

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 Repealed by Order R77-4, filed 6/17/77.	284-17-236	What happens if my renewal is received prior to expiration but is incomplete due to the submission of an invalid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. 05-07-091 (Matter No. R 2004-04), § 284-17-236, filed 3/17/05, effective 4/17/05.] Repealed by 09-02-073 (Matter No. R 2008-06), filed 1/6/09, effective 7/1/09.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.
284-17-030	Prohibited actions. [Order R-68-12, § 284-17-030, filed 1/13/69.] Repealed by Order R77-4, filed 6/17/77.		
284-17-040	Filings required. [Order R-68-12, § 284-17-040, filed 1/13/69.] Repealed by Order R77-4, filed 6/17/77.	284-17-238	What happens if I do not meet the continuing education requirement?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. 05-07-091 (Matter No. R 2004-04), § 284-17-238, filed 3/17/05, effective 4/17/05.] Repealed by 09-02-073 (Matter No. R 2008-06), filed 1/6/09, effective 7/1/09.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.
284-17-045	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 Repealed by Order R77-4, filed 6/17/77.		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 Repealed by Order R77-4, filed 6/17/77.	284-17-240	Can I reinstate my license? [Statutory Authority: RCW 48.02.060, 48.17.150, 48.17.563, 48.85.040. 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. 80-04-042 (Order R 80-3), § 284-17-240, filed 3/20/80.] Repealed by 09-02-073 (Matter No. R 2008-06), filed 1/6/09, effective 7/1/09.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 Repealed by Order R77-4, filed 6/17/77.		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 Repealed by Order R77-4, filed 6/17/77.	284-17-242	How long do I have to keep the course completion certificates?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. 05-07-091 (Matter No. R 2004-04), § 284-17-242, filed 3/17/05, effective 4/17/05.] Repealed by 09-02-073 (Matter No. R 2008-06), filed 1/6/09, effective 7/1/09.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.
284-17-080	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.	284-17-248	How long are my certificates of completion valid? [Statutory Authority: RCW 48.02.060, 48.17.150, 48.17.563, 48.85.040. 05-07-091 (Matter No. R 2004-04), § 284-17-248, filed 3/17/05, effective 4/17/05.] Repealed by 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. 80-01-011 (Order R 79-6), § 284-17-100, filed 12/12/79.] Repealed by 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. 80-01-011 (Order R 79-6), § 284-17-110, filed 12/12/79.] Repealed by 82-10-016 (Order R 82-2), filed 4/28/82. Statutory Authority: RCW 48.02.060.	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). 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. 05-07-091 (Matter No. R 2004-04), § 284-17-258, filed 3/17/05, effective 4/17/05.] Repealed by 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.
284-17-121	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). 94-14-033 (Order R 94-14), § 284-17-121, filed 6/28/94, effective 7/29/94. Statutory Authority: RCW 48.02.060. 90-04-060 (Order R 90-1), § 284-17-121, filed 2/2/90, effective 3/5/90.] Repealed by 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.		
284-17-135	Reexamination after failure to pass. [Statutory Authority: RCW 48.02.060. 88-23-063 (Order R 88-11), § 284-17-135, filed 11/16/88.] Repealed by 98-06-022 (Matter No. R 97-7), filed 2/23/98, effective 3/26/98. Statutory Authority: RCW 48.02.060 and 48.17.130.	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). 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. 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). 94-14-033 (Order R 94-14), § 284-17-260, filed 6/28/94, effective 7/29/94. Statutory Authority: RCW 48.02.060. 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. 80-04-042 (Order R 80-3), § 284-17-230, filed 3/20/80.] Repealed by 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.
284-17-228	What is required for a self-study course? [Statutory Authority: RCW 48.02.060, 48.17.150, 48.17.563, 48.85.040. 05-07-091 (Matter No. R 2004-04), § 284-17-228, filed 3/17/05, effective 4/17/05.] Repealed by 09-14-034 (Matter No. R-2009-03), filed 6/24/09, effective 7/25/09. Statutory Authority: RCW 48.02.060 and 48.17.150.		
284-17-230	May I take any approved continuing education course? [Statutory Authority: RCW 48.02.060, 48.17.150, 48.17.563, 48.85.040. 05-07-091 (Matter No. R 2004-04), § 284-17-230, filed 3/17/05, effective 4/17/05. Statutory Authority: RCW 48.02.060. 89-19-037 (Order R 89-10), § 284-17-230, filed 9/15/89, effective 10/16/89. Statutory Authority: RCW 48.17.150 as amended by 1979 ex.s. c 269 §§ 7,10. 80-04-042 (Order R 80-3), § 284-17-230, filed 3/20/80.] Repealed by 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.		

