06.] Repealed by WSR 09-02-073 (Matter No. R 2008-06), filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.005.	284-17-461
284-17-437	Appointments of agents. [Statutory Authority: RCW 48.02.060. WSR 08-17-063 (Matter No. R 2008-03), § 284-17-437, filed 8/18/08, effective 9/18/08. Statutory Authority: RCW 48.02.060 (3)(a) and 48.17.150 (1)(g)(ii). WSR 06-12-025 (Matter No. R 2005-06), § 284-17-437, filed 5/30/06, effective 6/30/06.] Repealed by WSR 09-02-073 (Matter No. R 2008-06), filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.005.	284-17-463
284-17-441	Notice to an insurer if an agent is not eligible for an appointment if the appointment was not submitted electronically. [Statutory Authority: RCW 48.02.060. WSR 08-17-063 (Matter No. R 2008-03), § 284-17-441, filed 8/18/08, effective 9/18/08. Statutory Authority: RCW 48.02.060 (3)(a) and 48.17.150 (1)(g)(ii). WSR 06-12-025 (Matter No. R 2005-06), § 284-17-441, filed 5/30/06, effective 6/30/06.] Repealed by WSR 09-02-073 (Matter No. R 2008-06), filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.005.	284-17-469
	Termination of an appointment by an agent. [Statutory Authority: RCW 48.02.060. WSR 08-17-063 (Matter No. R 2008-03), § 284-17-447, filed 8/18/08, effective 9/18/08. Statutory Authority: RCW 48.02.060 (3)(a) and 48.17.150 (1)(g)(ii). WSR 06-12-025 (Matter No. R 2005-06), § 284-17-447, filed 5/30/06, effective 6/30/06.] Repealed by WSR 09-02-073 (Matter No. R 2008-06), filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.-005.	
	What information must be provided relating to a "for cause" termination? [Statutory Authority: RCW 48.02.060 (3)(a) and 48.17.150 (1)(g)(ii). WSR 06-12-025 (Matter No. R 2005-06), § 284-17-451, filed 5/30/06, effective 6/30/06.] Repealed by WSR 08-17-063 (Matter No. R 2008-03), filed 8/18/08, effective 9/18/08. Statutory Authority: RCW 48.02.060.	
	What conduct constitutes "for cause"? [Statutory Authority: RCW 48.02.060 (3)(a) and 48.17.150 (1)(g)(ii). WSR 06-12-025 (Matter No. R 2005-06), § 284-17-453, filed 5/30/06, effective 6/30/06.] Repealed by WSR 08-17-063 (Matter No. R 2008-03), filed 8/18/08, effective 9/18/08. Statutory Authority: RCW 48.02.060.	
	Agent must be licensed for all lines of authority of the appointing insurer. [Statutory Authority: RCW 48.02.060. WSR 08-17-063 (Matter No. R 2008-03), § 284-17-455, filed 8/18/08, effective 9/18/08. Statutory Authority: RCW 48.02.060 (3)(a) and 48.17.150 (1)(g)(ii). WSR 06-12-025 (Matter No. R 2005-06), § 284-17-455, filed 5/30/06, effective 6/30/06.] Repealed by WSR 09-02-073 (Matter No. R 2008-06), filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.005.	
	Authority of an agent to act as a representative of an insurer and solicit insurance on its behalf before notifying the commissioner of the appointment. [Statutory Authority: RCW 48.02.060. WSR 08-17-063 (Matter No. R 2008-03), § 284-17-457, filed 8/18/08, effective 9/18/08. Statutory Authority: RCW 48.02.060 (3)(a) and 48.17.150 (1)(g)(ii). WSR 06-12-025 (Matter No. R 2005-06), § 284-17-457, filed 5/30/06, effective 6/30/06.] Repealed by WSR 09-02-073 (Matter No. R 2008-06), filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.005.	
	How long may a licensed agent act as a representative of an insurer and solicit insurance on its behalf before notifying the commissioner of the appointment? [Statutory Authority: RCW 48.02.060 (3)(a) and 48.17.150 (1)(g)(ii). WSR 06-12-025 (Matter No. R 2005-06), § 284-17-459, filed 5/30/06, effective 6/30/06.] Repealed by WSR 08-17-063 (Matter No. R 2008-03), filed 8/18/08, effective 9/18/08. Statutory Authority: RCW 48.02.060.	
	May a licensed agent act as a representative of an insurer and solicit insurance on its behalf before notifying the commissioner of the appointment if the notice of appointment is not submitted electronically? [Statutory Authority: RCW 48.02.060 (3)(a) and 48.17.150 (1)(g)(ii). WSR 06-12-025 (Matter No. R 2005-06), § 284-17-461, filed 5/30/06, effective 6/30/06.] Repealed by WSR 08-17-063 (Matter No. R 2008-03), filed 8/18/08, effective 9/18/08. Statutory Authority: RCW 48.02.060.	
	Who is responsible for ensuring that the agent is eligible for appointment? [Statutory Authority: RCW 48.02.060 (3)(a) and 48.17.150 (1)(g)(ii). WSR 06-12-025 (Matter No. R 2005-06), § 284-17-463, filed 5/30/06, effective 6/30/06.] Repealed by WSR 09-02-073 (Matter No. R 2008-06), filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.005.	
	Is the insurer responsible for the acts of the agent during the period of time the agent is acting as a representative of the insurer or soliciting insurance on its behalf? [Statutory Authority: RCW 48.02.060 (3)(a) and 48.17.150 (1)(g)(ii). WSR 06-12-025 (Matter No. R 2005-06), §	

- 284-17-469, filed 5/30/06, effective 6/30/06.] Repealed by WSR 09-02-073 (Matter No. R 2008-06), filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.005.
- 284-17-471 What are the consequences if the commissioner is not notified of the appointment within thirty calendar days after the date the agent has signed the first application for insurance for submission to the insurer and the agent continues to act as a representative of the insurer or solicit insurance on its behalf? [Statutory Authority: RCW 48.02.060 (3)(a) and 48.17.150 (1)(g)(ii). WSR 06-12-025 (Matter No. R 2005-06), § 284-17-471, filed 5/30/06, effective 6/30/06.] Repealed by WSR 09-02-073 (Matter No. R 2008-06), filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17-005.
- 284-17-475 Must an individual licensee who is affiliated with a business entity license be individually appointed by insurers if the business entity is appointed by the insurer? [Statutory Authority: RCW 48.02.060 (3)(a) and 48.17.150 (1)(g)(ii). WSR 06-12-025 (Matter No. R 2005-06), § 284-17-475, filed 5/30/06, effective 6/30/06.] Repealed by WSR 08-17-063 (Matter No. R 2008-03), filed 8/18/08, effective 9/18/08. Statutory Authority: RCW 48.02.060.
- 284-17-477 Valid period of an affiliation. [Statutory Authority: RCW 48.02.060. WSR 08-17-063 (Matter No. R 2008-03), § 284-17-477, filed 8/18/08, effective 9/18/08. Statutory Authority: RCW 48.02.060 (3)(a) and 48.17.150 (1)(g)(ii). WSR 06-12-025 (Matter No. R 2005-06), § 284-17-477, filed 5/30/06, effective 6/30/06.] Repealed by WSR 09-02-073 (Matter No. R 2008-06), filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.005.
- 284-17-479 Termination of an affiliation by a business entity. [Statutory Authority: RCW 48.02.060. WSR 08-17-063 (Matter No. R 2008-03), § 284-17-479, filed 8/18/08, effective 9/18/08. Statutory Authority: RCW 48.02.060 (3)(a) and 48.17.150 (1)(g)(ii). WSR 06-12-025 (Matter No. R 2005-06), § 284-17-479, filed 5/30/06, effective 6/30/06.] Repealed by WSR 09-02-073 (Matter No. R 2008-06), filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.005.
- 284-17-481 Requirements for termination of an affiliation by a business entity "for cause." [Statutory Authority: RCW 48.02.060. WSR 08-17-063 (Matter No. R 2008-03), § 284-17-481, filed 8/18/08, effective 9/18/08. Statutory Authority: RCW 48.02.060 (3)(a) and 48.17.150 (1)(g)(ii). WSR 06-12-025 (Matter No. R 2005-06), § 284-17-481, filed 5/30/06, effective 6/30/06.] Repealed by WSR 09-02-073 (Matter No. R 2008-06), filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.005.
- 284-17-482 Information to be provided relating to a "for cause" termination to the commissioner. [Statutory Authority: RCW 48.02.060. WSR 08-17-063 (Matter No. R 2008-03), § 284-17-482, filed 8/18/08, effective 9/18/08. Statutory Authority: RCW 48.02.060 (3)(a) and 48.17.150 (1)(g)(ii). WSR 06-12-025 (Matter No. R 2005-06), § 284-17-482, filed 5/30/06, effective 6/30/06.] Repealed by WSR 09-02-073 (Matter No. R 2008-06), filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.005.
- 284-17-552 Life insurance curriculum. [Statutory Authority: RCW 48.02.060 and 48.17.150. WSR 91-12-033 (Order R 91-3), § 284-17-552, filed 6/3/91, effective 7/4/91. Statutory Authority: RCW 48.02.060 and 48.17.070. WSR 89-01-055 (Order R 88-14), § 284-17-552, filed 12/16/88.] Repealed by WSR 09-02-073 (Matter No. R 2008-06), filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.005.
- 284-17-553 Disability insurance curriculum. [Statutory Authority: RCW 48.02.060 and 48.17.150. WSR 91-12-033 (Order R 91-3), § 284-17-553, filed 6/3/91, effective 7/4/91. Statutory Authority: RCW 48.02.060 and 48.17.070. WSR 89-01-055 (Order R 88-14), § 284-17-553, filed 12/16/88.] Repealed by WSR 09-02-073 (Matter No. R 2008-06), filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.005.
- 284-17-554 Casualty insurance curriculum. [Statutory Authority: RCW 48.02.060 and 48.17.150. WSR 91-12-033 (Order R 91-3), § 284-17-554, filed 6/3/91, effective 7/4/91. Statutory Authority: RCW 48.02.060 and 48.17.070. WSR 89-01-055 (Order R 88-14), § 284-17-554, filed 12/16/88.] Repealed by WSR 09-02-073 (Matter No. R 2008-06), filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.005.
- 284-17-555 Property insurance curriculum. [Statutory Authority: RCW 48.02.060 and 48.17.150. WSR 91-12-033 (Order R 91-3), § 284-17-555, filed 6/3/91, effective 7/4/91. Statutory Authority: RCW 48.02.060 and 48.17.070. WSR 89-01-055 (Order R 88-14), § 284-17-555, filed 12/16/88.] Repealed by WSR 09-02-073 (Matter No. R 2008-06), filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.005.
- 284-17-570 Implementation dates. [Statutory Authority: RCW 48.02.060. WSR 89-14-045 (Order R 89-8), § 284-17-570, filed 6/29/89. Statutory Authority: RCW 48.02.060 and 48.17.070. WSR 89-01-055 (Order R 88-14), § 284-17-570, filed 12/16/88.] Repealed by WSR 98-11-088 (Matter No. R 98-5), filed 5/20/98, effective 6/20/98. Statutory Authority: RCW 48.02.060.
- 284-17-650 Transition rules—July 1, 2009. [Statutory Authority: RCW 48.02.060, 48.17.005, and 48.17.490. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-650, filed 1/6/09, effective 7/1/09.] Repealed by WSR 11-04-067 (Matter No. R 2010-07), filed 1/28/11, effective 2/28/11. Statutory Authority: RCW 48.15.015 and 48.17.005.
- 284-17-800 Charitable contributions. [Statutory Authority: RCW 48.02.060, 48.17.005, and 48.17.490. WSR 14-17-026 (Matter No. R 2012-16), § 284-17-800, filed 8/12/14, effective 7/1/15.] Repealed by WSR 16-01-024 (Matter No. R 2015-07), filed 12/7/15, effective 1/7/16. Statutory Authority: RCW 48.02.060 and 48.17.005 and RCW 48.17.490.
- 284-17-820 Referrals. [Statutory Authority: RCW 48.02.060, 48.17.005, and 48.17.490. WSR 14-17-026 (Matter No. R 2012-16), § 284-17-820, filed 8/12/14, effective 7/1/15.] Repealed by WSR 16-01-024 (Matter No. R 2015-07), filed 12/7/15, effective 1/7/16. Statutory Authority: RCW 48.02.060 and 48.17.005 and RCW 48.17.490.
- 284-17-830 Promotional games of chance. [Statutory Authority: RCW 48.02.060, 48.17.005, and 48.17.490. WSR 14-17-026 (Matter No. R 2012-16), § 284-17-830, filed 8/12/14, effective 7/1/15.] Repealed by WSR 16-01-024 (Matter No. R 2015-07), filed 12/7/15, effective 1/7/16. Statutory Authority: RCW 48.02.060 and 48.17.005 and RCW 48.17.490.

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

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

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

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

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

(13) "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) "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) "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) "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) "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) "Travel insurance producer" means a licensed limited lines producer of travel insurance.

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

[Statutory Authority: RCW 48.02.060 and 48.120.050. WSR 13-14-099 (Matter No. R 2013-07), § 284-17-001, filed 7/2/13, effective 8/2/13. Statutory Authority: RCW 48.17.005. WSR 13-06-023 (Matter No. R 2012-26), § 284-17-001, filed 2/27/13, effective 7/1/13. Statutory Authority: RCW 48.02.060 and 48.17.005. WSR 12-22-020 (Matter No. R 2012-23), § 284-17-001, filed 10/29/12, effective 11/29/12. Statutory Authority: RCW 48.02.060 (3)(a) and 48.17.005. WSR 11-19-040 (Matter No. R 2011-12), § 284-17-001, filed 9/13/11, effective 10/14/11. Statutory Authority: RCW 48.15.015 and 48.17.005. WSR 11-04-067 (Matter No. R 2010-07), § 284-17-001, filed 1/28/11, effective 2/28/11. Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-001, filed 1/6/09, effective 7/1/09.]

WAC 284-17-005 Address of record. (1) The address of record used by the commissioner will be:

(a) For disciplinary orders, the last U.S. mailing address provided by the person or business entity to the commissioner;

(b) For all other matters, the last email address provided by the person or business entity to the commissioner. This will be the email address listed in the mailing address section of the commissioner's licensing date [data] base.

(2) Licensees must advise the commissioner of any change of address within thirty days after a change of address. This includes any change in the person's residence, mailing, business or email address. Failure to advise the commissioner of a change of address may subject a licensee to disciplinary action under RCW 48.17.530 and 48.17.560.

[Statutory Authority: RCW 48.15.015 and 48.17.005. WSR 11-04-067 (Matter No. R 2010-07), § 284-17-005, filed 1/28/11, effective 2/28/11. Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-005, filed 1/6/09, effective 7/1/09.]

WAC 284-17-009 Limited line credit insurance. Limited line credit insurance is defined at RCW 48.17.010(9).

(1) Insurers must ensure that their licensed and appointed insurance producers who transact the limited line credit insurance are qualified by education or experience to offer their credit insurance products.

(2) The requirements of this chapter for prelicensing and continuing insurance education do not apply to insurance producers that transact only the limited line credit insurance.

[Statutory Authority: RCW 48.02.060 (3)(a) and 48.17.005. WSR 11-19-040 (Matter No. R 2011-12), § 284-17-009, filed 9/13/11, effective 10/14/11. Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-009, filed 1/6/09, effective 7/1/09.]

WAC 284-17-011 Limited line of travel insurance.

(1) Travel insurance is a limited line of authority. A person must not sell, solicit, or negotiate travel insurance in this state unless that person is licensed as an insurance producer with the travel limited line of authority or as set forth in subsection (2) of this section.

(2) A business entity acting as a travel insurance producer is required to:

(a) Be licensed as a producer with the travel limited line of authority; and

(b) Designate an individual licensed as a producer with the travel limited line of authority to act as a designated licensed responsible person (DLRP) who is responsible for the business entity's compliance with the laws of this state.

(3) The requirements of this chapter for passing an insurance producer examination and for prelicensing and continuing insurance education do not apply to insurance producers that transact only the limited line of travel insurance.

(4) A travel retailer may offer and disseminate travel insurance on behalf of and under a travel insurance producer business entity license only if the travel insurance producer holds a business entity license, and the travel insurance producer:

(a) Clearly identifies the licensed business entity as the licensed producer on marketing materials and fulfillment packages distributed by travel retailers to customers, identification shall include the entity's name and contact information;

(b) Keeps a register of each travel retailer that offers travel insurance on the licensed business entity's behalf. The register must include the name and contact information of the travel retailer and an officer or person who directs or controls the travel retailer's operations, and the travel retailer's federal tax identification number. The licensed business entity must also certify that the travel retailer registered complies with United States Code, Title 18, section 1033. The licensed business entity must submit the register within thirty days upon request by the commissioner;

(c) Complies with the fingerprinting requirements applicable to insurance producers in the resident state of the business entity;

(d) Has paid all applicable insurance producer licensing fees as set forth in Washington state law; and

(e) Requires each employee of the travel retailer whose duties include offering and disseminating travel insurance to receive a program of instruction or training, which is subject to review by the commissioner.

