

WSR 23-03-079

OFFICE OF THE

INSURANCE COMMISSIONER

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**Technical Assistance Advisory 2023-01**

**TO: Insurance Producers, Title Insurance Agents, Adjusters, or Other Persons Licensed Chapter 48.17 RCW**

**FROM: Insurance Commissioner, Mike Kreidler**

**DATE: January 13, 2023**

**SUBJECT: RCW 48.17.475 Guidance for Electronic Mail Communications**

The purpose of this technical assistance advisory is to summarize expectations for individuals and entities licensed under chapter 48.17 RCW when it comes to handling electronic mail communications sent from the office of the insurance commissioner (commissioner).

RCW 48.17.475 requires "[e]very insurance producer, title insurance agent, adjuster, or other person licensed under [chapter 48.17 RCW] shall promptly reply in writing to **an inquiry** of the commissioner relative to the business of insurance. A timely response is one that is received by the commissioner within fifteen business days from receipt of the inquiry. Failure to make a timely response constitutes a violation of this section."

WAC 284-17-005 (1)(b) expressly provides that for all communications that are not disciplinary matters, the commissioner will use "the last email address provided by the person or business entity to the commissioner," as the "address of record" in sending notices and inquiries to those who are licensed under chapter 48.17 RCW. In addition, WAC 284-17-065(2) requires that licensees provide updated email addresses to the commissioner.

Electronic mail communications (i.e., inquiries and notices) sent from the commissioner to chapter 48.17 RCW licensed individuals and entities are treated by the commissioner as received upon being sent to the email address of record on file with the commissioner. It is a licensee's responsibility to ensure that any settings or filters placed on the email account that serves as the address of record, by either the licensee or vendors a licensee may contract with, do not impede inquiries and notices delivered by the commissioner. Be advised that to ensure receipt of electronic mail communications from the commissioner to your inbox in time to allow you to comply with your statutory obligations to respond in a timely manner to inquiries provided by the commissioner, you may need to add the commissioner's domain (@oic.wa.gov) to your trusted sender list (e.g., *Safe Sender list* or *Whitelist*) in your electronic mail client software (e.g., Microsoft Outlook, Apple Mail, or Gmail). Additionally, you should also regularly check your quarantined electronic mail where you have an antivirus software application that may inadvertently quarantine official communications from the commissioner. The commissioner will not excuse a failure to respond in a timely manner to an inquiry on the grounds that a third-party system or filter prevented the complete transmission of electronic mail communications to your inbox.

Please direct any questions about this advisory to Jeff Baughman, who may be contacted at Jeff.Baughman@oic.wa.gov and 360-725-7156.