	10/16/89. Statutory Authority: RCW 48.17.150 as amended by 1979 ex.s. c 269 §§ 7,10. 80-04-042 (Order R 80-3), § 284-17-260, filed 3/20/80.] Repealed by 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.	
284-17-275	Courses not approved. [Statutory Authority: RCW 48.02.060. 89-19-037 (Order R 89-10), § 284-17-275, filed 9/15/89, effective 10/16/89; 88-01-074 (Order R 87-12), § 284-17-275, filed 12/18/87, effective 3/1/88.] Repealed by 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.	284-17-400
284-17-280	What courses are eligible for approval? [Statutory Authority: RCW 48.02.060, 48.17.150, 48.17.563, 48.85.040. 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. 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. 80-04-042 (Order R 80-3), § 284-17-280, filed 3/20/80.] Repealed by 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.	284-17-410
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. 05-07-091 (Matter No. R 2004-04), § 284-17-288, filed 3/17/05, effective 4/17/05.] Repealed by 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.	284-17-420
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. 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). 94-14-033 (Order R 94-14), § 284-17-290, filed 6/28/94, effective 7/29/94. Statutory Authority: RCW 48.02.060. 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. 80-04-042 (Order R 80-3), § 284-17-290, filed 3/20/80.] Repealed by 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.	284-17-421
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. 05-07-091 (Matter No. R 2004-04), § 284-17-298, filed 3/17/05, effective 4/17/05.] Repealed by 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.	284-17-425
284-17-300	Continuing education advisory committee. [Statutory Authority: RCW 48.17.150 as amended by 1979 ex.s. c 269 §§ 7,10. 80-04-042 (Order R 80-3), § 284-17-300, filed 3/20/80.] Repealed by 98-09-041 (Matter 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.	284-17-427
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. 05-07-091 (Matter No. R 2004-04), § 284-17-301, filed 3/17/05, effective 4/17/05.] Repealed by 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.	284-17-431
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. 05-07-091 (Matter No. R 2004-04), § 284-17-308, filed 3/17/05, effective 4/17/05.] Repealed by 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.	284-17-433
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. 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). 94-14-033 (Order R 94-14), § 284-17-320, filed 6/28/94, effective 7/29/94. Statutory Authority: RCW 48.02.060. 89-	284-17-437
		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. 80-04-042 (Order R 80-3), § 284-17-320, filed 3/20/80.] Repealed by 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.
		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). 94-14-033 (Order R 94-14), § 284-17-400, filed 6/28/94, effective 7/29/94. Statutory Authority: RCW 48.02.060. 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. 80-04-041 (Order R 80-4), § 284-17-400, filed 3/20/80.] Repealed by 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).
		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). 94-14-033 (Order R 94-14), § 284-17-410, filed 6/28/94, effective 7/29/94. Statutory Authority: RCW 48.02.060. 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. 80-04-041 (Order R 80-4), § 284-17-410, filed 3/20/80.] Repealed by 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).
		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). 94-14-033 (Order R 94-14), § 284-17-420, filed 6/28/94, effective 7/29/94. Statutory Authority: RCW 48.02.060. 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. 80-04-041 (Order R 80-4), § 284-17-420, filed 3/20/80.] Repealed by 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).
		Definitions. [Statutory Authority: RCW 48.02.060. 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). 06-12-025 (Matter No. R 2005-06), § 284-17-421, filed 5/30/06, effective 6/30/06.] Repealed by 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 are initial and reinstated business entity licenses in effect? [Statutory Authority: RCW 48.02.060 (3)(a) and 48.17.150 (1)(g)(ii). 06-12-025 (Matter No. R 2005-06), § 284-17-425, filed 5/30/06, effective 6/30/06.] Repealed by 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 is the renewal period for a license? [Statutory Authority: RCW 48.02.060 (3)(a) and 48.17.150 (1)(g)(ii). 06-12-025 (Matter No. R 2005-06), § 284-17-427, filed 5/30/06, effective 6/30/06.] Repealed by 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 is the renewal period for an appointment? [Statutory Authority: RCW 48.02.060 (3)(a) and 48.17.150 (1)(g)(ii). 06-12-025 (Matter No. R 2005-06), § 284-17-431, filed 5/30/06, effective 6/30/06.] Repealed by 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 is an appointment effective? [Statutory Authority: RCW 48.02.060 (3)(a) and 48.17.150 (1)(g)(ii). 06-12-025 (Matter No. R 2005-06), § 284-17-433, filed 5/30/06, effective 6/30/06.] Repealed by 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.