(5) An employee of a travel retailer may sell or offer travel insurance without being individually licensed as an insurance producer if the travel retailer is licensed and acting in compliance with this chapter, and the employees are under the supervision of a licensed travel producer.

(6) A travel retailer whose activities, and those of its employees, are limited to offering and disseminating travel insurance on behalf of and under the direction of a licensed business entity meeting the conditions stated in this section, is authorized to do so, upon registration by the licensed business entity.

(7) As the insurer designee, the travel insurance producer is responsible for the acts and supervision of the travel retailer.

[Statutory Authority: RCW 48.17.005. WSR 13-06-023 (Matter No. R 2012-26), § 284-17-011, filed 2/27/13, effective 7/1/13. Statutory Authority: RCW 48.02.060 (3)(a) and 48.17.005. WSR 11-19-040 (Matter No. R 2011-12), § 284-17-011, filed 9/13/11, effective 10/14/11. Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-011, filed 1/6/09, effective 7/1/09.]

WAC 284-17-015 Variable life and variable annuity products—Standards for resident licenses. (1) Resident insurance producers who desire to sell, solicit or negotiate variable life and variable annuity products in this state must obtain and maintain an insurance producer license with a life line of authority and an appropriate securities license from the Financial Industry Regulatory Authority (FINRA). Upon presentation of satisfactory evidence that the producer has fulfilled this requirement, the commissioner will issue a license with a variable life and variable annuity products line of authority.

(2) All licensees with the variable life and variable annuity products line of authority are also subject to the licensing requirements set forth in RCW 48.18A.060.

[Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-015, filed 1/6/09, effective 7/1/09.]

LICENSING PROCESSES

WAC 284-17-035 Specialty producer license—Portable electronics. Forms and instructions may be obtained

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from the licensing section of the office of insurance commissioner.

To apply for a specialty producer license—Portable electronics, the following items must be submitted to the licensing section of the office of the insurance commissioner:

(1) An application signed by the applicant, or an officer of the applicant, including the following:

(a) Applicant's name;

(b) If an entity, the type of entity and the name of the supervising person, as defined in RCW 48.120.005(9);

(c) Address for its principal place of business;

(d) A copy of its articles of incorporation; and

(e) A certificate of good standing from the secretary of state.

(2) An appointment as a licensed insurance producer completed by each authorized insurer(s) authorizing the applicant to represent the insurer.

(3) An affiliation completed by the applicant authorizing the supervising person to represent the applicant. The supervising person must be a licensed insurer or a licensed insurance producer under RCW 48.17.060.

(4) Fees:

• License fee	\$500
• Appointment fee	\$20 each
• Affiliation fee	\$20

[Statutory Authority: RCW 48.02.060 and 48.120.050. WSR 13-14-099 (Matter No. R 2013-07), § 284-17-035, filed 7/2/13, effective 8/2/13.]

WAC 284-17-046 Specialty producer license—Portable electronics renewal process. (1) A renewal notice will be mailed to each licensed specialty producer in May for renewal by July 1st of each year.

(2) The completed renewal notice and two hundred fifty dollar renewal fee must be received by the office of the insurance commissioner by July 1st.

(3) If the completed renewal notice and the two hundred and fifty dollar fee is not received by the commissioner prior to July 1st, the applicant must pay, in addition to the renewal fee, a surcharge as follows:

(a) One to thirty days late, the surcharge is fifty percent of the renewal fee;

(b) Thirty-one to sixty days late, the surcharge is one hundred percent of the renewal fee;

(c) Sixty-one days after the expiration date of the license but prior to twelve months, the license must be reinstated and the applicant must pay the renewal fee plus a surcharge of two hundred percent of the renewal fee.

[Statutory Authority: RCW 48.02.060 and 48.120.050. WSR 13-14-099 (Matter No. R 2013-07), § 284-17-046, filed 7/2/13, effective 8/2/13.]

WAC 284-17-055 Electronic submission of licensing processes—Implementation dates. (1) Beginning May 1, 2011, all company appointments including new, renewal, and terminations must be submitted electronically.

(2) Beginning June 1, 2011, all license renewals, both individual and business entity, must be submitted electronically.

(3) Beginning July 1, 2011, all applications for licenses, including affiliations, must be submitted electronically.

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(4) Beginning July 1, 2011, all processes determined by the commissioner to be exclusive online licensing processes must be completed electronically through the commissioner's web site or through a third-party licensing provider. A list of exclusive online licensing processes is available on the commissioner's web site at: www.insurance.wa.gov.

(5) Beginning February 1, 2013, all fingerprints for a resident insurance license must be submitted electronically. A list of locations where electronic submission is available can be found on the commissioner's web site: www.insurance.wa.gov.

(6) The commissioner will no longer print or mail any document generated as part of a licensing process which the commissioner has determined to be an exclusive online licensing process.

[Statutory Authority: RCW 48.02.060 and 48.17.005. WSR 12-22-020 (Matter No. R 2012-23), § 284-17-055, filed 10/29/12, effective 11/29/12. Statutory Authority: RCW 48.15.015 and 48.17.005. WSR 11-04-067 (Matter No. R 2010-07), § 284-17-055, filed 1/28/11, effective 2/28/11.]

WAC 284-17-065 Required email address for licensing transactions. (1) Each applicant, individual or business entity licensee, insurance education provider, and insurer must provide the commissioner with a valid email address. As provided in WAC 284-17-005 (1)(b), the email address will be the official contact address for all communication regarding licensing processes.

(2) Each applicant, individual or business entity licensee, insurance education provider, and insurer must notify the commissioner of any change to their email address within thirty days after the change.

(3) This section applies to an insurer when appointing, terminating, or renewing the appointment of a licensee.

[Statutory Authority: RCW 48.15.015 and 48.17.005. WSR 11-04-067 (Matter No. R 2010-07), § 284-17-065, filed 1/28/11, effective 2/28/11.]

EXAMINATIONS

WAC 284-17-120 Resident insurance producer licensees—Examination required, procedures. Prior to the transaction of insurance, an applicant for a resident insurance producer's license must take and pass the required examination for each line of authority applied for, submit an application form with the required attachments and fees, and receive a license from the commissioner.

(1) Examinations.

(a) Any resident person applying to take an examination for a license listed in this section must submit a registration form and the applicable examination fee to an independent testing service designated by the commissioner.

(i) The examination fee is not refundable.

(ii) Registration forms and information about examinations may be obtained from the commissioner or from the independent testing service under contract with the commissioner to conduct licensing examinations in this state.

(iii) An examination registration form can be downloaded through the commissioner's web site and current information about registered testing services, fees, dates, and other information is available through the commissioner's web site at www.insurance.wa.gov.

(b) The examinations required for each line of authority are identified on the commissioner's web site at: www.insurance.wa.gov. The independent testing service will conduct these examinations at least once each month at predetermined locations.

(c) If an applicant fails to take a scheduled examination, and requests to take the exam at a later date, a new examination date must be scheduled and a new examination fee must be paid, unless repayment of the fee is waived by the commissioner because the commissioner agrees that a serious emergency prevented the applicant's attendance at the scheduled date.

(d) Examinations will be graded by the independent testing service and each applicant will be provided a score report.

(2) **Application for a license.** The application for a license must be accompanied by all of the following: The score report from the testing service, a completed insurance license application, one fingerprint card, and the applicable license and filing fees. Specific instructions for applying for a license may be found on the commissioner's web site at: www.insurance.wa.gov.

(3) **Approval by the commissioner.** The commissioner will review the application and if all requirements have been met will issue the license(s).

[Statutory Authority: RCW 48.15.015 and 48.17.005. WSR 11-04-067 (Matter No. R 2010-07), § 284-17-120, filed 1/28/11, effective 2/28/11. Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-120, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060. WSR 08-17-063 (Matter No. R 2008-03), § 284-17-120, filed 8/18/08, effective 9/18/08. Statutory Authority: RCW 48.01.030, 48.02.060(3), 48.14.010, 48.17.150(2), 48.17.160 (1)(5) and 48.17.500(3). WSR 94-14-033 (Order R 94-14), § 284-17-120, filed 6/28/94, effective 7/29/94. Statutory Authority: RCW 48.02.060. WSR 88-24-054 (Order R 88-13), § 284-17-120, filed 12/7/88; WSR 84-19-022 (Order R 84-3), § 284-17-120, filed 9/12/84; WSR 82-10-016 (Order R 82-2), § 284-17-120, filed 4/28/82.]

WAC 284-17-122 Applications for nonresident insurance producer licenses. Applicants who are not residents of Washington may be licensed as nonresident insurance producers without taking the required Washington examinations specified in WAC 284-17-120 (1)(b) if:

(1) The applicant has and maintains in good standing a similar license in his or her home state for the applicable line(s) of authority defined in RCW 48.17.170; and

(2) The home state reciprocates and licenses Washington's insurance producers as nonresident insurance producers.

[Statutory Authority: RCW 48.15.015 and 48.17.005. WSR 11-04-067 (Matter No. R 2010-07), § 284-17-122, filed 1/28/11, effective 2/28/11. Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-122, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060. WSR 90-04-060 (Order R 90-1), § 284-17-122, filed 2/2/90, effective 3/5/90.]

WAC 284-17-123 Resident and nonresident adjuster licenses—Trainees. (1) Applicants for a resident adjuster license may satisfy the experience or special training requirements of RCW 48.17.380(4) by employment as a "trainee" for a period of not fewer than six months.

(a) Each trainee must be supervised by a resident licensed adjuster. Trainees must receive training in all adjustment activities and responsibilities. Activities of the trainee must be restricted to participation in factual investigation and

tentative closing of losses. All adjusting transactions must be completed in the name of the supervising licensed adjuster who must review, confirm, and be responsible for all acts of the trainee. Compensation of a trainee must be on a salary basis only.

(b) Any person employing trainees must immediately advise the commissioner and provide the exact date that employment of the trainee begins and ends. The employer must submit an application completed by each trainee and one fingerprint card.

(c) Trainees are eligible to take the adjuster's examination required by the commissioner after completing no fewer than six months as a trainee.

(d) The maximum period a person may be designated as a trainee is one nine-month period.

(e) Any violation of this section or a violation of any provision of the insurance code subjects both the trainee and the supervisory adjuster to penalties of the code.

(2) Applicants who are not residents of Washington may be licensed as nonresident adjusters as follows:

(a) A nonresident adjuster license will be issued if the applicant has and maintains an adjuster license in good standing in his or her home state and the home state reciprocates and licenses Washington adjusters as nonresident adjusters.

(b) If the home state of an applicant for an adjuster license does not issue an adjuster license, the applicant must pass this state's written adjuster examination.

(c) If the home state of an applicant for a nonresident adjuster license does not issue an adjuster license but he or she has an active adjuster license as a nonresident in a state other than Washington that requires passing an examination, and he or she has taken and passed the examination and is in good standing with that state, the nonresident adjuster is deemed by the commissioner to have satisfied the examination required for adjusters in this state.

[Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-123, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060. WSR 90-04-060 (Order R 90-1), § 284-17-123, filed 2/2/90, effective 3/5/90.]

WAC 284-17-124 Examination for limited line surety and limited line credit insurance license required. Applicants for a limited line surety or limited line credit insurance license must take and pass the appropriate license examination. Information regarding the surety and credit insurance license examinations is available on the insurance commissioner's web site at www.insurance.wa.gov.

[Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-124, filed 1/6/09, effective 7/1/09.]

WAC 284-17-125 Prohibited acts or practices by license examinees. In addition to the unlawful acts set forth in RCW 48.17.125, the following are prohibited acts or practices by persons taking examinations for licenses:

(1) Behavior that undermines the evaluative objective of the examination;

(2) Communication with any other examinee during the examination period;

(3) Copying answers or allowing another to copy answers;

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(4) Possessing during the examination any books, materials, notes, or photography or recording devices not issued or approved by the independent testing service representative; or

(5) Impersonating, or engaging another to impersonate, any applicant for the purpose of completing the examination on behalf of another.

[Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-125, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060. WSR 88-23-063 (Order R 88-11), § 284-17-125, filed 11/16/88.]

WAC 284-17-130 Admittance to examination. As a prerequisite to admittance to any examination designed to test the applicant's qualifications to be an insurance licensee, each applicant must certify on the form provided, that he or she:

(1) Is not taking the examination for purposes other than as the means to qualify for a license;

(2) Has not passed the examination for that line of authority within the last twelve months;

(3) Has been advised that the performance of any of the acts prohibited by WAC 284-17-125 is a violation of RCW 48.17.530 and subjects the person to disciplinary action, including refusal to issue a license, revocation of any license issued by the commissioner that is currently held by the licensee, and the imposition of a fine; and

(4) Has been advised that the unauthorized appropriation or conversion of questions or materials comprising the examination for a Washington state insurance license is a violation of federal copyright law.

[Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-130, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060. WSR 88-23-063 (Order R 88-11), § 284-17-130, filed 11/16/88.]

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 continuing insurance education provider without making a full disclosure to each student so referred.

[Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-175, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060 and 48.17.070. WSR 89-01-055 (Order R 88-14), § 284-17-175, filed 12/16/88.]

INSURANCE CONTINUING EDUCATION

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 license, and specify the minimum criteria that continuing education courses must meet to be approved by the commissioner.

[Statutory Authority: RCW 48.02.060, 48.17.005, 48.17.150(1), and 48.01.030. WSR 15-13-061 (Matter No. R 2014-02), § 284-17-200, filed 6/10/15, effective 7/11/15. Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-200, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.150, 48.17.563, 48.85.040. WSR 05-07-091 (Matter No. R 2004-04), § 284-17-200, filed 3/17/05, effective 4/17/05. Statutory Authority: RCW 48.02.060. WSR 89-19-037 (Order R 89-10), § 284-17-200, filed 9/15/89, effective 10/16/89.]

Statutory Authority: RCW 48.17.150 as amended by 1979 ex.s. c 269 §§ 7,10. WSR 80-04-042 (Order R 80-3), § 284-17-200, filed 3/20/80.]

WAC 284-17-210 Definitions. The following definitions apply to WAC 284-17-200 through 284-17-312, unless the context clearly requires otherwise:

(1) "Approved course" means an insurance continuing education course formally approved by the commissioner.

(2) "Attendance register" is a record used to document attendance.

(a) For a classroom course, this includes each attendee's arrival time, departure time, and signature.

(b) For a webinar course, this includes the time the attendee starts the class, the attendee's participation activity, and the time the attendee exits the class.

(3) "Certificate of completion" means a document signed by an authorized designee of the insurance education provider attesting to the satisfactory completion of the course and confirming the credit hours earned.

(4) "Classroom course" means course activities or information that occur in real time at a specific time, date, and place, and that are delivered by an instructor. A classroom course includes a live lecture, seminar, workshop or presentation delivered in real time by internet connection to a classroom where attendees are gathered.

(5) "Completion date" means:

(a) For a classroom course or webinar course, the date the course presentation ends;

(b) For a self-study course, the date the continuing education provider confirms that the student passed the final course examination.

(6) "Continuing education program coordinator" means the person designated by the continuing education provider to monitor the provider's compliance with Washington continuing education laws and regulations.

(7) "Course effective date" means the first date an approved course can be offered for credit.

(8) "Course number" means the identifying number assigned by the commissioner to an approved insurance education course.

(9) "Course outline" means:

(a) For a classroom or webinar course, a list of topics describing the continuing education content, including the time allotted to each topic; or

(b) For a self-study course, a list of topics describing the continuing education course content, including the word count for the topics.

(10) "Credit hour" means the value assigned to a course by the commissioner.

(11) "Instructor" means an individual who has work experience and education in the topic(s) of instruction who has been designated by the insurance education provider to teach an approved classroom or webinar course.

(12) "Insurance designation course" means a course of study taken to achieve an insurance professional certification, requiring passage of several standardized examinations, and granted by an insurance or professional organization or an accredited educational institution.

(13) "Licensee" means a person who has an active resident Washington insurance license and who is required to

complete insurance continuing education to maintain the license.

(14) "Monitor" means the individual responsible for verifying class attendance and course completion for a classroom or webinar course.

(15) "Provider" or "insurance education provider" means any insurer, health care service contractor, health maintenance organization, professional association, educational institution, vocational school, or independent contractor authorized by the commissioner to conduct and certify completion of insurance education courses.

(16) "Provider number" means the identifying number assigned by the commissioner to an approved insurance education provider.

(17) "Request for approval," depending on the context, means either a request for authority to act as an insurance education provider or for approval of a continuing education course.

(18) "Roster" means a course completion record filed with the insurance commissioner to report continuing education credit for a licensee.

(19) "Self-study" courses include course activities or information delivered outside of real time (recorded or written) and available at any time, including correspondence or online training.

(20) "Waiver" means an approved exemption from this state's continuing education requirement granted by the commissioner.

