

WSR 23-23-081  
PERMANENT RULES  
OFFICE OF THE  
INSURANCE COMMISSIONER

[Insurance Commissioner Matter R 2023-01—Filed November 13, 2023, 2:44 p.m., effective December 14, 2023]

Effective Date of Rule: Thirty-one days after filing.

Purpose: The commissioner is adopting rules to amend current rules to align with SHB 1266 (chapter 27, Laws of 2023), which created a new section in chapter 48.02 RCW, and amended RCW 48.15.103, 48.17.170, 48.17.450, and 48.17.475. In doing so, it will clarify for insurance producers which address of record the commissioner will utilize when communicating with them.

Citation of Rules Affected by this Order: Amending WAC 284-17-005 and 284-17-065.

Statutory Authority for Adoption: RCW 48.02.060 and 48.17.005.

Adopted under notice filed as WSR 23-20-123 on October 4, 2023.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 2, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: November 13, 2023.

Mike Kreidler  
Insurance Commissioner

**OTS-4825.1**

AMENDATORY SECTION (Amending WSR 11-04-067, filed 1/28/11, effective 2/28/11)

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

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

~~(b) For all other matters, the last email address provided by the person or business entity to the commissioner. This will be the email address listed in the mailing address section of the commissioner's licensing data base [database].))~~ for all notices, orders, or written communication, including any notification of investigation, notification of audit and findings resulting from such audit, or written communication pursuant to RCW 48.17.475 (2)(c)(ii).

(b) The last email address of record, listed in the mailing address section of the commissioner's licensing database, may only be used, if:

- (i) The communication is not required to be sent to the person's mailing address pursuant to RCW 48.17.450(2) or 48.15.103(4);
- (ii) The person has affirmatively consented to receive communications from the commissioner by email; and
- (iii) The email from the commissioner does not require a response.

**NOTE:** However, if a response is required by the commissioner, then the email must comply with the requirements of RCW 48.17.475 (2)(b) or 48.15.103 (8)(b), whichever is applicable, before it is sent.

(2) Licensees must advise the commissioner of any change of address within ~~((thirty))~~ 30 days after a change of address. This includes any change in the person's residence, mailing, business or email address. Failure to advise the commissioner of a change of address may subject a licensee to disciplinary action under RCW 48.17.530 and 48.17.560.

AMENDATORY SECTION (Amending WSR 11-04-067, filed 1/28/11, effective 2/28/11)

**WAC 284-17-065 Required email address for licensing transactions.** (1) Each applicant, individual or business entity licensee, insurance education provider, and insurer must provide the commissioner with a valid email address. ~~((As provided in WAC 284-17-005 (1)(b), the email address will be the official contact address for all communication regarding licensing processes.))~~ The following do not need to comply with the provisions of RCW 48.17.450(3) and 48.15.103(3) (affirmative consent and require a response):

- (a) Email communication sent to an applicant before the issuance of license; or
- (b) Auto-generated email communication regarding license applications or license renewal processes.

(2) Each applicant, individual or business entity licensee, insurance education provider, and insurer must notify the commissioner of any change to their email address within ~~((thirty))~~ 30 days after the change.

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