		Appointments of agents. [Statutory Authority: RCW 48.02.060. 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). 06-12-025 (Matter No. R 2005-06), § 284-17-437, filed 5/30/06, effective 6/30/06.] Repealed by 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.
- 284-17-441 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, 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). 06-12-025 (Matter No. R 2005-06), § 284-17-441, filed 5/30/06, effective 6/30/06.] Repealed by 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.
- 284-17-447 Termination of an appointment by an agent. [Statutory Authority: RCW 48.02.060, 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). 06-12-025 (Matter No. R 2005-06), § 284-17-447, filed 5/30/06, effective 6/30/06.] Repealed by 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.
- 284-17-451 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). 06-12-025 (Matter No. R 2005-06), § 284-17-451, filed 5/30/06, effective 6/30/06.] Repealed by 08-17-063 (Matter No. R 2008-03), filed 8/18/08, effective 9/18/08. Statutory Authority: RCW 48.02.060.
- 284-17-453 What conduct constitutes "for cause"? [Statutory Authority: RCW 48.02.060 (3)(a) and 48.17.150 (1)(g)(ii). 06-12-025 (Matter No. R 2005-06), § 284-17-453, filed 5/30/06, effective 6/30/06.] Repealed by 08-17-063 (Matter No. R 2008-03), filed 8/18/08, effective 9/18/08. Statutory Authority: RCW 48.02.060.
- 284-17-455 Agent must be licensed for all lines of authority of the appointing insurer. [Statutory Authority: RCW 48.02-060, 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). 06-12-025 (Matter No. R 2005-06), § 284-17-455, filed 5/30/06, effective 6/30/06.] Repealed by 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 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, 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). 06-12-025 (Matter No. R 2005-06), § 284-17-457, filed 5/30/06, effective 6/30/06.] Repealed by 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 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). 06-12-025 (Matter No. R 2005-06), § 284-17-459, filed 5/30/06, effective 6/30/06.] Repealed by 08-17-063 (Matter No. R 2008-03), filed 8/18/08, effective 9/18/08. Statutory Authority: RCW 48.02.060.
- 284-17-461 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). 06-12-025 (Matter No. R 2005-06), § 284-17-461, filed 5/30/06, effective 6/30/06.] Repealed by 08-17-063 (Matter No. R 2008-03), filed 8/18/08, effective 9/18/08. Statutory Authority: RCW 48.02.060.
- 284-17-463 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). 06-12-025 (Matter No. R 2005-06), § 284-17-463, filed 5/30/06, effective 6/30/06.] Repealed by 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 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). 06-12-025 (Matter No. R 2005-06), § 284-17-469, filed 5/30/06, effective 6/30/06.] Repealed by 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). 06-12-025 (Matter No. R 2005-06), § 284-17-471, filed 5/30/06, effective 6/30/06.] Repealed by 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). 06-12-025 (Matter No. R 2005-06), § 284-17-475, filed 5/30/06, effective 6/30/06.] Repealed by 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, 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). 06-12-025 (Matter No. R 2005-06), § 284-17-477, filed 5/30/06, effective 6/30/06.] Repealed by 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, 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). 06-12-025 (Matter No. R 2005-06), § 284-17-479, filed 5/30/06, effective 6/30/06.] Repealed by 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, 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). 06-12-025 (Matter No. R 2005-06), § 284-17-481, filed 5/30/06, effective 6/30/06.] Repealed by 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, 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). 06-12-025 (Matter No. R 2005-06), § 284-17-482, filed 5/30/06, effective 6/30/06.] Repealed by 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, 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, 89-01-055 (Order R 88-14), § 284-17-552, filed 12/16/88.] Repealed by 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, 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, 89-01-055 (Order R 88-14), § 284-17-553, filed 12/16/88.] Repealed by 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, 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, 89-01-055 (Order R 88-14), § 284-17-554, filed 12/16/88.]