(21) "Webinar course" includes course activities or information that occur in real time that are led by an instructor, delivered to remote attendees using the internet, have a specific start time and end time, and require licensees to enroll before gaining access to the instructor, information, and course activities.

[Statutory Authority: RCW 48.02.060, 48.17.005, 48.17.150(1), and 48.01.030. WSR 15-13-061 (Matter No. R 2014-02), § 284-17-210, filed 6/10/15, effective 7/11/15. Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-210, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.150, 48.17.563, 48.85.040. WSR 05-07-091 (Matter No. R 2004-04), § 284-17-210, filed 3/17/05, effective 4/17/05. Statutory Authority: RCW 48.02.060. WSR 89-19-037 (Order R 89-10), § 284-17-210, filed 9/15/89, effective 10/16/89; WSR 82-10-016 (Order R 82-2), § 284-17-210, filed 4/28/82. Statutory Authority: RCW 48.17.150 as amended by 1979 ex.s. c 269 §§ 7,10. WSR 80-04-042 (Order R 80-3), § 284-17-210, filed 3/20/80.]

LICENSEES

WAC 284-17-220 Insurance continuing education required—Resident licensees. 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.

[Statutory Authority: RCW 48.02.060, 48.17.005, 48.17.150(1), and 48.01.030. WSR 15-13-061 (Matter No. R 2014-02), § 284-17-220, filed 6/10/15, effective 7/11/15. Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-220, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060 and 48.17.150. WSR 08-07-102 (Matter No. R 2007-16), § 284-17-220, filed 3/19/08, effective 4/19/08; WSR 06-23-105 (Matter No. R 2006-07), § 284-17-220, filed 11/16/06, effective 12/17/06. Statutory Authority: RCW 48.02.060, 48.17.150, 48.17.563, 48.85.040. WSR 05-07-091 (Matter No. R 2004-04),

§ 284-17-220, filed 3/17/05, effective 4/17/05. Statutory Authority: RCW 48.02.060 and 48.17.150. WSR 98-11-090 (Matter No. R 98-9), § 284-17-220, filed 5/20/98, effective 6/20/98. Statutory Authority: RCW 48.02.060, 48.17.150 and 48.85.030. WSR 97-19-007, § 284-17-220, filed 9/4/97, effective 10/5/97. Statutory Authority: RCW 48.02.060, 48.17.150, 48.20.-450, 48.85.030 and 48.85.040. WSR 96-17-029 (Matter No. R 95-16), § 284-17-220, filed 8/13/96, effective 9/13/96. Statutory Authority: RCW 48.01.030, 48.02.060(3), 48.14.010, 48.17.150(2), 48.17.160 (1)(5) and 48.17.500(3). WSR 94-14-033 (Order R 94-14), § 284-17-220, filed 6/28/94, effective 7/29/94. Statutory Authority: RCW 48.02.060. WSR 89-19-037 (Order R 89-10), § 284-17-220, filed 9/15/89, effective 10/16/89. Statutory Authority: RCW 48.02.060 and 48.17.150. WSR 81-18-049 (Order R 81-5), § 284-17-220, filed 8/31/81. Statutory Authority: RCW 48.17.150 as amended by 1979 ex.s. c 269 §§ 7,10. WSR 80-04-042 (Order R 80-3), § 284-17-220, filed 3/20/80.]

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.

[Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-222, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060 and 48.17.150. WSR 08-07-102 (Matter No. R 2007-16), § 284-17-222, filed 3/19/08, effective 4/19/08. Statutory Authority: RCW 48.02.060, 48.17.150, 48.17.563, 48.85.040. WSR 05-07-091 (Matter No. R 2004-04), § 284-17-222, filed 3/17/05, effective 4/17/05.]

WAC 284-17-224 Insurance continuing education—Required credit hours—Producers. 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 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 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.

[Statutory Authority: RCW 48.02.060, 48.17.005, 48.17.150(1), and 48.01.030. WSR 15-13-061 (Matter No. R 2014-02), § 284-17-224, filed 6/10/15, effective 7/11/15. Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-224, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.150, 48.17.563, 48.85.040. WSR 05-07-091 (Matter No. R 2004-04), § 284-17-224, filed 3/17/05, effective 4/17/05.]

WAC 284-17-226 Required proof of completion of a course—Certificate of completion. The insurance education provider must issue a certificate of completion to each licensee within ten days after completion of the course.

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The certificate of completion must be in the commissioner's designated format, completed in its entirety, and include all of the information prescribed by the commissioner. A certificate of completion form is available to insurance education providers by request.

[Statutory Authority: RCW 48.02.060, 48.17.005, 48.17.150(1), and 48.01.030. WSR 15-13-061 (Matter No. R 2014-02), § 284-17-226, filed 6/10/15, effective 7/11/15. Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-226, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.150, 48.17.563, 48.85.040. WSR 05-07-091 (Matter No. R 2004-04), § 284-17-226, filed 3/17/05, effective 4/17/05.]

WAC 284-17-250 Repeating an insurance continuing education course. A continuing insurance education course with the same course number may be completed for credit only once every license renewal period.

[Statutory Authority: RCW 48.02.060, 48.17.005, 48.17.150(1), and 48.01.030. WSR 15-13-061 (Matter No. R 2014-02), § 284-17-250, filed 6/10/15, effective 7/11/15. Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-250, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.150, 48.17.563, 48.85.040. WSR 05-07-091 (Matter No. R 2004-04), § 284-17-250, filed 3/17/05, effective 4/17/05. Statutory Authority: RCW 48.01.030, 48.02.-060(3), 48.14.010, 48.17.150(2), 48.17.160 (1)(5) and 48.17.500(3). WSR 94-14-033 (Order R 94-14), § 284-17-250, filed 6/28/94, effective 7/29/94. Statutory Authority: RCW 48.02.060. WSR 89-19-037 (Order R 89-10), § 284-17-250, filed 9/15/89, effective 10/16/89. Statutory Authority: RCW 48.02.060 and 48.17.150. WSR 81-18-049 (Order R 81-5), § 284-17-250, filed 8/31/81. Statutory Authority: RCW 48.17.150 as amended by 1979 ex.s. c 269 §§ 7,10. WSR 80-04-042 (Order R 80-3), § 284-17-250, filed 3/20/80.]

WAC 284-17-252 No carry-over of excess continuing education credits. Credit hours earned during any license continuation period in excess of the continuing insurance education requirement cannot be carried over to the next license renewal period.

[Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-252, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.150, 48.17.563, 48.85.040. WSR 05-07-091 (Matter No. R 2004-04), § 284-17-252, filed 3/17/05, effective 4/17/05.]

WAC 284-17-254 Waiver of the insurance continuing education requirements. Licensees may request a waiver of the continuing insurance education requirement. Requests must be sent to the commissioner prior to the time of renewal of the license and must specify in detail the reason why a waiver is merited.

(1) **Medical waiver.** If the request for a waiver is based on the medical condition of the licensee, the request must be accompanied by a statement from the treating provider describing the illness or injury and explaining why the medical condition prevents the licensee from completing insurance education.

(2) **Military waiver.** If the request for a waiver is based on activation to military service, the request must be accompanied by a copy of the licensee's "Letter of Mobilization."

(a) The licensee must designate a representative (including the name and address of the individual given power-of-attorney by the licensee), by name and address, to whom the license renewal notice or other correspondence can be sent during the licensee's active military service.

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(i) The address of the designee may be a mailing address or may be an email address.

(ii) It is the obligation of the licensee to notify the commissioner of any change to the identity or contact information of the designee.

(b) In order to renew a license during the licensee's military deployment, the designated representative must sign the renewal form and submit it with the applicable fees to the commissioner no later than the due date.

(c) The commissioner may waive the continuing insurance education requirement for renewal of a license for the duration of the licensee's active military service.

(3) A waiver is only valid for the associated license continuation period. If the medical condition or period of active duty exists on the date of the next license renewal, a new waiver may be requested by the licensee or the licensee's designee.

[Statutory Authority: RCW 48.02.060, 48.17.005, 48.17.150(1), and 48.01.030. WSR 15-13-061 (Matter No. R 2014-02), § 284-17-254, filed 6/10/15, effective 7/11/15. Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-254, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.150, 48.17.563, 48.85.040. WSR 05-07-091 (Matter No. R 2004-04), § 284-17-254, filed 3/17/05, effective 4/17/05.]

WAC 284-17-256 Approved credits for insurance education instructors. Instructors who teach an entire approved continuing education course will receive the same number of approved credit hours as a licensee completing the course. If two or more instructors partially present the same course, they can receive credit if they attend the entire presentation. Credit hours for the same course may be used only once per license renewal period.

[Statutory Authority: RCW 48.02.060, 48.17.005, 48.17.150(1), and 48.01.030. WSR 15-13-061 (Matter No. R 2014-02), § 284-17-256, filed 6/10/15, effective 7/11/15. Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-256, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.150, 48.17.563, 48.85.040. WSR 05-07-091 (Matter No. R 2004-04), § 284-17-256, filed 3/17/05, effective 4/17/05.]

WAC 284-17-262 Certification by insurer of completion of long-term care insurance education. Beginning January 1, 2009:

(1) Each insurer that has long-term care insurance policies approved for sale in this state must certify annually that all of its insurance producers engaged in the sale, solicitation or negotiation of long-term care insurance coverage in this state have:

(a) Completed the eight-hour, one-time long-term care education and training course required by RCW 48.83.130 (2)(a)(i) prior to selling, soliciting, or negotiating the company's long-term care insurance coverage in this state; and

(b) If due, completed the required four-hour long-term care continuing education requirement imposed by RCW 48.83.130 (2)(b).

(2) The certification must be provided to the commissioner by the insurer annually on or before March 31st. The certification must be sent via email to the producer licensing and oversight program manager in the commissioner's office. A form for this purpose is available on the commissioner's web site at: www.insurance.wa.gov.

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[Statutory Authority: RCW 48.02.060, 48.17.005, 48.17.150(1), and 48.01.030. WSR 15-13-061 (Matter No. R 2014-02), § 284-17-262, filed 6/10/15, effective 7/11/15. Statutory Authority: RCW 48.15.015 and 48.17.005. WSR 11-04-067 (Matter No. R 2010-07), § 284-17-262, filed 1/28/11, effective 2/28/11. Statutory Authority: RCW 48.02.060, 48.83.070, 48.83.110, 48.83.120, 48.83.130(1), and 48.83.140 (4)(a). WSR 08-24-019 (Matter No. R 2008-09), § 284-17-262, filed 11/24/08, effective 12/25/08. Statutory Authority: RCW 48.02.060, 48.17.150, 48.17.563, 48.85.040. WSR 05-07-091 (Matter No. R 2004-04), § 284-17-262, filed 3/17/05, effective 4/17/05.]

WAC 284-17-264 Reciprocity—Application of long-term care credits to continuing education requirement. All insurance producers who sell, solicit, negotiate, or otherwise transact long-term care insurance are subject to the eight-hour, one-time long-term care training and the four-hour long-term care continuing education requirements of RCW 48.83.130.

(1) Successful completion of training that meets the requirements of RCW 48.83.130 in this or any other state by a resident insurance producer will satisfy the long-term care training requirements of this state.

(2) Resident insurance producers who complete long-term care insurance courses approved in this state to fulfill the required long-term care training may count those course credits toward fulfillment of their Washington continuing education requirement.

[Statutory Authority: RCW 48.02.060, 48.17.005, 48.17.150(1), and 48.01.030. WSR 15-13-061 (Matter No. R 2014-02), § 284-17-264, filed 6/10/15, effective 7/11/15. Statutory Authority: RCW 48.02.060, 48.83.070, 48.83.110, 48.83.120, 48.83.130(1), and 48.83.140 (4)(a). WSR 08-24-019 (Matter No. R 2008-09), § 284-17-264, filed 11/24/08, effective 12/25/08. Statutory Authority: RCW 48.02.060, 48.17.150, 48.17.563, 48.85.040. WSR 05-07-091 (Matter No. R 2004-04), § 284-17-264, filed 3/17/05, effective 4/17/05.]

WAC 284-17-265 Sales of annuities—Insurance producer training. (1) A person may not sell, solicit, or negotiate the sale of an annuity product unless he or she is appropriately licensed as an insurance producer and has successfully completed the annuity suitability training that meets the requirements of this section.

(2)(a) After March 29, 2012, prior to selling, soliciting, or negotiating the sale of annuity products, all insurance producers must complete a one-time, four-hour training course approved by the commissioner and provided by an insurance education provider approved in this state.

(b) Insurance producers who hold a life insurance line of authority on March 29, 2012, and who desire to sell annuities must complete the requirements of this section by September 29, 2012.

(c) Persons who obtain a life insurance line of authority on or after March 29, 2012, may not sell, solicit, or negotiate the sale of an annuity product until the annuity training course has been completed.

(3)(a) The annuity suitability training required under this section shall include information on the following topics:

(i) The types of annuities and various classifications of annuities;

(ii) Identification of the parties to an annuity;

(iii) How fixed, variable, and indexed annuity contract provisions affect consumers;

(iv) The application of income taxation of qualified and nonqualified annuities;

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(v) The primary uses of annuities; and
 (vi) Appropriate sales practices, replacement, and disclosure requirements.

(b) The training required in this section must be sufficient to qualify for at least four continuing education credits.

(c) The training required in this section may be completed by either classroom instruction or self-study in accordance with WAC 284-17-220 through 284-17-256.

(d) The insurance producer education required by this section must not include training that is issuer or company product specific or includes any sales or marketing information and materials.

(e) Approved providers offering the annuity education required by this section must administer the course, issue certificates of completion, report completed training to the commissioner, and maintain records as required by WAC 284-17-270 through 284-17-310.

(4)(a) Resident insurance producers that complete the required training of this section and which are approved in this state may count those credits toward fulfillment of their Washington CE requirement.

(b) A resident or nonresident producer completing the required training of this section in another state which has adopted the annuity suitability requirement shall be deemed as satisfying this state's requirement.

(c) If a resident insurance producer wishes to apply course credits for the required annuity suitability training offered in another state and the course is not otherwise approved for continuing education credit in this state, the training may qualify for individual course credit subject to WAC 284-17-244.

(5) Each insurer must verify that an insurance producer has completed the annuity training course required in this section before allowing the producer to sell an annuity product for that insurer. An insurer may satisfy its responsibility under this section by obtaining certificates of completion of the training course or obtaining reports provided by commissioner-sponsored database systems or vendors or from a reasonably reliable commercial database vendor that has a reporting arrangement with approved insurance education providers.

(6) Insurance producers who have completed the annuity suitability training requirements of this section in a state other than Washington which has adopted the annuity suitability requirement prior to March 29, 2012, are deemed to have satisfied the training requirements of this section.

[Statutory Authority: RCW 48.02.060, WSR 12-19-100 (Matter No. R 2012-20), § 284-17-265, filed 9/19/12, effective 10/20/12. Statutory Authority: RCW 48.02.060 and 48.23.015(8), WSR 12-06-019 (Matter No. R 2011-23), § 284-17-265, filed 2/28/12, effective 3/30/12.]

INSURANCE CONTINUING EDUCATION PROVIDERS

WAC 284-17-270 Insurance continuing education providers and continuing education program coordinators—Standards and approval. An individual, business entity, or organization that seeks to become a continuing education provider must meet the requirements of RCW 48.17-563 and submit the proper application for approval to act as a continuing insurance education provider.

(12/20/16)

(1) At the time of submitting the provider application, the applicant must also submit an application for course and credit approval.

(2) If the applicant meets the requirements of chapters 48.17 RCW and 284-17 WAC and the commissioner approves the applicant's first course, the applicant may be approved as a provider for continuing education courses. The application forms can be found on the commissioner's web site at www.insurance.wa.gov.

(3) The applicant must name a continuing education program coordinator on the provider application.

(4) Approval of the continuing education program coordinator:

(a) The applicant must fully disclose to the commissioner any regulatory or legal action related to the honesty, integrity, or professional or occupational activities of the applicant and the continuing education program coordinator.

(b) If the applicant or continuing education program coordinator has had an occupational or professional license revoked in any state, or has been convicted of a crime, the commissioner may decline the application.

[Statutory Authority: RCW 48.02.060, 48.17.005, 48.17.150(1), and 48.01.030, WSR 15-13-061 (Matter No. R 2014-02), § 284-17-270, filed 6/10/15, effective 7/11/15. Statutory Authority: RCW 48.02.060, 48.17.005, WSR 09-02-073 (Matter No. R 2008-06), § 284-17-270, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.150, 48.17.563, 48.85.040, WSR 05-07-091 (Matter No. R 2004-04), § 284-17-270, filed 3/17/05, effective 4/17/05. Statutory Authority: RCW 48.02.060, WSR 89-19-037 (Order R 89-10), § 284-17-270, filed 9/15/89, effective 10/16/89. Statutory Authority: RCW 48.02.060 and 48.17.150, WSR 81-18-049 (Order R 81-5), § 284-17-270, filed 8/31/81. Statutory Authority: RCW 48.17.150 as amended by 1979 ex.s. c 269 §§ 7,10, WSR 80-04-042 (Order R 80-3), § 284-17-270, filed 3/20/80.]

WAC 284-17-272 Responsibilities of an approved insurance continuing education provider. (1) In addition to meeting the relevant requirements of this chapter and any other applicable law or rule, an approved continuing education provider must:

(a) Provide the name and contact information of the continuing education program coordinator for the provider.

(b) The provider's continuing education program coordinator will be responsible for monitoring the provider's compliance with the continuing education insurance laws and rules of this state.

(c) If the provider's continuing education program coordinator changes, the provider must notify the commissioner's office within thirty days of the change.

(d) For classroom or webinar courses, the continuing education provider will use instructors who are competent, to teach and have work experience and education in the topic(s) of instruction.

(e) For self-study courses, the continuing education provider will use course developers who have work experience or education related to the subject matter.

(f) The continuing education provider must instruct licensees to review the entire course before viewing or completing the exam.

(g) The continuing education provider will confirm that the instructor is using the approved course outline and materials and is presenting the materials in a competent manner and for the amount of time required based on the credit hours that the commissioner has approved for the course.

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(h) The continuing education provider will submit the electronic notice of subsequent presentation to the commissioner at least ten days prior to presenting an approved classroom course or webinar course.

(i) For a classroom course, the notice must include the continuing education provider number, course number, date, time, and location address.

(ii) For a webinar course, the notice must include the continuing education provider number, course number, date, time, and log-in information.

(iii) The notice is required for classroom courses presented in the state of Washington and for all webinars offered to Washington insurance licensees.

(2) The continuing education provider must designate a monitor who is responsible for using an attendance register for each classroom course or webinar course to verify that each attendee stayed for the entire presentation. The course instructor may be designated as the monitor.

(3) The continuing education provider must use the following criteria to document attendance for a webinar course:

(a) Verify the identity and Washington producer license number of attendees who are licensees;

(b) Use a computer-based attendance-monitoring technology to verify attendance for the duration of the class;

(c) Use a process that indicates when an attendee is inactive or not fully participating, including when the attendee's screen is minimized or the attendee does not answer a polling question or respond to a request for a verification code;

(d) If an attendee needs an unscheduled break to use the restroom, the attendee must notify the monitor in advance and immediately notify the monitor when returning from the unscheduled break. If the attendee is absent more than ten minutes, the attendee cannot receive continuing education credit. Only one unscheduled break of ten minutes or less is allowed, unless otherwise required by state or federal law;

(e) Continuing education providers must ask at least two polling questions or attendance verification code questions from each attendee at unannounced intervals during each hour of the class to determine participant attentiveness;

(f) If an attendee fails to respond to a polling question or verification code within three minutes, the commissioner will deny the request for continuing education credit;

(g) The continuing education provider will maintain records that show when each attendee started and exited the class. Continuing education providers must capture and indicate the time for chat history and polling responses, and must maintain this information as part of the records;

(h) Attendees in all locations must be able to interact in real time with the instructor. Attendees should be able to submit questions or comments at any point during the webinar session; and

(i) The continuing education provider must have a procedure that informs each attendee in advance regarding the course participation requirements and consequences for failing to actively participate in the course.

(4) The continuing education provider must require the licensee to complete a multiple-choice final examination for a self-study course to verify that the licensee is proficient with the course subject matter. The licensee must not view or complete the exam prior to completing the course material. A

final examination score of seventy percent or higher signifies that the licensee is proficient.

(5) The continuing education provider must file a roster for each licensee electronically in the format required by the commissioner within ten days after the licensee completes the course, with the following exceptions:

(a) If the licensee declines continuing education credit prior to completing the course, the provider is not required to submit a roster, but must keep a record showing that the licensee declined the continuing education credit;

(b) If the licensee later requests continuing education credit for the successfully completed course, the provider has ten days to submit the roster from the date the licensee or the commissioner notifies the provider;

(c) The licensee cannot request continuing education credit more than twenty-four months after the date of the course completion.

(6) The continuing education provider must issue a certificate of completion in the format required by the commissioner, as specified in WAC 284-17-292, to each licensee within ten days after completion of the course with the following exceptions:

(a) If the licensee declines continuing education credit prior to completing the course, the provider is not required to issue a certificate but must keep a record showing that the licensee declined the continuing education credit;

(b) If the licensee later requests continuing education credit for the successfully completed course, the provider has ten days to issue the certificate from the date the licensee or the commissioner notifies the provider;

(c) The licensee cannot request continuing education credit more than twenty-four months after the date of course completion.

(7) The continuing education provider must maintain a continuing education registration and completion record for a period of three years after the completion date of the course. The provider must also maintain a course approval record for three years after the last date the course is offered. The provider must maintain all other continuing education records for three years from the date the record is created.

(8) The continuing education provider must permit the commissioner to conduct unscheduled audits of any approved classroom course or webinar course in order to monitor the provider's continuing compliance with WAC 284-17-270 through 284-17-310.

(9) The format for providing this information is available on the commissioner's web site at www.insurance.wa.gov.

[Statutory Authority: RCW 48.02.060, 48.17.005, 48.17.150(1), and 48.01.030. WSR 15-13-061 (Matter No. R 2014-02), § 284-17-272, filed 6/10/15, effective 7/11/15. Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-272, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.150, 48.17.563, 48.85.040. WSR 05-07-091 (Matter No. R 2004-04), § 284-17-272, filed 3/17/05, effective 4/17/05.]

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.

[Statutory Authority: RCW 48.02.060, 48.17.005, 48.17.150(1), and 48.01.030. WSR 15-13-061 (Matter No. R 2014-02), § 284-17-273, filed 6/10/15, effective 7/11/15.]

WAC 284-17-276 Continuing insurance education provider numbers. A continuing insurance education provider will be assigned a provider number by the commissioner. That number must be included on all correspondence related to continuing insurance education and on all certificates of completion.

[Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-276, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.150, 48.17.563, 48.85.040. WSR 05-07-091 (Matter No. R 2004-04), § 284-17-276, filed 3/17/05, effective 4/17/05.]

WAC 284-17-277 Insurance continuing education records. Insurance continuing education providers must maintain education records and make them available to the commissioner upon request. Records include:

- (1) Provider application, program director application, course application, and instructor or content developer resume that the continuing education provider submitted to the commissioner to request course and credit approval;
- (2) Course outline, study material, polling questions and exam that the continuing education provider submitted to the commissioner for approval;
- (3) Instructor lesson plan for each approved classroom course or webinar course;
- (4) Each licensee's registration, payment, attendance, participation and completion documentation;
- (5) The ten-day notice of subsequent presentation for each classroom course presented in Washington and all webinar courses;
- (6) The attendance register for each classroom course and webinar course;
- (7) Start and exit time, chat history, and polling responses for each licensee attending a webinar course;
- (8) Completed self-study course exam for each licensee completing a self-study course; and
- (9) A copy of the completed certificate of completion issued to each licensee for an approved continuing education course.

(12/20/16)

[Statutory Authority: RCW 48.02.060, 48.17.005, 48.17.150(1), and 48.01.030. WSR 15-13-061 (Matter No. R 2014-02), § 284-17-277, filed 6/10/15, effective 7/11/15.]

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 commissioner'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.

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(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 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 preclicensing education courses are not eligible for approval for continuing insurance education credit.

[Statutory Authority: RCW 48.02.060, 48.17.005, and 48.17.150(1). WSR 16-12-034 (Matter No. R 2016-03), § 284-17-278, filed 5/24/16, effective 6/24/16. Statutory Authority: RCW 48.02.060, 48.17.005, 48.17.150(1), and 48.01.030. WSR 15-13-061 (Matter No. R 2014-02), § 284-17-278, filed 6/10/15, effective 7/11/15. Statutory Authority: RCW 48.15.015 and 48.17.005. WSR 11-04-067 (Matter No. R 2010-07), § 284-17-278, filed 1/28/11, effective 2/28/11. Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-278, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.150, 48.17.563, 48.85-040. WSR 05-07-091 (Matter No. R 2004-04), § 284-17-278, filed 3/17/05, effective 4/17/05.]

WAC 284-17-279 Denial, cancellation or nonrenewal of an insurance continuing education course. (1) The commissioner may deny, cancel or not renew courses if:

(a) The commissioner determines that the course content is outdated or the facts and figures in the course are likely to mislead producers;

(b) The commissioner determines that the course misrepresents insurance laws and regulations or is likely to mislead producers;

(c) The commissioner determines that the course does not meet the requirements of WAC 284-17-278 (2) and (3);

(d) The commissioner determines that the subject matter is an ineligible topic as specified in WAC 284-17-278(4);

(e) The commissioner determines that credit hours were calculated based on a method that the commissioner no longer uses.

(2) The commissioner will notify the continuing education provider of the denial, cancellation or nonrenewal of the course by email sent to the continuing education provider's registered email address within ten days of the commissioner's decision.

[Statutory Authority: RCW 48.02.060, 48.17.005, 48.17.150(1), and 48.01.030. WSR 15-13-061 (Matter No. R 2014-02), § 284-17-279, filed 6/10/15, effective 7/11/15.]

WAC 284-17-281 Insurance continuing education course attendance requirements. (1) For classroom courses:

(a) Attendance is based on personally identifiable information including government-issued photo identification and signature, with student participation and live interaction with the instructor;

(b) The continuing education provider must use a monitor in addition to the instructor if the classroom exceeds twenty attendees;

(c) The presentation is the amount of time devoted to the actual course instruction and does not include breaks, reviewing class rules, and introducing speakers;

(d) To verify course completion, licensees must attend the entire presentation and sign the attendance register at the beginning and end of the presentation.

(2) For self-study courses:

(a) Course access is verified based on identity such as user name, password, and email or signature;

(b) Licensees must review the entire course before viewing or completing the final exam;

(c) Licensees must successfully pass the final examination to verify course completion.

(3) For webinar courses:

(a) Attendance is monitored and validated based on personally identifiable information including username, password, and email;

(b) Attendees must participate in interactive exercises;

(c) Credit for a webinar course is based on attendance and activity, not examination;

(d) The attendee and an instructor do not need to be in the same location;

(e) A monitor is required, in addition to the instructor, if the number of attendees exceeds five;

(f) The presentation is the amount of time devoted to the actual course instruction and does not include breaks, reviewing class rules, and introducing speakers.

[Statutory Authority: RCW 48.02.060, 48.17.005, and 48.17.150(1). WSR 15-21-094 (Matter No. R 2015-11), § 284-17-281, filed 10/21/15, effective 11/21/15. Statutory Authority: RCW 48.02.060, 48.17.005, 48.17.150(1), and 48.01.030. WSR 15-13-061 (Matter No. R 2014-02), § 284-17-281, filed 6/10/15, effective 7/11/15.]

WAC 284-17-282 Insurance continuing education course numbers. The course number issued by the commissioner at the time of approval of the continuing education course must be included on all correspondence related to the course and must be included on all certificates of completion for that course.

[Statutory Authority: RCW 48.02.060, 48.17.005, 48.17.150(1), and 48.01.030. WSR 15-13-061 (Matter No. R 2014-02), § 284-17-282, filed 6/10/15, effective 7/11/15. Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-282, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.150, 48.17.563, 48.85.040. WSR 05-07-091 (Matter No. R 2004-04), § 284-17-282, filed 3/17/05, effective 4/17/05.]

WAC 284-17-284 Insurance designation courses. (1) An approved continuing education provider can submit a request for course and credit approval of a designation program course if the course is directly and specifically related to insurance, or if part of the course is directly and specifically related to insurance. With the request, the provider must submit the documents specified in WAC 284-17-278 and must include:

(a) The name of the designation program with a description of the program requirements; and

(b) If the continuing education provider does not use multiple choice examination questions, the provider must give an explanation of the testing method with samples of the exam questions;

(c) The continuing education provider must indicate the number of exam questions and the score that the licensee will need to achieve in order to pass the exam.

(2) The commissioner will assign continuing education credit hours as specified in WAC 284-17-286.

[Statutory Authority: RCW 48.02.060, 48.17.005, 48.17.150(1), and 48.01.-030. WSR 15-13-061 (Matter No. R 2014-02), § 284-17-284, filed 6/10/15, effective 7/11/15. Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-284, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.150, 48.17.563, 48.85.-040. WSR 05-07-091 (Matter No. R 2004-04), § 284-17-284, filed 3/17/05, effective 4/17/05.]

WAC 284-17-286 Insurance continuing education course credit hours. (1) The commissioner will determine the number of credit hours assigned to a continuing education course. The commissioner will consider:

(a) The presentation minutes for a classroom course or webinar course;

(b) The word count and course difficulty level of the study material for a self-study course; and

(c) Course difficulty level based on whether the course is designed for inexperienced or experienced licensees and the complexity of the materials.

(i) Basic: A course designed for entry-level licensees or licensees new to the subject matter. Significant course time is

(12/20/16)

devoted to building familiarity with appropriate terminology, definitions and concepts of the subject matter. The course is characterized as "an introduction to" or "the fundamentals of" the subject matter rather than application of the subject matter to client specific situations.

(ii) Intermediate: A course designed for licensees who have existing competence in the subject area and who seek to further develop and apply their skills. A minimal part of the course is used to review terms, definitions and concepts considered to be basic level subject matter. Course time is devoted to the application of the subject matter to client-specific situations through nonsophisticated case studies, problem-solving and calculations.

(iii) Advanced: A course designed for licensees who have extensive knowledge and a high level of competence in the subject matter and already specialize in the subject matter and related field of practice. No part of the course is used to review terms, definitions and concepts considered to be basic level subject matter. The course is designed to provide analysis of more sophisticated or complex issues concerning the subject matter. Significant course time is devoted to the application of the subject matter to client specific situations through complex case studies, problem solving or calculations.

(2) Generally, fifty minutes of instruction equals one credit hour.

(3) After evaluating the content of a continuing education course, the commissioner may assign fewer credits than the total hours the continuing education provider had requested for the classroom, webinar or self-study instruction.

(4) No continuing education course will be approved for less than one hour of continuing education credit. Continuing education credits will be assigned in one-hour increments.

[Statutory Authority: RCW 48.02.060, 48.17.005, 48.17.150(1), and 48.01.-030. WSR 15-13-061 (Matter No. R 2014-02), § 284-17-286, filed 6/10/15, effective 7/11/15. Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-286, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.150, 48.17.563, 48.85.-040. WSR 05-07-091 (Matter No. R 2004-04), § 284-17-286, filed 3/17/05, effective 4/17/05.]

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.

[Statutory Authority: RCW 48.02.060, 48.17.005, 48.17.150(1), and 48.01.-030. WSR 15-13-061 (Matter No. R 2014-02), § 284-17-292, filed 6/10/15, effective 7/11/15. Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-292, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.150, 48.17.563, 48.85.-040. WSR 05-07-091 (Matter No. R 2004-04), § 284-17-292, filed 3/17/05, effective 4/17/05.]

WAC 284-17-294 Renewal—Insurance continuing education provider. (1) A continuing education provider's authority is continuous so long as the provider has one or more active courses that the commissioner has approved.

(2) If the continuing education provider does not have an active course for twelve consecutive months, the commissioner will cancel the provider's authority.

(3) If the commissioner cancels a continuing education provider's authority, the provider can reapply for approval to act as a continuing education provider.

[Statutory Authority: RCW 48.02.060, 48.17.005, 48.17.150(1), and 48.01.-030. WSR 15-13-061 (Matter No. R 2014-02), § 284-17-294, filed 6/10/15, effective 7/11/15. Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-294, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.150, 48.17.563, 48.85.-040. WSR 05-07-091 (Matter No. R 2004-04), § 284-17-294, filed 3/17/05, effective 4/17/05.]

WAC 284-17-296 Renewal—Approval of an insurance continuing education course. (1) The commissioner will send a course renewal notice electronically to the continuing education provider's registered email address sixty days prior to the expiration date of the courses. The commissioner will send a second renewal notice to the continuing education provider's registered email address ten days prior to the expiration date of the courses if the provider has not renewed prior to that date;

(2) The continuing education provider must request to renew each course using the commissioner's online services at www.insurance.wa.gov;

(3) The commissioner will send a confirmation by email to the continuing education provider's registered email address after the commissioner has processed the renewal request. After the continuing education provider receives the confirmation, the provider can check the status of each course at their online services account on the commissioner's web site;

(4) If the continuing education provider elects to cancel a course listed on the renewal notice, the cancellation will be effective on the current expiration date of the course;

(5) Before requesting to renew a course, the continuing education provider must verify that the course content remains accurate and has no outdated facts or figures;

(6) The commissioner will review the course(s) selected for renewal by the continuing education provider. If the commissioner determines that a course no longer meets the requirements of this chapter, the commissioner will not renew the course;

(7) After the commissioner initially approves a continuing education course, the continuing education provider may submit a request to renew the course a maximum of four times. However, the provider can submit a nonrenewed course as a new course as specified in WAC 284-17-278;

(8) If the continuing education provider will make substantive changes in the course after the date that the commis-

sioner most recently approved the course, the provider cannot renew the course. The provider can submit the revised course as a new course as specified in WAC 284-17-278;

(9) The commissioner cannot process a new course application from a continuing education provider after the provider has sent the continuing education course renewal notice. The provider must immediately submit the continuing education course renewal request for processing. After the commissioner processes the continuing education course renewal, the commissioner will resume reviewing the provider's new course application.