- Repealed by 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. 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. 89-01-055 (Order R 88-14), § 284-17-555, filed 12/16/88.] Repealed by 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. 89-14-045 (Order R 89-8), § 284-17-570, filed 6/29/89. Statutory Authority: RCW 48.02.060 and 48.17.070. 89-01-055 (Order R 88-14), § 284-17-570, filed 12/16/88.] Repealed by 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. 09-02-073 (Matter No. R 2008-06), § 284-17-650, filed 1/6/09, effective 7/1/09.] Repealed by 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.

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

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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) "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.

(16) "Travel insurance" means that limited line of authority of insurance coverage for trip cancellation, trip interruption, baggage, life, sickness and accident, disability, and personal effects when limited to a specific trip and sold in connection with transportation provided by a common carrier.

(17) "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 48.17.005. 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. 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. 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. 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 e-mail address provided by the person or business entity to the commissioner. This will be the e-mail 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 e-mail 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. 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. 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. 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. 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. Travel insurance is a limited line of authority and is defined in WAC 284-17-001(16).

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

(2) 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.

[Statutory Authority: RCW 48.02.060 (3)(a) and 48.17.005. 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. 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. 09-02-073 (Matter No. R 2008-06), § 284-17-015, filed 1/6/09, effective 7/1/09.]

LICENSING PROCESSES

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.

(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. 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. 11-04-067 (Matter No. R 2010-07), § 284-17-055, filed 1/28/11, effective 2/28/11.]

WAC 284-17-065 Required e-mail address for licensing transactions. (1) Each applicant, individual or business entity licensee, insurance education provider, and insurer must provide the commissioner with a valid e-mail address. As provided in WAC 284-17-005 (1)(b), the e-mail 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 e-mail 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. 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. 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. 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. 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). 94-14-033 (Order R 94-14), § 284-17-120, filed 6/28/94, effective 7/29/94. Statutory Authority: RCW 48.02.060. 88-24-054 (Order R 88-13), § 284-17-120, filed 12/7/88; 84-19-022 (Order R 84-3), § 284-17-120, filed 9/12/84; 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. 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. 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. 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.

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(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. 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. 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. 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;

(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. 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. 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;

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(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, 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, 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, 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, 89-01-055 (Order R 88-14), § 284-17-175, filed 12/16/88.]

CONTINUING INSURANCE EDUCATION

WAC 284-17-200 Continuing insurance education—Minimum standards. 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 insurance education courses must meet to be approved by the commissioner.

[Statutory Authority: RCW 48.02.060, 48.17.005, 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, 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, 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, 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 a program of continuing insurance education, including live presentations, correspondence courses and seminars, formally approved by the commissioner.

(2) "Credit hour" means the value assigned to a course by the commissioner. Generally, fifty minutes of instruction equals one credit hour.

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

(5) "Course outline" means a summary of the insurance education course content, including the time allotted to each topic.

(6) "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.

(7) "Instructor" means an individual knowledgeable in topic(s) of instruction who has been designated by the insurance education provider to teach an approved course or courses.

(8) "Monitor" means the individual responsible for verifying class attendance and course completion.

(9) "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.

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

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

(12) "Roster" means a course attendance record, a record of a self-study course purchase, or a course completion record maintained by the insurance education provider.

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

[Statutory Authority: RCW 48.02.060, 48.17.005, 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, 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, 89-19-037 (Order R 89-10), § 284-17-210, filed 9/15/89, effective 10/16/89; 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, 80-04-042 (Order R 80-3), § 284-17-210, filed 3/20/80.]

LICENSEES

WAC 284-17-220 Continuing insurance 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 insurance education requirements of this chapter.

[Statutory Authority: RCW 48.02.060, 48.17.005, 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, 08-07-102 (Matter No. R 2007-16), § 284-17-220, filed 3/19/08, effective 4/19/08; 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, 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, 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, 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, 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). 94-14-033 (Order R 94-14), § 284-17-220, filed 6/28/94, effective 7/29/94. Statutory Authority: RCW 48.02.060, 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, 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, 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, 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, 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, 05-07-091 (Matter No. R 2004-04), § 284-17-222, filed 3/17/05, effective 4/17/05.]

WAC 284-17-224 Continuing insurance education—Required credit hours. 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 persons 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 continuing insurance education. The twenty-four hours of education must include three credit hours of ethics education during every license continuation period. Courses must be completed within the twenty-four month period prior to the date of renewal or the date of the request for reinstatement.

[Statutory Authority: RCW 48.02.060, 48.17.005, 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, 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. The insurance education provider must issue a certificate of completion to each attendee within ten days after completion of the course.

(1) 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 form of certificate of completion is available to insurance education providers only on the commissioner's web site at www.insurance.wa.gov.

(2) For designation courses, the passing grade report will be accepted by the commissioner in lieu of a certificate of completion.

[Statutory Authority: RCW 48.02.060, 48.17.005, 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, 05-07-091 (Matter No. R 2004-04), § 284-17-226, filed 3/17/05, effective 4/17/05.]

WAC 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. A licensee may request credit for completion of an insurance related course organized and con-

ducted by an entity that is not already approved by the commissioner as a continuing insurance education provider. The commissioner will consider the educational value of the course. Evidence of the following must be provided with the licensee's request for this approval:

(1) Proof of attendance, including the signature of the instructor(s) or person in charge verifying attendance;

(2) Supporting materials in sufficient detail to show the course content; and

(3) The number of hours of actual attendance.

[Statutory Authority: RCW 48.02.060, 48.17.005, 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, 05-07-091 (Matter No. R 2004-04), § 284-17-244, filed 3/17/05, effective 4/17/05.]

WAC 284-17-246 Approval of continuing insurance education credit for insurance related college courses. The commissioner may grant continuing insurance education credits earned for insurance related college level courses on approved subjects. To request approval, the licensee must submit to the commissioner a copy of the course syllabus and a transcript showing that the requester completed the course. The number of credit hours will be determined as follows:

(1) Twelve hours will be assigned for each college quarter credit hour; and

(2) Sixteen hours will be assigned for each college semester credit hour.

[Statutory Authority: RCW 48.02.060, 48.17.005, 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, 05-07-091 (Matter No. R 2004-04), § 284-17-246, filed 3/17/05, effective 4/17/05.]

WAC 284-17-250 Retaking a continuing insurance education course. A continuing insurance education course with the same course number may be completed for credit only once every three years.

[Statutory Authority: RCW 48.02.060, 48.17.005, 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, 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), 94-14-033 (Order R 94-14), § 284-17-250, filed 6/28/94, effective 7/29/94. Statutory Authority: RCW 48.02.060, 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, 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, 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, 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, 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 continuing insurance education requirements. Licensees may request a waiver of the continuing insurance education requirement. Requests must be sent to the commissioner at 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.

(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.

(i) The address of the designee may be a mailing address or may be an e-mail 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. 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. 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 course receive twice the number of approved credit hours for that course. Credit hours for the same course may be used only once in a three-year period.

[Statutory Authority: RCW 48.02.060, 48.17.005. 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. 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 due date. Beginning January 1, 2009:

(1) Each insurer that has long-term care 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; or

(b) Completed the required long-term care continuing education requirement imposed by RCW 48.83.130 (2)(b).

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(2) The certification must be provided to the commissioner by the insurer annually on or before March 31st. The certification must be sent via e-mail to the licensing and education 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.

[Statutory Authority: RCW 48.15.015 and 48.17.005. 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). 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. 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. Beginning January 1, 2009, all insurance producers are subject to the eight-hour, one-time long-term care training and the four-hour long-term care education requirements of RCW 48.83.130.

(1) Successful completion of approved training in this or any other state by a resident insurance producer, may be used to satisfy the long-term care training requirements of this state.

(2) Resident insurance producers that 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.

(3) If an insurance producer wishes to apply course credits for the required long-term care 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.

[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). 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. 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:

(10/29/12)

(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;

(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 data base systems or vendors or from a reasonably reliable commercial data base 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, 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), 12-06-019 (Matter No. R 2011-23), § 284-17-265, filed 2/28/12, effective 3/30/12.]

(10/29/12)

CONTINUING INSURANCE EDUCATION PROVIDERS

WAC 284-17-270 Continuing insurance education providers—Standards. A person who seeks to become a continuing insurance 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. The application form can be found on the commissioner's web site at www.insurance.wa.gov.