[Statutory Authority: RCW 48.02.060, 48.17.005, 48.17.150(1), and 48.01.-030. WSR 15-13-061 (Matter No. R 2014-02), § 284-17-296, filed 6/10/15, effective 7/11/15. Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-296, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.150, 48.17.563, 48.85.-040. WSR 05-07-091 (Matter No. R 2004-04), § 284-17-296, filed 3/17/05, effective 4/17/05.]

WAC 284-17-297 Continuing education providers may not make substantive changes to approved insurance continuing education courses. A course approval is no longer valid if the continuing education provider has made any change in the course curriculum, including the instruction method, after the commissioner approved the course. The provider must submit a new course per WAC 284-17-278. However, updates to facts and figures in the course are not considered substantive changes.

[Statutory Authority: RCW 48.02.060, 48.17.005, 48.17.150(1), and 48.01.-030. WSR 15-13-061 (Matter No. R 2014-02), § 284-17-297, filed 6/10/15, effective 7/11/15.]

WAC 284-17-299 Audit of insurance continuing education providers, courses and records. (1) The insurance commissioner will notify a continuing education provider about a request for continuing education records by sending a written request to the provider's continuing education program coordinator at the email address on record for the provider.

(2) If the commissioner requests continuing education records for an audit, the continuing education provider must make the records available to the commissioner within thirty days from the date on the written request. If the commissioner grants a written extension, then the records are due by the date indicated on the extension.

(3) Upon the commissioner's request in order to resolve a consumer inquiry, the continuing education provider must give course attendance and completion information and other course documents to the commissioner within fifteen days of the written request. If the commissioner grants a written extension, then the records are due by the date indicated on the extension.

(4) The insurance commissioner may conduct unannounced audits of classroom and webinar courses that are approved for continuing education credit. The commissioner will monitor the presentation for the purpose of confirming compliance with continuing education regulations.

[Statutory Authority: RCW 48.02.060, 48.17.005, 48.17.150(1), and 48.01.-030. WSR 15-13-061 (Matter No. R 2014-02), § 284-17-299, filed 6/10/15, effective 7/11/15.]

WAC 284-17-302 Actions by an insurance continuing education provider that may result in a fine. The following actions by a continuing education provider or any of its employees, designees, or instructors may result in a fine:

- (1) Advertising or offering a course for credit without the commissioner granting prior approval of the course, including advertising that indicates the continuing education provider has submitted the course for credit approval;
- (2) Failing to follow the approved course outline;
- (3) Issuing a Washington insurance continuing education completion certificate for a course that the commissioner has not approved for continuing education credits;
- (4) Misrepresentation in advertising of insurance continuing education;
- (5) Making substantive changes to an approved course and offering the course for credit without the commissioner's prior approval of the changes;
- (6) Changing the approved course instruction method without the commissioner's prior approval of the course;
- (7) Offering a course that has erroneous facts and figures or that could reasonably be expected to mislead producers;
- (8) Submitting rosters with erroneous information or issuing erroneous certificates;
- (9) Issuing a certificate of completion to a person who did not complete the course in accordance with chapter 284-17 WAC;
- (10) Submitting a roster for a person who did not complete the course in accordance with chapter 284-17 WAC;
- (11) Submitting a roster for a person who:
 - (a) Did not sign the classroom attendance register;
 - (b) Did not indicate their arrival time or departure time on the attendance register; or
 - (c) Indicated an arrival time after the class started or a departure time before the class ended.
- (12) Failing to issue a certificate of completion to a person who satisfactorily completed the course in accordance with chapter 284-17 WAC;
- (13) Failing to submit a roster for a person who satisfactorily completed the course in accordance with chapter 284-17 WAC;
- (14) Failing to supply insurance continuing education records for an audit within thirty days of the commissioner's written request. If the commissioner grants a written extension, then the records are due by the date indicated on the extension;
- (15) Failing to supply continuing education course attendance or completion records, course materials, or other records to resolve a consumer inquiry within fifteen days of the date on the commissioner's written request. If the commissioner grants a written extension, then the records are due by the date indicated on the extension;
- (16) Not notifying the commissioner of a change in contact information or a change to the continuing education program coordinator within thirty days of the change. Contact information includes the continuing education provider's mailing address, phone number, and email address last submitted by the provider;
- (17) Failing to comply with any statute or rule pertaining to continuing education providers as specified in Titles 48 RCW and 284 WAC.

[Statutory Authority: RCW 48.02.060, 48.17.005, 48.17.150(1), and 48.01.-030. WSR 15-13-061 (Matter No. R 2014-02), § 284-17-302, filed 6/10/15, effective 7/11/15. Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-302, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.150, 48.17.563, 48.85.-040. WSR 05-07-091 (Matter No. R 2004-04), § 284-17-302, filed 3/17/05, effective 4/17/05.]

WAC 284-17-303 Advertising a continuing education course. (1) A continuing education provider cannot advertise a course submitted for continuing education credit prior to the commissioner approving the course. A provider may not advertise a course before obtaining the commissioner's approval for the course, even if the provider indicates that the provider has submitted the course to the commissioner and credit approval is pending.

(2) If the commissioner approves the course, the commissioner will send a course approval notice to the provider's registered email address. A provider cannot present a course until the effective date.

(3) A continuing education course advertisement must include all of the following:

- (a) The continuing education provider's name;
- (b) The course title;
- (c) A brief description of the course subject matter;
- (d) The number of approved continuing education credit hours;
- (e) If a classroom course, the location where the course will be presented;
- (f) If a classroom or webinar course, the date and time the course will be presented; and
- (g) The total cost of the course.

[Statutory Authority: RCW 48.02.060, 48.17.005, 48.17.150(1), and 48.01.-030. WSR 15-13-061 (Matter No. R 2014-02), § 284-17-303, filed 6/10/15, effective 7/11/15.]

WAC 284-17-304 Revocation or suspension of approval of an insurance continuing education provider—Probation—Reinstatement. (1) The commissioner's approval of a person, organization or business entity to act as a continuing education provider may be suspended or revoked or the provider may be placed on probation by the commissioner if:

- (a) The continuing education provider or any of its employees, instructors or designees involved in continuing education is found to have violated any provision of Titles 48 RCW or 284 WAC;
- (b) The commissioner finds that disciplinary action against a continuing education provider is appropriate based on the facts and circumstances of the violation;
- (c) The continuing education provider has not notified the commissioner of a change to their contact information and the commissioner is unable to contact the provider at the mailing address, phone number or email address last submitted by the provider;
- (d) Within thirty days after the date of the commissioner's written request, the continuing education provider fails to supply continuing education records requested for an audit and has not received a written extension from the commissioner;
- (e) Within fifteen days after the date of the commissioner's written request, the continuing education provider

fails to supply continuing education records requested to resolve a consumer inquiry and has not received a written extension from the commissioner.

(2) If the commissioner places a continuing education provider on probation, the provider must submit proof to the commissioner to confirm that the provider is adhering to the conditions specified in the consent order. If further violations occur during the period of probation, the commissioner may take further enforcement action, including suspending or revoking the provider's approval.

(3) The commissioner may reinstate a suspended or revoked approval only after the commissioner has accepted satisfactory proof that the continuing education provider has successfully corrected the conditions responsible for the suspension or revocation and the provider has eliminated the possibility of reoccurrence of the violation.

(4) Reinstatement is at the sole discretion of the commissioner.

[Statutory Authority: RCW 48.02.060, 48.17.005, 48.17.150(1), and 48.01-030. WSR 15-13-061 (Matter No. R 2014-02), § 284-17-304, filed 6/10/15, effective 7/11/15. Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-304, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.150, 48.17.563, 48.85-040. WSR 05-07-091 (Matter No. R 2004-04), § 284-17-304, filed 3/17/05, effective 4/17/05.]

WAC 284-17-306 Grounds for revocation or suspension of approval of an insurance continuing education course. (1) Approval of a continuing education course may be suspended or revoked if the commissioner concludes that any of the following has occurred:

(a) The continuing education provider significantly changes the content of an approved course without notice to and prior approval from the commissioner;

(b) A continuing education provider issues a certificate of completion to a person who did not complete the course;

(c) A continuing education provider changes the approved instruction method without the prior approval of the commissioner;

(d) The commissioner finds that the actual instruction of the course is inadequate; or

(e) Within fifteen days after the date of the commissioner's request, the continuing education provider fails to supply continuing education course attendance or completion records, course materials, or other records requested to resolve a consumer inquiry.

(2) Reinstatement of approval is at the sole discretion of the commissioner and is conditioned upon receipt of satisfactory proof that the continuing education provider has corrected the conditions responsible for the suspension.

[Statutory Authority: RCW 48.02.060, 48.17.005, 48.17.150(1), and 48.01-030. WSR 15-13-061 (Matter No. R 2014-02), § 284-17-306, filed 6/10/15, effective 7/11/15. Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-306, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.150, 48.17.563, 48.85-040. WSR 05-07-091 (Matter No. R 2004-04), § 284-17-306, filed 3/17/05, effective 4/17/05.]

WAC 284-17-312 NAIC Uniform continuing education reciprocity agreement. Washington participates in the NAIC Uniform Continuing Education Reciprocity Agreement. Generally, a continuing insurance education course approved by a participating state will be accepted by this state

by submitting the NAIC Uniform Continuing Education Reciprocity Course filing form and any required attachments.

(1) An insurance education provider must be qualified as an approved provider in this state.

(2) A standard course filing form, available on the commissioner's web site or through the NAIC, will be acceptable for reciprocity filings.

(3) Participation in the NAIC Uniform Continuing Education Reciprocity Agreement does not change this state's standards for insurance education providers.

[Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-312, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060, 48.17.150, 48.17.563, 48.85-040. WSR 05-07-091 (Matter No. R 2004-04), § 284-17-312, filed 3/17/05, effective 4/17/05.]

RENEWALS, APPOINTMENTS AND AFFILIATIONS

WAC 284-17-422 Reciprocity for nonresident insurance producers holding licenses for lines of authority in the home state that are not issued in this state. If an otherwise qualified applicant for a nonresident insurance producer's license holds a license in his or her home state that is not among the recognized lines of authority in this state, the commissioner will issue a nonresident license that is substantially equivalent to the license issued by the person's home state insurance regulator.

The nonresident licensee's authority to transact insurance in this state is limited to the scope of the license granted by the licensee's home state.

For example nonresident insurance producers holding a limited line crop insurance license in their home states will be issued Washington insurance producer licenses with a property line of authority.

[Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-422, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060. WSR 08-17-063 (Matter No. R 2008-03), § 284-17-422, filed 8/18/08, effective 9/18/08.]

WAC 284-17-423 Term of initial and reinstated individual license. (1) Initial and reinstated individual licenses are valid from their date of issuance until the date of the licensee's next birthday anniversary plus one year. Additional licenses issued to the same active licensee will be on the same renewal cycle as the first license issued to that licensee.

(2) The renewal date of a business entity license is based on the date of application. The license is valid for two years. Additional licenses issued to the same active licensee will be on the same renewal cycle as the first license issued to that licensee.

[Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-423, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060 (3)(a) and 48.17.150 (1)(g)(ii). WSR 06-12-025 (Matter No. R 2005-06), § 284-17-423, filed 5/30/06, effective 6/30/06.]

WAC 284-17-429 Appointments and affiliations of licensees. (1) An insurance producer may be appointed or affiliated by submitting electronically the notice of appointment or affiliation through a third-party online licensing provider or the commissioner's online services, available at www.insurance.wa.gov.

(2) Insurance producers upon initial appointment by an insurer or upon initial affiliation by a business entity must be

authorized to transact at least one line of authority within the authority of the insurer or the business entity.

(3) Initial appointments and affiliations are continuous. Each appointment or affiliation is effective until the first of the following occurs:

(a) The insurance producer's license is revoked, terminated, or nonrenewed;

(b) The appointment or affiliation renewal fee is not paid; or

(c) Notice of termination is electronically submitted to the commissioner.

(4) The insurer is obligated to ensure that its appointed insurance producers are licensed for the proper line of authority for which the insurance producer submits an application for insurance.

(5) Individual surplus line brokers may be affiliated with a business entity possessing a surplus line broker license in the manner set forth in subsection (1) of this section.

(6) Business entities are obligated to ensure that all affiliated insurance producers are licensed for the proper line of authority for which the insurance producer submits an application for insurance and that surplus line brokers are properly licensed.

(7) The applicable initial and renewal appointment and affiliation fees, as set forth in RCW 48.14.010, must be paid at the time of appointment, affiliation, or their renewals.

[Statutory Authority: RCW 48.17.005. WSR 12-01-102 (Matter No. R 2011-25), § 284-17-429, filed 12/21/11, effective 1/21/12. Statutory Authority: RCW 48.15.015 and 48.17.005. WSR 11-04-067 (Matter No. R 2010-07), § 284-17-429, filed 1/28/11, effective 2/28/11. Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-429, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060 (3)(a) and 48.17.150 (1)(g)(ii). WSR 06-12-025 (Matter No. R 2005-06), § 284-17-429, filed 5/30/06, effective 6/30/06.]

WAC 284-17-435 Notification of appointments and affiliations. The commissioner will confirm the licensee's appointment or affiliation by sending an electronic message to the insurer or business entity after the commissioner receives the notice from an insurer or business entity.

[Statutory Authority: RCW 48.15.015 and 48.17.005. WSR 11-04-067 (Matter No. R 2010-07), § 284-17-435, filed 1/28/11, effective 2/28/11. Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-435, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060 (3)(a) and 48.17.150 (1)(g)(ii). WSR 06-12-025 (Matter No. R 2005-06), § 284-17-435, filed 5/30/06, effective 6/30/06.]

WAC 284-17-439 Notice that a licensee is not eligible for an electronic appointment or affiliation. A licensee is not eligible for an appointment or affiliation if the license is not valid or the person is not licensed for at least one line of authority within the authority of the appointing insurer or affiliating business entity. If a licensee is not eligible for an electronic appointment or affiliation, the insurer or business entity will be notified at the time the electronic notice of appointment or affiliation is not accepted for transmission through the third-party online licensing provider or the commissioner's web site.

[Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-439, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060. WSR 08-17-063 (Matter No. R 2008-03), § 284-17-439, filed 8/18/08, effective 9/18/08. Statutory Authority: RCW

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48.02.060 (3)(a) and 48.17.150 (1)(g)(ii). WSR 06-12-025 (Matter No. R 2005-06), § 284-17-439, filed 5/30/06, effective 6/30/06.]

WAC 284-17-443 Renewal of appointments or affiliations. (1) At least sixty days prior to the renewal date, an appointment or affiliation renewal notice will be sent to the insurer or business entity via email.

(2) The insurer or business entity may review the list online, make any changes, and must remit the correct fees via electronic submission to the commissioner.

(3) The online appointment or affiliation renewal and payment of fees must be completed no later than the renewal date.

[Statutory Authority: RCW 48.15.015 and 48.17.005. WSR 11-04-067 (Matter No. R 2010-07), § 284-17-443, filed 1/28/11, effective 2/28/11. Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-443, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060. WSR 08-17-063 (Matter No. R 2008-03), § 284-17-443, filed 8/18/08, effective 9/18/08. Statutory Authority: RCW 48.02.060 (3)(a) and 48.17.150 (1)(g)(ii). WSR 06-12-025 (Matter No. R 2005-06), § 284-17-443, filed 5/30/06, effective 6/30/06.]

WAC 284-17-445 Termination of an appointment or affiliation by an insurer or business entity. (1) An insurer may terminate an appointment of an insurance producer:

(a) Through the commissioner's web site; or

(b) Through a third-party online licensing provider.

(2) A business entity may terminate an affiliation of an insurance producer or surplus line broker through the commissioner's web site.

(3) The effective date of the termination is the date of receipt by the commissioner.

[Statutory Authority: RCW 48.15.015 and 48.17.005. WSR 11-04-067 (Matter No. R 2010-07), § 284-17-445, filed 1/28/11, effective 2/28/11. Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-445, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060. WSR 08-17-063 (Matter No. R 2008-03), § 284-17-445, filed 8/18/08, effective 9/18/08. Statutory Authority: RCW 48.02.060 (3)(a) and 48.17.150 (1)(g)(ii). WSR 06-12-025 (Matter No. R 2005-06), § 284-17-445, filed 5/30/06, effective 6/30/06.]

WAC 284-17-449 Termination of an affiliation for cause. If a business entity or its authorized representative terminates the affiliation of an insurance producer or surplus line broker for cause, the commissioner must receive notice of that termination by electronic submission within thirty days following the effective date of the termination.

(1) A form for this purpose is available on the commissioner's web site at: www.insurance.wa.gov.

(2) Upon the request of the commissioner, additional information, documents, records or other data pertaining to the for-cause termination or activity of a licensee's affiliation must be provided promptly to the commissioner.

(3) The reasons an insurance producer may be terminated for cause are set forth in RCW 48.17.530 and 48.17.595. The reasons a surplus line broker may be terminated for cause are set forth in RCW 48.15.140.

[Statutory Authority: RCW 48.15.015 and 48.17.005. WSR 11-04-067 (Matter No. R 2010-07), § 284-17-449, filed 1/28/11, effective 2/28/11. Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-449, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060. WSR 08-17-063 (Matter No. R 2008-03), § 284-17-449, filed 8/18/08, effective 9/18/08. Statutory Authority: RCW 48.02.060 (3)(a)

and 48.17.150 (1)(g)(ii). WSR 06-12-025 (Matter No. R 2005-06), § 284-17-449, filed 5/30/06, effective 6/30/06.]

WAC 284-17-467 Consequences—Insurance producers not eligible for appointment by the insurer. If an insurance producer solicits insurance on behalf of an insurer, as authorized by RCW 48.17.160, but it is later determined that the insurance producer was not eligible for appointment by the insurer:

- (1) The insurance contract will be effective;
- (2) The insurance producer must not receive compensation for any insurance product sold by the insurance producer; and
- (3) The insurance producer and the insurer may be subject to disciplinary action under RCW 48.17.530.

[Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-467, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060. WSR 08-17-063 (Matter No. R 2008-03), § 284-17-467, filed 8/18/08, effective 9/18/08. Statutory Authority: RCW 48.02.060 (3)(a) and 48.17.150 (1)(g)(ii). WSR 06-12-025 (Matter No. R 2005-06), § 284-17-467, filed 5/30/06, effective 6/30/06.]

WAC 284-17-473 Affiliation requirements. Individual licensees that represent a business entity or act on its behalf must be affiliated with the licensed business entity. A business entity must have at least one affiliated individual licensee in order to transact insurance business. Each business entity must provide the commissioner with the names of all individual licensees authorized to represent the business entity and act on its behalf by electronic submission and pay the applicable fees.

[Statutory Authority: RCW 48.15.015 and 48.17.005. WSR 11-04-067 (Matter No. R 2010-07), § 284-17-473, filed 1/28/11, effective 2/28/11. Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-473, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060. WSR 08-17-063 (Matter No. R 2008-03), § 284-17-473, filed 8/18/08, effective 9/18/08. Statutory Authority: RCW 48.02.060 (3)(a) and 48.17.150 (1)(g)(ii). WSR 06-12-025 (Matter No. R 2005-06), § 284-17-473, filed 5/30/06, effective 6/30/06.]

WAC 284-17-476 License requirements for business entity affiliations. If an individual insurance producer is affiliated with a business entity, the insurance producer is not required to be directly appointed by the insurer.

(1) The individual insurance producer's authority to transact insurance is limited to those lines of authority for which the insurance producer is licensed and that are within the business entity's lines of authority.

(2) When an insurance producer places business with an insurer that has appointed the business entity with which the insurance producer is affiliated, the insurance producer is deemed to be placing business with an insurer with which the insurance producer holds an appointment for the purpose of the bonding requirements set out in RCW 48.17.250.

[Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-476, filed 1/6/09, effective 7/1/09.]

WAC 284-17-483 Termination of an appointment or affiliation by an insurance producer. (1) An insurance producer or surplus line broker may terminate its appointment or affiliation with an insurer or business entity by sending advance written notice to the insurer or business entity and send a copy via email to the commissioner.

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(2) The notice must state that the insurance producer or surplus line broker will no longer transact insurance on behalf of the business entity, as the case may be.

(3) The effective date of the termination is the date of receipt by the commissioner.

[Statutory Authority: RCW 48.15.015 and 48.17.005. WSR 11-04-067 (Matter No. R 2010-07), § 284-17-483, filed 1/28/11, effective 2/28/11. Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-483, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060. WSR 08-17-063 (Matter No. R 2008-03), § 284-17-483, filed 8/18/08, effective 9/18/08. Statutory Authority: RCW 48.02.060 (3)(a) and 48.17.150 (1)(g)(ii). WSR 06-12-025 (Matter No. R 2005-06), § 284-17-483, filed 5/30/06, effective 6/30/06.]

WAC 284-17-490 Late renewal or reinstatement. If a request for renewal of a license is received by the commissioner after its due date, the licensee must not transact insurance under the license until the renewal or reinstatement is completed.

(1) As a precondition to late renewal or reinstatement of a license, payment of the following late fees, as set forth in RCW 48.17.170 (6) and (7), is required:

Days Late	Surcharge
First 30 days late	50% of the license renewal fee
31-60 days late	100% of the license renewal fee
61 days to twelve months late	200% of the license renewal fee

(2) If no request for late renewal is received by the commissioner within sixty days after expiration of a license, the license and all associated appointments and affiliations will be terminated. All authority conferred by the license ends on its expiration date.

(3) If a license is expired for more than sixty days but less than twelve months, a licensee may request its reinstatement. A license is not eligible for reinstatement if the reinstatement application is received by the commissioner more than twelve months after its expiration date.

(4)(a) A licensee may request reinstatement of a license without retesting if no more than twelve months has passed since the expiration or cancellation date of the license, whichever is earlier. All of the following must accompany the request for reinstatement:

- (i) A completed application for reinstatement;
- (ii) Certificates for twenty-four credit hours of continuing insurance education, including three hours of ethics education, completed during the twenty-four months prior to the date of application for reinstatement, as set forth in WAC 284-17-224; and

(iii) The fee and surcharge applicable to the reinstatement, as set forth in subsection (1) of this section.

(b) After twelve months, the licensee must retake and pass all applicable prelicensing insurance education courses and the applicable license examinations. A new license application, including fingerprint card, and all required fees are also required. A new fingerprint card is not required if the licensee has other active licenses or held another license during the past year.

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(5)(a) If a licensee cancels a license prior to its renewal date and later asks that it be reissued and the request to reissue is submitted prior to the license renewal date, the licensee must submit an application and must pay the applicable fee prior to the license renewal date.

(b) If a licensee cancels a license prior to its renewal date and a request to reissue the license is made after the license renewal date but before twelve months after the date the license was canceled, the request to reissue will be treated as though it were a late renewal or reinstatement and the late fee will be calculated from the cancellation date.

(c) If the request to reissue is made more than twelve months after the license renewal date, it cannot be reissued.

(d) The renewal date of any reissued license will be on the same renewal cycle as the original license.

(6) Information regarding renewal or reinstatement of a license and the electronic submission process is available at the commissioner's web site at: www.insurance.wa.gov.

(7) License renewals and reinstatements may be submitted by licensees that are registered with the commissioner's online services through the web site at: www.insurance.wa.gov.

[Statutory Authority: RCW 48.15.015 and 48.17.005. WSR 11-04-067 (Matter No. R 2010-07), § 284-17-490, filed 1/28/11, effective 2/28/11. Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-490, filed 1/6/09, effective 7/1/09.]

PRELICENSING INSURANCE EDUCATION

WAC 284-17-505 Definitions. As used in WAC 284-17-505 through 284-17-580, the terms below have the following meaning unless the context clearly requires otherwise:

(1) "Approved prelicensing insurance education provider" means a provider to which the commissioner has granted authority to conduct and certify completion of an approved course satisfying the prelicensing insurance education requirements of this state.

(2) "Approved course" means a series of seminars, classes, or lectures meeting the requirements of WAC 284-17-517 and 284-17-550, covering the prescribed course of study. A course is approved only if when offered it will be supervised by an approved program director, and presented by or under the supervision of an approved instructor, according to the applicable section of either WAC 284-17-540 or 284-17-545.

(3) "Instructor" means a person meeting the requirements of WAC 284-17-537.

(4) "Curriculum" means the course of study prescribed for prelicensing insurance education by the commissioner, covering personal lines, life, disability, property or casualty lines of authority, and Washington insurance laws and rules.

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

(6) "Independent provider" means an insurance education provider that is not an insurer or affiliated with an insurer.

(7) "Provider" or "prelicensing insurance education provider" means any insurer, health care service contractor, health maintenance organization, professional association,

educational institution, vocational school, or independent contractor authorized by the commissioner to conduct and certify completion of prelicensing insurance education courses.

[Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-505, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060. WSR 89-14-045 (Order R 89-8), § 284-17-505, filed 6/29/89. Statutory Authority: RCW 48.02.060 and 48.17.070. WSR 89-01-055 (Order R 88-14), § 284-17-505, filed 12/16/88.]

WAC 284-17-510 Prelicensing insurance education requirement. (1) Unless waived by the commissioner under WAC 284-17-515, as a prerequisite to admission to the examination, an applicant for a resident insurance producer license for personal lines, life, disability, property or casualty line of authority must complete twenty hours of prelicensing insurance education for each major line of authority for which the applicant will be tested. Each course must include training on Washington insurance laws and rules applicable to that line of authority and general insurance laws and rules.

(2) The prescribed curriculum for each line of authority to be tested and the related insurance laws and rules, must be successfully completed within the twelve-month period immediately preceding the examination.

[Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-510, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060 and 48.17.070. WSR 89-01-055 (Order R 88-14), § 284-17-510, filed 12/16/88.]

WAC 284-17-515 Waiver of the prelicensing insurance education requirement—Equivalent education. Any person may file a petition with the commissioner for a waiver of the prelicensing insurance education requirement upon completion of equivalent education.

(1) A waiver based on a documentation of equivalent insurance education may be granted by the commissioner in lieu of the certificate of completion of the required prelicensing insurance education if the course of study was completed within the twelve months immediately preceding the date of the petition for waiver and the petitioner demonstrates to the satisfaction of the commissioner that the education meets or exceeds the curriculum required for the applicable line of authority.

(2) Persons successfully completing the following insurance professional designations are deemed to have completed the required prelicensing education requirements and will be issued a waiver of the prelicensing insurance education requirements:

(a) Life insurance: CEBS, ChFC, CIC, CFP, CLU, FLMI, and LUTCF;

(b) Disability insurance: RHU, CEBS, REBC, and HIA; and

(c) Property or casualty insurance: AAI, ARM, CIC, and CPCU.

(3) Except as provided in subsection (2) of this section, the commissioner retains the discretion to determine whether a petitioner has presented sufficient evidence of equivalent education and merits a waiver of the prelicensing insurance education requirement.

(4) The petition must be submitted and the commissioner's written waiver of prelicensing insurance education

must have been issued before the petitioner will be admitted to the insurance licensing examination.

[Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-515, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060 and 48.17.150. WSR 91-12-032 (Order R 91-2), § 284-17-515, filed 6/3/91, effective 7/4/91. Statutory Authority: RCW 48.02.060 and 48.17.070. WSR 89-01-055 (Order R 88-14), § 284-17-515, filed 12/16/88.]

WAC 284-17-516 Home self-study—Candidate, course materials and approved providers. (1) A candidate for an insurance producer license examination that undertakes home self-study in lieu of attending a lecture class or proctored self-study, must contact an approved preclicensing insurance education provider to purchase the required course materials.

(2) A list of approved preclicensing insurance education providers is available on the commissioner's web site at www.insurance.wa.gov.

(3) The candidate must complete all preclicensing insurance education requirements set forth in WAC 284-17-510.

(4) After completion of the program of home self-study, the petitioner must provide verification of completion of each course to the preclicensing insurance education provider before the provider can issue a certificate of completion. A certificate of completion is required before the candidate will be admitted to the insurance licensing examination.

(5) The preclicensing insurance education provider must keep accurate purchase and completion rosters of all students participating in home self-study.

(6) "Home self-study" means a form of study using course materials approved by the commissioner and completed away from an insurance school and a course other than a lecture or classroom course. It includes approved internet-based online courses accessed from a home computer. The course materials may include textbooks, CDs or reading material accessed online from the insurance school's web site.

[Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-516, filed 1/6/09, effective 7/1/09.]

WAC 284-17-517 Home self-study—Materials, course standards. (1) Home self-study course materials must be approved by the commissioner before being used by a preclicensing insurance education provider or offered to a candidate for purchase or use.

(2) To qualify for the commissioner's approval, the preclicensing insurance education provider must demonstrate to the commissioner's satisfaction that the study materials for each course include all prescribed curriculum specified in the examination content outline of the candidate handbook for the particular line of authority.

(3) Each course must be divided into individual lessons covering the prescribed curriculum. The table of contents of the materials must include all of the examination content outline topics as published in the candidate handbook. Each course must cover all required content and must be designed so that a candidate will complete twenty hours of study per line of authority.

(4) Approved preclicensing education providers must apply to the commissioner for amendment to the course

approval if there is a change in the content of the study material other than changes made to conform the study materials to modifications of the candidate handbook examination content outline.

(5) Prior to implementation of any change, the preclicensing insurance education provider must advise the commissioner if it makes any change to its course tuition charge or to its rebate policy.

(6) The candidate handbook is available through the commissioner's web site at www.insurance.wa.gov.

[Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-517, filed 1/6/09, effective 7/1/09.]

WAC 284-17-520 Certificates of completion required for admittance to licensing exam—Passing score report must be provided to the commissioner. The requirements of WAC 284-17-505 through 284-17-520 apply to all persons taking an insurance license examination.

(1) In order to be admitted to the examination, an applicant for a resident license with a personal lines, life, disability, property or casualty line of authority must present certificates of completion of the required number of hours of approved preclicensing insurance education or a written waiver.

(2) The commissioner will issue a license after the applicant provides the passing score report, all other required license application documents, and the proper fee.

[Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-520, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060. WSR 89-14-045 (Order R 89-8), § 284-17-520, filed 6/29/89. Statutory Authority: RCW 48.02.060 and 48.17.070. WSR 89-01-055 (Order R 88-14), § 284-17-520, filed 12/16/88.]

WAC 284-17-530 Requirements applicable to all preclicensing insurance education providers. This section applies to all persons seeking to be approved by the commissioner to act as preclicensing insurance education providers.

(1) **Approval to act as preclicensing education providers.** Persons seeking to be approved as preclicensing insurance education providers must obtain the written approval of the commissioner prior to offering any preclicensing insurance education course for credit.

(a) Requests for approval must include all information, disclosures, statements and certifications required by the commissioner. An approved form for this purpose is available on the commissioner's web site at: www.insurance.wa.gov.

(b) The provider must comply with the standards for licensing and regulating this state's private vocational schools, but need not be actually licensed as a private vocational school.

(c) The commissioner may grant approval of the preclicensing insurance education provider upon a showing that the provider has satisfied all requirements of this chapter.

(d) Approval of a preclicensing education provider is valid for a period of twelve months.

(2) **Approval of the preclicensing insurance education provider's program director.**

(a) The preclicensing insurance education provider must identify its proposed program director, must complete a background investigation of that person, must certify that the

qualifications of the proposed program director meet or exceed the requirements of WAC 284-17-535 and must verify that the proposed program director is trustworthy.

(b) The commissioner's approval of the program director is valid for twelve months.

(c) The provider must certify on its annual renewal notice that the approved individual continues to act as its program director.

(d) The provider must apply for an amendment to its approval at least ten days before changing its program director, unless the change is required due to an emergency.

(e) The commissioner retains discretion to determine whether the qualifications of each proposed program director meet the minimum scholastic and professional criteria required for approval.

(3) Approval of the provider's instructors.

(a) The provider must identify each proposed instructor, conduct a background investigation of each individual, certify that each proposed instructor's qualifications meet or exceed the requirements in WAC 284-17-537, and verify that each proposed instructor is trustworthy.

(b) Approval of each instructor is valid until the next renewal date of the preclicensing education provider.

(c) The provider must state on its annual renewal notice whether each individual continues to act as its instructor.

(d) The provider must apply to the commissioner for amended approval at least ten days before adding a new instructor, except if an instructor vacancy is created by an emergency.

(e) The commissioner retains discretion to determine whether the qualifications of each proposed instructor meet the minimum scholastic and professional criteria required for approval.

(4) Approval of courses.

(a) Course materials must be submitted electronically or via electronic media to the commissioner prior to use.

(b) The provider must provide all of the following information to the commissioner with its request for course approval:

- (i) The total tuition to be charged to students; and
- (ii) The provider's referral and rebate policy.

(c) No course may be advertised until the provider has been finally approved by the commissioner in writing.

(5) Duties of approved providers. Throughout any period of approval to act as a preclicensing insurance education provider, the provider must:

(a) Retain all student enrollment and performance data, personnel records, and copies of course materials and student evaluations for each course and make them available to the commissioner upon request;

(b) Continually monitor its program director's supervision of instruction;

(c) Immediately remove the program director if that individual violates any law or rule related to insurance;

(d) Apply for amended approval to act as a provider at least ten days prior to a change of ownership, the executive officer, or of the program director. Amended approval, if granted, is valid only until the original provider approval expiration date;

(e) Report to the commissioner by the fifteenth day of each month the name of each student receiving a certificate of

completion for each approved course offered during the previous calendar month;

(f) Permit the commissioner or the commissioner's designee to conduct unannounced audits of any approved course in order to monitor the provider's continuing compliance with WAC 284-17-530 through 284-17-580;

(g) Provide a true and complete copy of the provider's instructional plan for each approved course, upon request;

(h) Notify the commissioner if it intends to terminate its preclicensing education program at least thirty days prior to the date of termination;

(i) Notify the commissioner at least ten days in advance of its intent to change the tuition amount, the referral or rebate policy, or initiate a referral or rebate policy with a person other than a full-time employee of the provider.