[Statutory Authority: RCW 48.02.060, 48.17.005, 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, 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, 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, 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, 80-04-042 (Order R 80-3), § 284-17-270, filed 3/20/80.]

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

(a) Provide the name of a contact person who is the responsible person for the provider;

(b) Hire only instructors who are trustworthy, competent, and knowledgeable;

(c) Provide adequate supervision over instructors;

(d) Notify the commissioner of the course schedule at least ten days prior to the course start date in the format required by the commissioner;

(e) Designate a monitor who is responsible for verification of class attendance and course content completion;

(f) Maintain a course roster, consisting of sign-in and sign-out registers, for lecture (classroom) courses;

(g) Maintain a purchase and completion roster for self-study courses;

(h) File the course roster electronically in the format required by the commissioner, within ten days after completion of the course;

(i) Issue course completion certificates to attendees within ten days after completion of course; and

(j) Maintain records for a period of three years after the completion date of the course.

(2) 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, 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, 05-07-091 (Matter No. R 2004-04), § 284-17-272, filed 3/17/05, effective 4/17/05.]

WAC 284-17-274 Fee. No fee is required for applying to become a continuing insurance education provider or for requesting the commissioner's approval of a continuing insurance education course.

[Statutory Authority: RCW 48.02.060, 48.17.005, 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, 05-07-091 (Matter No. R 2004-04), § 284-17-274, filed 3/17/05, effective 4/17/05.]

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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. 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. 05-07-091 (Matter No. R 2004-04), § 284-17-276, filed 3/17/05, effective 4/17/05.]

WAC 284-17-278 Approval of a continuing insurance education course. (1) Requests for approval of a continuing insurance education course must be submitted electronically or via electronic media to the commissioner no fewer than twenty days prior to the first date the course is offered for credit. The request must include all of the following, as applicable:

(a) **Lecture (classroom) courses:**

- (i) Completed course approval request form;
- (ii) Content outline, including a list of topics to be covered and an estimate of the time to be spent on each topic;
- (iii) Biography or resume of instructor(s); and
- (iv) Date(s) that course will be offered.

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

- (i) Completed course approval request form;
- (ii) Study material; and
- (iii) Sample exams.

(2) Continuing insurance education courses eligible for approval to satisfy the continuing insurance education requirement include:

(a) Courses demonstrating a direct and specific application to insurance; and

(b) Courses presenting information relevant to insurance-related statutory and regulatory requirements.

(3) General education, sales, motivation, management, leadership, and automation courses are not eligible unless the insurance education provider demonstrates to the satisfaction of the commissioner that a substantial portion of the course relates to the business of insurance and is not solely focused on a particular insurer's products.

(4) Prelicensing insurance education courses are not eligible for approval for continuing insurance education credit.

[Statutory Authority: RCW 48.15.015 and 48.17.005. 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. 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. 05-07-091 (Matter No. R 2004-04), § 284-17-278, filed 3/17/05, effective 4/17/05.]

WAC 284-17-282 Continuing insurance education course numbers. The course number issued by the commissioner at the time of approval of the continuing insurance 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. 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. 05-07-091 (Matter No. R 2004-04), § 284-17-282, filed 3/17/05, effective 4/17/05.]

[Ch. 284-17 WAC—p. 12]

WAC 284-17-284 Designation courses. (1) Successful completion of any part of a course of study leading to an insurance professional designation is approved for the maximum number of credit hours required per renewal period as a designation course, as defined in WAC 284-17-210(6).

(2) A current list of approved designations for course credit can be found on the commissioner's web site at www.insurance.wa.gov.

[Statutory Authority: RCW 48.02.060, 48.17.005. 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. 05-07-091 (Matter No. R 2004-04), § 284-17-284, filed 3/17/05, effective 4/17/05.]

WAC 284-17-286 Continuing insurance education course credit hours. (1) The number of credit hours assigned to a continuing insurance education course will be based upon the number of classroom hours or the equivalent for self-study courses.

(2) After evaluation of the content of a continuing insurance education course, the commissioner may assign fewer credits than the total hours spent by the licensee in the classroom or in self-study.

(3) No continuing insurance education course will be approved for less than one hour of continuing insurance education credit.