(6) Provider advertising and name. A provider must not:

(a) Use license examination performance data for advertising or promotional purposes; or

(b) Use any name that implies or suggests that the provider is affiliated with either the commissioner or with the independent testing service that conducts the examination.

(7) Renewal requirements for all providers.

(a) At the time of renewal all providers must provide all of the following information:

(i) List of preclicensing education courses currently offered and the tuition for each and verify that the course curricula meet the requirements of WAC 284-17-550;

(ii) A description of the instruction method used for each course, lecture, proctored self-study, or home self-study;

(iii) List of all active instructors and verify that each has complied with the requirements of WAC 284-17-537;

(iv) Verify that the program director has complied with WAC 284-17-535; and

(v) Confirm the address and contact information for each business location.

(b) The commissioner may approve renewal of the preclicensing insurance education provider upon a showing that the provider has satisfied all requirements of this chapter required for renewal, including the annual renewal requirements provided in WAC 284-17-547.

(c) Detailed information related to course standards is available on the commissioner's web site at: www.insurance.wa.gov.

(8) Required disclosures to students.

(a) The preclicensing insurance education provider must disclose to prospective students the total amount of tuition that will be charged for each proposed course.

(b) The provider must post in a conspicuous location at the preclicensing insurance education site a note containing all of the following:

(i) Procedures for applying for an insurance license, including all preexamination qualifications;

(ii) A notice of prohibited examination behavior; and

(iii) The tuition for each approved course.

(c) If the provider has a referral or rebate program, it must be fully disclosed to each student in writing.

(i) The disclosure must state the amount of the course tuition that will be paid to persons other than the provider's full-time employees as compensation for referring students to the provider; and

(ii) The full text of the policy must be posted, including the specific amount of tuition payable to persons other than full-time employees of the provider as compensation for referring students to the provider, and the names of any individuals to whom referral fees or rebates may be paid.

(9) Penalties.

(a) The commissioner may refuse to renew or immediately terminate a provider for the following reasons:

(i) Failure to notify the commissioner that a course will be terminated at least thirty days prior to the date of termination;

(ii) Failure to respond to an inquiry of the commissioner within the time limit specified in the inquiry.

(b) A provider is responsible for the conduct of its employees and may be subject to disciplinary action for failure of any employee to comply with the requirements of this chapter.

[Statutory Authority: RCW 48.15.015 and 48.17.005. WSR 11-04-067 (Matter No. R 2010-07), § 284-17-530, filed 1/28/11, effective 2/28/11. Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-530, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060 and 48.17.070. WSR 89-01-055 (Order R 88-14), § 284-17-530, filed 12/16/88.]

WAC 284-17-535 Program director's qualifications and responsibilities. (1)(a) A program director must have at least five years of teaching experience and knowledge of insurance products, principles, laws and rules.

(b) Each independent preclicensing insurance education provider's program director must possess and hold in good standing a Washington insurance license and possess scholastic or professional credentials acceptable to the commissioner.

(c) The requirements of this subsection do not apply to program directors employed by community or technical colleges governed by the state board for community and technical colleges.

(2) A program director must have a history of employment demonstrating administrative educational experience.

(3) A program director must be trustworthy. A program director is not trustworthy if he or she has violated any law or rule pertaining to insurance or to any other regulated occupation, has had an occupational or professional license revoked in any state, or has been convicted of a crime reasonably related to his or her honesty or integrity.

(4) The program director must fully disclose to the commissioner any regulatory or legal action related to his or her honesty, integrity, or professional or occupational activities.

(5) A program director's responsibilities include:

(a) Conducting a background investigation to ascertain that each instructor is trustworthy and qualified to teach the line of authority he or she has been designated to instruct, except as follows:

(i) In the event of an emergency created by the unavoidable absence of an approved instructor, the program director may appoint an interim instructor who was not previously certified and approved to complete the current course offering;

(ii) If it is necessary to appoint an interim instructor, the program director must immediately notify the commissioner of the nature of the emergency, the name of the interim

instructor, and the date the current course offering will conclude; and

(iii) At the conclusion of the affected course the program director and provider must not continue to offer the affected course until an approved instructor is available.

(b) Supervising each approved course and reviewing all completed student evaluations; and

(c) Ensuring that instructors properly issue certificates of completion according to WAC 284-17-539 to students at the end of each course.

[Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-535, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060. WSR 89-19-036 (Order R 89-9), § 284-17-535, filed 9/15/89, effective 10/16/89; WSR 89-14-045 (Order R 89-8), § 284-17-535, filed 6/29/89. Statutory Authority: RCW 48.02.060 and 48.17.070. WSR 89-01-055 (Order R 88-14), § 284-17-535, filed 12/16/88.]

WAC 284-17-537 Preclicensing insurance education instructor qualifications and responsibilities. The preclicensing insurance education provider must submit the name of each proposed preclicensing insurance education instructor to the commissioner for approval.

(1) To qualify as a preclicensing insurance education instructor for an approved provider, each proposed instructor must:

(a) Be experienced. An instructor is experienced if he or she can demonstrate any combination of at least three years of experience instructing insurance education courses, supervising students completing self-paced insurance instructional materials, or experience as an insurance producer.

(b) Be trustworthy. An instructor is not trustworthy if he or she has violated any statute or rule pertaining to insurance or to any other regulated occupation, has had an occupational or professional license revoked in any state, or has been convicted of a crime reasonably related to his or her honesty or integrity.

(c) Be competent. An instructor is competent in the line of authority he or she proposes to teach if:

(i) He or she possesses and holds in good standing a Washington insurance producer license for the applicable line(s) of authority; and

(ii) He or she has a current license or provides to the satisfaction of the commissioner evidence of appropriate scholastic or professional credentials reasonably equivalent to an insurance license.

(2) The instructor of each approved course must perform all of the following instructional and administrative duties:

(a) At the beginning session of each approved course, ensure that each student has been properly registered.

(b) Remain on the premises whenever instruction is being offered.

(c) Ensure that the study materials incorporate the prescribed curriculum and follow the lesson plans filed with the commissioner.

(d) Teach approved courses on a live-instruction basis or combine live instruction with the use of other instructional aids, or proctor student use of self-paced insurance instructional materials.

(e) At the conclusion of the course, distribute a course evaluation form to each student who completes the course and collect the completed forms.

(i) A form that can be used for evaluation of a course is available at the commissioner's web site at www.insurance.wa.gov.

(ii) A copy of each evaluation must be available to the commissioner upon request for three years after conclusion of the course.

(f) Issue a signed certificate of completion to each student who completes the course that certifies that the student actually completed the course. The certificate and signature may be in electronic form.

(g) Review course evaluations with the program director.

[Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-537, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060. WSR 89-14-045 (Order R 89-8), § 284-17-537, filed 6/29/89. Statutory Authority: RCW 48.02.060 and 48.17.070. WSR 89-01-055 (Order R 88-14), § 284-17-537, filed 12/16/88.]

WAC 284-17-539 Certificates of completion of a prelicensing insurance education course. (1) A certificate of completion in the standard form prescribed by the commissioner must be completed in its entirety, signed by the instructor, and issued by the approved prelicensing insurance education provider to each student in the student's legal name, who has satisfactorily completed an approved course.

(2) Both the student and the instructor(s) must certify that the course was conducted and completed according to the credit hours and curriculum required.

(3) The provider must include on the face of the certificate of completion the correct codes assigned by the commissioner to each approved prelicensing insurance education provider and to each approved course.

(4) The approved prelicensing insurance education provider must issue certificates of completion within two business days after the course is completed.

(5) No instructor may issue a certificate of completion to herself or himself.

(6) Completion of less than the full course curriculum, or of individual classes does not qualify a student to receive a certificate of completion.

(7) A valid certificate of completion (or a valid waiver) for the line of authority on which the student will be examined must be presented to the independent testing service as a prerequisite to taking any insurance license examination.

(8) The certificate of completion for the prelicensing insurance education course will be accepted for twelve months after the course completion date. Unless waived in accordance with RCW 48.17.175, a prelicensing insurance education course must be retaken if a student does not pass the required examination within twelve months after completion of prelicensing education.

(9) The certificate of completion and required signature may be in electronic form.

[Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-539, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060 and 48.17.070. WSR 89-01-055 (Order R 88-14), § 284-17-539, filed 12/16/88.]

WAC 284-17-540 Requirements applicable to independent prelicensing insurance education providers. In addition to the requirements set forth in WAC 284-17-530, all independent providers must comply with the following additional requirements:

(12/20/16)

(1) The proposed program director must meet the standards set forth in WAC 284-17-535.

(2) The proposed instructors must be in good standing with the commissioner and must meet the standards set forth in WAC 284-17-537.

(3) All tuition funds received must be promptly deposited into an account separate from any other account or depository.

(4) The accounting system used must provide an audit trail so that details underlying the summary data can be identified.

(5) Records of tuition accounting must be available for inspection by the commissioner during regular business hours for three years after the date of the transaction.

(6) Lecture or proctored self-study courses must be offered at one or more physical locations accessible to the public within Washington.

[Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-540, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060. WSR 89-19-036 (Order R 89-9), § 284-17-540, filed 9/15/89, effective 10/16/89; WSR 89-14-045 (Order R 89-8), § 284-17-540, filed 6/29/89. Statutory Authority: RCW 48.02.060 and 48.17.070. WSR 89-01-055 (Order R 88-14), § 284-17-540, filed 12/16/88.]

WAC 284-17-545 Requirements applicable to insurer-based prelicensing education providers. In addition to the requirements set forth in WAC 284-17-530, all insurer-based providers are subject to the following additional requirements:

(1) Each course must be supervised from the insurer's corporate level.

(2) If the program director does not hold a current Washington insurance license, the insurer must provide the following to the commissioner:

(a) Description of the program director's qualifications, including educational degrees or professional designations earned;

(b) Summary of the program director's past insurance education and past teaching experience; and

(c) Evidence of past insurance education and insurance licenses held in this or other states.

[Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-545, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060 and 48.17.070. WSR 89-01-055 (Order R 88-14), § 284-17-545, filed 12/16/88.]

WAC 284-17-547 Renewal—Prelicensing insurance education provider. A prelicensing insurance education provider must obtain renewal of the provider's authority, program director, instructors, and courses yearly.

[Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-547, filed 1/6/09, effective 7/1/09.]

WAC 284-17-550 Prelicensing insurance education course standards. (1) No prelicensing insurance education course will be approved unless the Washington insurance statutes and rules applicable to the specific line are incorporated into the curriculum for the line of authority.

(2) To qualify for approval, each course must use study materials that include all required curriculum, as set forth in the examination content outline published in the candidate handbook for each line of authority. The candidate handbook

is available through the commissioner's web site at www.insurance.wa.gov.

(3) Each preclicensing insurance education course must be broken into individual lesson components covering the prescribed curriculum and the table of contents must include all examination content outline topics.

(a) The course may include instruction on related subject matter; however, any optional subject matter must be designated as supplementary and must be provided as an addition to the prescribed curriculum hours set forth in WAC 284-17-510.

(b) The provider must certify that the study materials include all of the prescribed curriculum.

(4) No preclicensing insurance education course may be represented as approved until the approved preclicensing insurance education provider has received the commissioner's written approval of the instructor and of the course.

(a) Approved preclicensing insurance education providers must apply to the commissioner for amended course approval if any of the following changes or revisions will be made before the original course approval expiration date:

(i) Change of study materials; or

(ii) Change of location.

(b) Amended approval, if granted, is valid only until the original course approval expiration date.

(5) Detailed requirements of course content are available on the commissioner's web site at www.insurance.wa.gov.

[Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-550, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060. WSR 89-14-045 (Order R 89-8), § 284-17-550, filed 6/29/89. Statutory Authority: RCW 48.02.060 and 48.17.070. WSR 89-01-055 (Order R 88-14), § 284-17-550, filed 12/16/88.]

WAC 284-17-551 Preclicensing insurance education—Candidate information bulletin. The preclicensing insurance education curriculum is 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 web site 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 preclicensing education curriculum, the preclicensing insurance education provider must submit a revised course outline at least fifteen calendar days before the implementation date.

[Statutory Authority: RCW 48.02.060 and 48.17.005. WSR 17-01-142 (Matter No. R 2016-25), § 284-17-551, filed 12/20/16, effective 1/20/17; WSR 09-02-073 (Matter No. R 2008-06), § 284-17-551, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060 and 48.17.150. WSR 91-12-033 (Order R 91-3), § 284-17-551, filed 6/3/91, effective 7/4/91. Statutory Authority: RCW 48.02.060 and 48.17.070. WSR 89-01-055 (Order R 88-14), § 284-17-551, filed 12/16/88.]

WAC 284-17-560 Providers denied approval. The commissioner may deny approval to any preclicensing insurance education provider if:

(1) The preclicensing insurance education provider refuses or fails to comply with any requirement of chapter 284-17 WAC, including but not limited to the provider's

employment and use of an unqualified program director or instructor; or

(2) Any owner, program director, or instructor, directly or indirectly, compromises or attempts to compromise the integrity or security of Washington state licensing examination questions, or has induced another to do so; or

(3) Any owner, program director, or instructor:

(a) Fails to comply with any of the requirements of any statute or rule pertaining to the transaction of insurance or to insurance education;

(b) Violates any statute, rule, or copyright related to an examination for any occupational or professional license; or

(c) Is convicted of a crime reasonably related to his or her honesty or integrity.

[Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-560, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060 and 48.17.070. WSR 89-01-055 (Order R 88-14), § 284-17-560, filed 12/16/88.]

WAC 284-17-565 Suspension or revocation of approved preclicensing insurance education providers. (1)

The commissioner may suspend or revoke approval of any preclicensing insurance education provider based upon a finding that:

(a) Any owner, program director, or instructor failed to comply with any of the requirements of chapter 284-17 WAC, including but not limited to the failure to employ a qualified program director or instructor(s); or

(b) Any owner, program director, or instructor, directly or indirectly, compromised or attempted to compromise the integrity or security of Washington state insurance licensing examination questions, or has induced another to do so;

(c) The provider failed to maintain an effective instructional program or misrepresented the quality of the instruction provided to the detriment of its students; or

(d) An owner, program director, or instructor is or has been convicted of a crime reasonably related to his or her honesty or integrity.

(2) The commissioner may suspend or revoke approval of any preclicensing insurance education provider based upon a provider's failure to:

(a) Reply promptly to an inquiry of the commissioner.

(b) Submit revised course outlines requested by the commissioner.

(c) Make timely disclosure to the commissioner and to enrolling students at the time of their enrollment about any offer or payment of any rebate, refund, fee, commission, or discount to persons other than the provider's full-time employees made by the provider based on referrals of students to the provider.

[Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-565, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060 and 48.17.070. WSR 89-01-055 (Order R 88-14), § 284-17-565, filed 12/16/88.]

WAC 284-17-572 Fee. No fee is required for applying to become a preclicensing insurance education provider or for requesting the commissioner's approval of a preclicensing insurance education course.

[Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-572, filed 1/6/09, effective 7/1/09.]

WAC 284-17-574 Prelicensing insurance education provider numbers. A prelicensing insurance education provider will be assigned a provider number by the commissioner. That number must be included on all correspondence related to prelicensing insurance education and on all certificates of completion.

[Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-574, filed 1/6/09, effective 7/1/09.]

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

- (1) Advertising or offering a course for credit without the prior approval of the commissioner;
- (2) Failing to follow the approved course outline;
- (3) Issuing fraudulent completion certificates;
- (4) Erroneous advertising; or
- (5) Failing to comply with any statute or rule pertaining to prelicensing insurance education providers.

[Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-576, filed 1/6/09, effective 7/1/09.]

WAC 284-17-578 Reinstatement of approval of a prelicensing insurance education provider. (1) Reinstatement of a suspended or revoked approval may be made by the commissioner only after acceptance of satisfactory proof that the conditions responsible for the suspension or revocation have been successfully corrected and the possibility of reoccurrence of the violation has been eliminated.

- (2) Reinstatement is at the sole discretion of the commissioner.

[Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-578, filed 1/6/09, effective 7/1/09.]

WAC 284-17-580 Grounds for revocation or suspension of approval of a prelicensing insurance education course. (1) Approval of a prelicensing insurance education course associated with a prelicensing provider may be suspended or revoked if the commissioner concludes that any of the following has occurred:

- (a) The content of an approved course is significantly changed without notice to and prior approval from the commissioner;
- (b) A certificate of completion is issued to a person who did not complete the course;
- (c) A certificate of completion is not issued to a person who satisfactorily completed the course;
- (d) The actual instruction of the course is found by the commissioner to be inadequate; or
- (e) Within fifteen days after the date of the commissioner's request, the prelicensing insurance education provider fails to supply updated descriptions of any course, records, materials, or audit reports.