[Statutory Authority: RCW 48.02.060, 48.17.005. 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. 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 continuing insurance education courses—Form. The form of certificate of course completion required by the commissioner is available to insurance education providers only on the commissioner's web site at www.insurance.wa.gov. The certificate and signature may be in electronic format. The certificate must include the following:

- (1) Name of student;
- (2) Course title and number;
- (3) Date of purchase of course, if applicable;
- (4) Date of completion of course;
- (5) Number of credit hours;
- (6) Provider's name and number; and
- (7) Signature of instructor or monitor and date.

[Statutory Authority: RCW 48.02.060, 48.17.005. 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. 05-07-091 (Matter No. R 2004-04), § 284-17-292, filed 3/17/05, effective 4/17/05.]

WAC 284-17-294 Renewal—Continuing insurance education provider. A continuing insurance education provider is required to request renewal of approval to act as a continuing insurance education provider only if the provider did not receive approval from the commissioner for at least one course within the last four years. Otherwise, the commissioner's approval is continuous.

[Statutory Authority: RCW 48.02.060, 48.17.005. 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. 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 a continuing insurance education course. Approval of a continuing insurance education course offered by an approved insurance education provider must be renewed every two years. A notice of renewal of course approval will be sent to the continuing insurance education provider. If substantive changes have been made in the course curriculum since its most recent approval, the course must be resubmitted as a new course.

[Statutory Authority: RCW 48.02.060, 48.17.005. 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. 05-07-091 (Matter No. R 2004-04), § 284-17-296, filed 3/17/05, effective 4/17/05.]

WAC 284-17-302 Actions by a continuing insurance education provider that may result in a fine. The following actions by a continuing 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 continuing insurance education providers.

[Statutory Authority: RCW 48.02.060, 48.17.005. 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. 05-07-091 (Matter No. R 2004-04), § 284-17-302, filed 3/17/05, effective 4/17/05.]

WAC 284-17-304 Revocation or suspension of approval of a continuing insurance education provider—Reinstatement. (1) The commissioner's approval of a person to act as a continuing insurance education provider and approval of any or all of the provider's approved courses may be suspended or revoked by the commissioner if:

(a) The provider or any of its employees involved in continuing insurance education is found to have violated any provision of Titles 48 RCW or 284 WAC; or

(b) The commissioner finds that disciplinary action against a continuing insurance education provider is appropriate based on the facts and circumstances of the violation.

(2) 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.

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

[Statutory Authority: RCW 48.02.060, 48.17.005. 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. 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 a continuing insurance education course. (1) Approval of a continuing insurance education course 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 continuing insurance education provider fails to supply updated descriptions of any course, records, materials, or audit reports.

(2) Reinstatement of approval 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.

[Statutory Authority: RCW 48.02.060, 48.17.005. 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. 05-07-091 (Matter No. R 2004-04), § 284-17-306, filed 3/17/05, effective 4/17/05.]

WAC 284-17-310 Content of a course advertisements. A continuing insurance education course advertisement must include all of the following:

(1) The insurance education provider's name, using the name registered with the commissioner;

(2) The course title, as approved by the commissioner;

(3) A brief description of the content of the course;

(4) The number of credit hours approved by the commissioner;

(5) The location where the course will be held;

(6) The date and time that the course will be presented; and

(7) The total cost of the course.

[Statutory Authority: RCW 48.02.060, 48.17.005. 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. 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. 89-19-037 (Order R 89-10), § 284-17-310, filed 9/15/89, effective 10/16/89; 82-10-016 (Order R 82-2), § 284-17-310, filed 4/28/82. Statutory Authority: RCW 48.02.060 and 48.17.150. 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. 80-04-042 (Order R 80-3), § 284-17-310, filed 3/20/80.]

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. 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. 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. 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, 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. 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). 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 author-

ity 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. 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. 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. 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). 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. 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. 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). 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. 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, 08-17-063 (Matter No. R 2008-03), § 284-17-439, filed 8/18/08, effective 9/18/08. Statutory Authority: RCW 48.02.060 (3)(a) and 48.17.150 (1)(g)(ii). 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 e-mail.

(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. 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. 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. 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). 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. 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. 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. 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). 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. 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. 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. 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). 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

(10/29/12)

(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. 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. 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). 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. 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. 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. 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). 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. 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 e-mail to the commissioner.

(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. 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. 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. 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). 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.