- (2) Reinstatement of approval of a prelicensing insurance education provider is at the sole discretion of the commissioner and is conditioned upon receipt of satisfactory proof that the conditions responsible for the suspension have been corrected and the possibility of reoccurrence of the violation has been eliminated.

(12/20/16)

[Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-580, filed 1/6/09, effective 7/1/09.]

MISCELLANEOUS REQUIREMENTS

WAC 284-17-600 Licensing requirements for insurance producers who maintain more than one place of business in the state. (1)(a) If an individual insurance producer transacts the business of insurance out of more than one place of business in this state, in addition to complying with the requirements of RCW 48.17.450, each place of business must be under the charge of an individual properly licensed for the insurance transactions being conducted at the location.

- (b) A business entity insurance producer that maintains more than one place of business in this state must have an individual licensed as an insurance producer physically present in the location when the location is open for the transaction of insurance to the same extent as would be expected of an insurance licensee operating at a single location.

- (2) Each insurance producer involved in an insurance transaction must have all authority necessary for each insurance transaction, whether by direct appointment from the insurer or by affiliation with a business entity.

- (3) If a surplus line broker maintains more than one place of business in this state, transactions in any location which require the services of a surplus line broker must be conducted only by a properly licensed individual.

- (4) Each failure to comply with this section is an unfair practice pursuant to RCW 48.30.010.

[Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-600, filed 1/6/09, effective 7/1/09. Statutory Authority: RCW 48.02.060 (3)(a), 48.05.140(9), 48.17.060, 48.17.180, 48.17.530 and 48.30.010. WSR 90-22-039 (Order R 90-12), § 284-17-600, filed 11/1/90, effective 1/15/91.]

WAC 284-17-603 Designated responsible licensed person. The designated responsible licensed person (DRLP) must be given the necessary authority and information by the business entity that reasonably assures that the DRLP can cause or influence the entity's compliance with all applicable insurance laws or rules, or both of this state.

[Statutory Authority: RCW 48.02.060, 48.17.005 and 48.17.090 (3)(b). WSR 15-05-054 (Matter No. R 2014-07), § 284-17-603, filed 2/13/15, effective 3/16/15.]

WAC 284-17-605 Purpose. (1) The purpose of this section is to set forth standards to protect consumers from misleading and fraudulent marketing practices with respect to the use of senior-specific certifications and professional designations in the solicitation, sale or purchase of, or advice made in connection with a life insurance or annuity product. Consumers are misled and harmed when insurance producers use designations and certifications that imply the existence of a level of expertise in senior affairs and financial matters that, in fact, does not exist.

- (2) It is an unfair or deceptive practice pursuant to RCW 48.30.010 for an insurance producer to use a senior-specific certification or professional designation that indicates or implies in such a way as to mislead a purchaser that the insurance producer has special certification or training in advising or servicing seniors in connection with the solicitation, sale, or purchase of a life insurance or annuity product or in the

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provision of advice as to the value of or the advisability of purchasing or selling a life insurance or annuity product, either directly or indirectly through publications or writings, or by issuing or promulgating analyses or reports related to a life insurance or annuity product.

(3) The prohibited use of senior-specific certifications or professional designations includes, but is not limited to, the following:

(a) Use of a certification or professional designation by an insurance producer who has not actually earned or is otherwise ineligible to use such certification or designation;

(b) Use of a nonexistent or self-conferred certification or professional designation;

(c) Use of a certification or professional designation that indicates or implies a level of occupational qualifications obtained through education, training or experience that the insurance producer using the certification or designation does not have; and

(d) Use of a certification or professional designation that was obtained from a certifying or designating organization that:

(i) Is primarily engaged in the business of instruction in sales or marketing;

(ii) Does not have reasonable standards or procedures for assuring the competency of its certificants or designees;

(iii) Does not have reasonable standards or procedures for monitoring and disciplining its certificants or designees for improper or unethical conduct; or

(iv) Does not have reasonable continuing education requirements for its certificants or designees in order to maintain the certificate or designation.

(4) There is a rebuttable presumption that a certifying or designating organization is not disqualified solely for purposes of subsection (3)(d) of this section when the certification or designation issued from the organization does not primarily apply to sales or marketing and when the organization or the certification or designation in question has been accredited by:

(a) The American National Standards Institute (ANSI);

(b) The National Commission for Certifying Agencies; or

(c) Any organization that is on the U.S. Department of Education's list entitled "Accrediting Agencies Recognized for Title IV Purposes."

(5) In determining if a combination of words, or an acronym standing for a combination of words, constitutes a certification or professional designation indicating or implying that a person has special skill, knowledge, experience or qualifications in advising or servicing seniors, factors implying such include, but are not limited to, the following:

(a) Use of the word "senior," "retirement," "elder," or similar words combined with one or more words such as "certified," "registered," "chartered," "advisor," "specialist," "consultant," "planner," or similar words in the name of the certification or professional designation; and

(b) The manner in which those words are combined.

(6) For purposes of this section, a job title within an organization that is licensed or registered by a state or federal financial services regulatory agency is not a certification or professional designation, unless it is used in a manner that

would confuse or mislead a reasonable consumer, when the job title:

(a) Indicates seniority or standing within the organization; or

(b) Specifies an individual's area of specialization within the organization.

[Statutory Authority: RCW 48.02.060 and 48.30.010. WSR 12-05-051 (Matter No. R 2011-21), § 284-17-605, filed 2/14/12, effective 3/16/12.]

WAC 284-17-610 Insurance producers and business entities home state. (1) An individual insurance producer may claim only one state as the home state at a time.

(a) Individual insurance producers that claim multiple states as their home state must choose one state to be their home state for all insurance licensing purposes. This will usually be the state chosen for tax reporting.

(b) Insurance producers or business entities that do not claim Washington to be their home state are Washington nonresidents for purposes of Titles 48 RCW and 284 WAC.

(2) Business entities that have a location in this state must have a resident license.

[Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-610, filed 1/6/09, effective 7/1/09.]

WAC 284-17-620 Loans from insurance clients—Reasonable arrangements. RCW 48.17.530 (1)(m) permits the commissioner to define certain reasonable arrangements where an insurance producer may obtain a loan from an insurance client. The commissioner finds that a reasonable arrangement exists when an insurance producer and an insurance client enter into an arms-length commercial transaction, such as for the purchase of real property, and the financial arrangement is based on fair market value.

[Statutory Authority: RCW 48.02.060, 48.17.005. WSR 09-02-073 (Matter No. R 2008-06), § 284-17-620, filed 1/6/09, effective 7/1/09.]

WAC 284-17-625 Documentation of consent to remuneration in addition to a fee where insurance is purchased over the telephone or by electronic means. RCW 48.17.270(5) provides that when insurance is purchased over the telephone or by electronic means for which written consent under RCW 48.17.270(3) cannot be reasonably obtained, consent documented by the insurance producer is acceptable in lieu of the signed written disclosure required by RCW 48.17.270 (3), (4), and (5).

(1) Documentation confirming the consent of the applicant or insured after communication of the information required by RCW 48.17.270(3) is acceptable under RCW 48.17.270(5) if:

(a) The insurance producer sends to the applicant or insured written confirmation of the disclosure;

(b) The written confirmation is sent no later than ten business days after the telephone or electronic purchase; and

(c) A copy of the confirmation is retained by the insurance producer.

(2) In addition, consent documented by a recording that meets the standards of RCW 9.73.030 is acceptable under RCW 48.17.270(5). The recording must be made and maintained in a retrievable format.

(3) The signature of the applicant or insured is not required for consent under this section.

(4) Documentation created under this section must be retained by the insurance producer for five years.

[Statutory Authority: RCW 48.02.060, 48.17.005, WSR 09-02-073 (Matter No. R 2008-06), § 284-17-625, filed 1/6/09, effective 7/1/09.]

WAC 284-17-630 Display of licenses. RCW 48.17.460 requires the display of the license or licenses of each insurance producer, title insurance agent, or adjuster in a conspicuous place in that part of the place of the licensee's business which is customarily open to the public. Licensees whose personal residence is shown on their licenses may obscure their residence addresses as long as the licensee's name can be seen clearly by the public.

[Statutory Authority: RCW 48.02.060, 48.17.005, WSR 09-02-073 (Matter No. R 2008-06), § 284-17-630, filed 1/6/09, effective 7/1/09.]

CROP ADJUSTERS

WAC 284-17-700 Definitions. As used in WAC 284-17-705 through 284-17-730, the terms below have the following meaning unless the context clearly requires otherwise:

"Certification program" means any crop adjuster educational and examination program meeting the federal Risk Management Agency requirements.

"Crop adjuster" has the meaning set forth in RCW 48.17.010 (1)(c).

"Risk Management Agency" or "RMA" means the Risk Management Agency of the United States Department of Agriculture.

[Statutory Authority: RCW 48.02.060, 48.17.005, 48.17.150, and 2010 c 67, WSR 11-08-016 (Matter No. R 2010-10), § 284-17-700, filed 3/30/11, effective 6/27/11.]

WAC 284-17-705 Crop adjuster preclicensing education and examination requirements. (1) An applicant for a crop adjuster's license to adjust crop losses insured through a federal crop insurance program must complete all educational and examination requirements of a certification program. With the application, an applicant for a crop adjuster's license must submit to the commissioner true and accurate documentation of their certification program completion. A copy of the documentation demonstrates compliance with the preclicensing education and examination requirements necessary for a crop adjuster license. A crop adjuster licensed under this subsection may adjust crop losses that are and are not insured through a federal crop insurance program.

(2) An applicant for a crop adjuster's license to adjust crop losses that are not insured through a federal crop insurance program:

(a) Is not required to complete a preclicensing education course;

(b) Must pass the state's crop adjuster licensing exam; and

(c) Must not adjust crop insurance losses that are insured through a federal crop insurance program.

[Statutory Authority: RCW 48.02.060, 48.17.005, 48.17.150, and 2010 c 67, WSR 11-08-016 (Matter No. R 2010-10), § 284-17-705, filed 3/30/11, effective 6/27/11.]

(12/20/16)

WAC 284-17-720 Crop adjuster license renewal requirements. (1) Every licensed crop adjuster adjusting crop insurance losses insured through a federal insurance program must:

(a) Renew their license on or before the expiration of the license; and

(b) On or before February 28th of each year, file with the commissioner a true and accurate copy of documents establishing their certification program completion. Failure to timely file a copy of the documentation with the commissioner is a sufficient basis for the commissioner to suspend, revoke, or refuse to renew a crop adjuster license.

(2) Every licensed crop adjuster adjusting crop losses not insured through a federal crop insurance program:

(a) Must renew their license on or before the expiration of the license; and

(b) Are not required to take continuing education.

(3) Crop adjusters who do not renew their license prior to the expiration date must pay the surcharge under RCW 48.17.170.

[Statutory Authority: RCW 48.02.060, 48.17.005, 48.17.150, and 2010 c 67, WSR 11-08-016 (Matter No. R 2010-10), § 284-17-720, filed 3/30/11, effective 6/27/11.]

WAC 284-17-730 Crop adjusters who are salaried employees of an insurance company or of a managing general agent. (1) All authorized insurance companies and licensed managing general agents must annually, on or before February 28th of each year, file with the commissioner a list of all salaried employees who act on their behalf as crop adjusters adjusting losses insured through a federal crop insurance program and a true and accurate copy of the documentation establishing completion of the crop adjuster certification program.

(2) Each insurance company and its managing general agents must file with the commissioner any changes to the list within thirty days of a change. If the change includes the addition of a new crop adjuster to the list, the insurance company and managing general agent must also file a copy of the documentation establishing the crop adjuster's completion of the certification program.

[Statutory Authority: RCW 48.02.060, 48.17.005, 48.17.150, and 2010 c 67, WSR 11-08-016 (Matter No. R 2010-10), § 284-17-730, filed 3/30/11, effective 6/27/11.]

WAC 284-17-735 Limited conversion to crop adjuster license. On or before September 30, 2011, an adjuster that is currently licensed by the commissioner as an independent or public adjuster may convert the license to a crop adjuster license to only adjust crop losses not insured through a federal program upon compliance with the following:

(1) Send written notice to the commissioner requesting the conversion; and

(2) Provide the commissioner with proof of a minimum of two years crop adjusting experience.

[Statutory Authority: RCW 48.02.060, 48.17.005, 48.17.150, and 2010 c 67, WSR 11-08-016 (Matter No. R 2010-10), § 284-17-735, filed 3/30/11, effective 6/27/11.]

SHARING COMMISSIONS

WAC 284-17-805 Charitable contributions. (1) An insurance producer may pay or assign all or a portion of a commission, fee, or other consideration received in connection with the sale, solicitation, or negotiation of insurance to a bona fide charitable or nonprofit organization as defined in chapter 48.30 RCW if all of the following conditions are met:

(a) The insured or prospective insured has no influence over which bona fide charitable or nonprofit organization receives the payment or assignment;

(b) The payment or assignment is not made in the insured's or prospective insured's name;

(c) The insured or prospective insured is not entitled to a tax benefit for the payment or assignment; and

(d) The insured or prospective insured does not select or influence the selection of the person or persons who benefit from the bona fide charitable or nonprofit organization.

(2) An insurance producer may sponsor events for, or make contributions to a bona fide charitable or nonprofit organization if the sponsorship or contribution is not conditioned upon any person affiliated with or interested in the bona fide charitable or nonprofit organization applying for or obtaining insurance through the insurance producer.

(3) An insurance producer may not sponsor events for or make contributions to a bona fide charitable or nonprofit organization if the sponsorship or contribution is conditioned upon the referral of insurance business to the insurance producer or endorsement of the insurance producer or insurance product by the bona fide charitable or nonprofit organization.

[Statutory Authority: RCW 48.02.060, 48.17.005, and 48.17.490. WSR 16-01-024 (Matter No. R 2015-07), § 284-17-805, filed 12/7/15, effective 1/7/16.]

WAC 284-17-810 Lead cards and mailing lists. (1) For the purposes of this section, lead card means communications distributed to the public which, regardless of form, content, or stated purpose, are used to compile a list containing names or other personal information regarding individuals who have expressed an interest in receiving information about insurance.

(2) A licensed insurance producer may compensate a person for the purchase of lead cards or a mailing list of prospective insureds, provided:

(a) The amount of the compensation is not based upon:

(i) The number of prospective insureds that apply for insurance or obtain insurance; or

(ii) The number of quotes issued to prospective insureds; and

(b) The person is in the business of selling lead cards or mailing lists.

(3) Lead cards may solicit interest in a particular line or type of insurance but must not:

(a) Seek information on behalf of or about a specific insurance company; or

(b) Seek information on behalf of or about a specific insurance producer.

[Statutory Authority: RCW 48.02.060, 48.17.005, and 48.17.490. WSR 14-17-026 (Matter No. R 2012-16), § 284-17-810, filed 8/12/14, effective 7/1/15.]

WAC 284-17-825 Referrals. (1) An unlicensed individual who receives referral compensation under RCW 48.30.133(1) or a referral fee under RCW 48.30.133(4) is not selling, soliciting, or negotiating insurance if all of the following conditions are met:

(a) The referral compensation or fee does not depend upon whether the referral results in a purchase or sale;

(b) If insurance is purchased, the purchase is not a factor in determining the value of the referral compensation or the amount of the referral fee; and

(c) The recipient of the referral compensation or fee does not make representations to the prospective insured about the terms of or specific need for a policy.

(2) Referral compensation given to an individual under RCW 48.30.133(1) is limited to no more than one hundred dollars in value per referring individual in any consecutive twelve-month period.

[Statutory Authority: RCW 48.02.060, 48.17.005, and 48.17.490. WSR 16-01-024 (Matter No. R 2015-07), § 284-17-825, filed 12/7/15, effective 1/7/16.]

WAC 284-17-835 Promotional games of chance. An insurance producer may conduct a promotional game of chance provided that:

(1) The promotional game of chance is undertaken solely for the purpose of advertising and promoting the insurance producer;

(2) No person eligible to receive the prize is required to apply for insurance, purchase insurance, refer a person to the insurance producer, or pay any other consideration to enter the promotional game of chance;

(3) The promotional game of chance is open to the general public;

(4) The value of the prize is limited to one hundred dollars in value;

(5) No person receives a total of prizes exceeding one hundred dollars in value in the aggregate in any consecutive twelve-month period from the insurance producer; and

(6) The promotional game of chance complies with chapter 9.46 RCW and any and all other applicable Washington state statutes and rules.

[Statutory Authority: RCW 48.02.060, 48.17.005, and 48.17.490. WSR 16-01-024 (Matter No. R 2015-07), § 284-17-835, filed 12/7/15, effective 1/7/16.]