(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. 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. 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. 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. 89-14-045 (Order R 89-8), § 284-17-505, filed 6/29/89. Statutory Authority: RCW 48.02.060 and 48.17.070. 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. 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. 89-01-055 (Order R 88-14), § 284-17-510, filed 12/16/88.]

WAC 284-17-515 Waiver of the preclicensing insurance education requirement—Equivalent education. Any person may file a petition with the commissioner for a waiver of the preclicensing 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 preclicensing 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 preclicensing education requirements and will be issued a waiver of the preclicensing 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 preclicensing insurance education requirement.

(4) The petition must be submitted and the commissioner's written waiver of preclicensing 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. 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. 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. 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.

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(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. 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. 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

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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. 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. 89-14-045 (Order R 89-8), § 284-17-520, filed 6/29/89. Statutory Authority: RCW 48.02.060 and 48.17.070. 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 prelicensing 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 prelicensing 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 prelicensing 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 prelicensing 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 fail-

ure of any employee to comply with the requirements of this chapter.

[Statutory Authority: RCW 48.15.015 and 48.17.005. 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. 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. 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 prelicensing 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. 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. 89-19-036 (Order R 89-9), § 284-17-535, filed 9/15/89, effective 10/16/89; 89-14-045 (Order R 89-8), § 284-17-535, filed 6/29/89. Statutory Authority: RCW 48.02.060 and 48.17.070. 89-01-055 (Order R 88-14), § 284-17-535, filed 12/16/88.]

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

(1) To qualify as a prelicensing 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, 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, 89-14-045 (Order R 89-8), § 284-17-537, filed 6/29/89. Statutory Authority: RCW 48.02.060 and 48.17.070, 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, 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, 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:

(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. 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. 89-19-036 (Order R 89-9), § 284-17-540, filed 9/15/89, effective 10/16/89; 89-14-045 (Order R 89-8), § 284-17-540, filed 6/29/89. Statutory Authority: RCW 48.02.060 and 48.17.070. 89-01-055 (Order R 88-14), § 284-17-540, filed 12/16/88.]

WAC 284-17-545 Requirements applicable to insurer-based preclicensing 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. 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. 89-01-055 (Order R 88-14), § 284-17-545, filed 12/16/88.]

WAC 284-17-547 Renewal—Preclicensing insurance education provider. A preclicensing 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. 09-02-073 (Matter No. R 2008-06), § 284-17-547, filed 1/6/09, effective 7/1/09.]

WAC 284-17-550 Preclicensing insurance education course standards. (1) No preclicensing 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.

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(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. 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. 89-14-045 (Order R 89-8), § 284-17-550, filed 6/29/89. Statutory Authority: RCW 48.02.060 and 48.17.070. 89-01-055 (Order R 88-14), § 284-17-550, filed 12/16/88.]

WAC 284-17-551 Preclicensing insurance education—Candidate handbook. The preclicensing insurance education curriculum is described in the candidate handbook. The candidate handbook is incorporated by reference and its entire contents will be enforced by the commissioner. A copy of the current candidate handbook is available through the commissioner's web site at www.insurance.wa.gov.

(1) Information in the current version of the candidate handbook 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, 48.17.005. 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. 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. 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. 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. 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. 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. 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. 09-02-073 (Matter No. R 2008-06), § 284-17-572, filed 1/6/09, effective 7/1/09.]

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

[Statutory Authority: RCW 48.02.060, 48.17.005. 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 preclicensing insurance education provider that may result in a fine. The following actions by a preclicensing 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 preclicensing insurance education providers.

[Statutory Authority: RCW 48.02.060, 48.17.005. 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 preclicensing 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. 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 preclicensing insurance education course. (1) Approval of a preclicensing insurance education course associated with a preclicensing 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 preclicensing insurance education provider fails to supply updated descriptions of any course, records, materials, or audit reports.

(2) Reinstatement of approval of a preclicensing 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.

[Statutory Authority: RCW 48.02.060, 48.17.005. 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 pres-

ent 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. 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. 90-22-039 (Order R 90-12), § 284-17-600, filed 11/1/90, effective 1/15/91.]

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 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. 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. 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. 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. 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. 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.

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"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. 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. 11-08-016 (Matter No. R 2010-10), § 284-17-705, filed 3/30/11, effective 6/27/11.]

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. 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. 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. 11-08-016 (Matter No. R 2010-10), § 284-17-735, filed 3/30/11, effective 6/27/11.]