

**RULES AND REGULATIONS OF
THE INSURANCE COMMISSIONER**

CHAPTER 120-2-3

**REGUALTIONS REGARDING AGENTS, SUBAGENTS, COUNSELORS, ADJUSTERS,
SURPLUS LINES BROKERS, AND AGENCIES**

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RULE 120-2-3-.25. Resident Adjusters, Public Adjusters, Workers Compensation Adjusters, Crop Hail Adjusters and Emergency Disaster Adjusters

(1) Adjuster:

(a) Effective July 1, 2002, all licensees who currently hold an adjusting company adjuster or an independent adjuster license will be issued an adjuster license in lieu of their current license. All continuing education requirements as outlined in Rule 120-2-3-.15 and all renewal requirements as outlined in Rule 120-2-3-.16 continue to apply after July 1, 2002.

(b) In order for all other resident applicants to be eligible for an adjuster license in accordance with Chapter 23 of Title 33 of the Official Code of Georgia Annotated and this Regulation, the applicant must make proper application to the Commissioner and pay all required fees.

(c) Effective January 1, 2010, all new applicants, excluding active licensees and individuals that apply for reinstatement within 6 months of expiration date, shall be required to submit electronic fingerprints through a vendor selected by the Department for a criminal background check. The applicant shall bear the cost for electronic fingerprinting.

(d) The resident adjuster applicant must complete an approved Prelicensing course in property and casualty unless specifically exempted by Chapter 23 of Title 33 of the Official Code of Georgia Annotated and this Regulation. All prelicensing courses must contain a minimum of twenty (20) hours of instruction per major line of authority. The applicant must pass the required examination for licensure within 12 months of the completion of the prelicensing course. All applicants must pass the required adjuster examination and apply for licensure within 12 months from receiving a passing grade on the examination. Applicants are exempt from the examination requirement if they qualify for the exemption outlined in Rule 120-2-3-.09(1)(k) or hold either the designation of Chartered Property and Casualty Underwriter (CPCU) or Universal Claims Certification (UCC).

(e) All continuing education requirements as outlined in Rule 120-2-3-.15 and all renewal requirements as outlined in Rule 120-2-3-.16 apply to adjuster licensees.

(f) Exceptions to prelicensing course:

1. Applicants with a designation of CPCU or UCC;
2. Applicants who qualify for exemption under O.C.G.A. §§33-23-5(a)(5)(A) and 33-23-5(a)(5)(B);
3. Applicants who provide satisfactory evidence such as a transcript from a college or university indicating successful completion of two (2) college or university courses related to insurance. Such courses must relate to the lines of authority for which the Applicant has applied;
4. Applicants with college degrees in insurance;
5. Other applicants at the Commissioner's discretion.

(2) Public adjuster:

(a) To be eligible for a resident public adjuster license in accordance with Chapter 23 of Title 33 of the Official Code of Georgia Annotated and this Regulation, the applicant must make proper application to the Commissioner and pay all required fees.

(b) Effective January 1, 2010, all new applicants, excluding active licensees and individuals that apply for reinstatement within 6 months of expiration date, shall be required to submit electronic fingerprints through a vendor selected by the Department for a criminal background check. The applicant shall bear the cost for electronic fingerprinting.

(c) The resident public adjuster applicant must complete an approved prelicensing course in property and casualty unless specifically exempted by Chapter 23 of Title 33 of the Official Code of Georgia Annotated and this Regulation. All prelicensing courses must contain a minimum of twenty (20) hours of instruction per major line of authority. The applicant must pass the required examination for licensure within 12 months of the completion of the prelicensing course. All applicants must pass the required public adjuster examination and apply for licensure within 12 months from receiving a passing grade on the examination. Applicants are exempt from the examination requirement if they qualify for the exemption outlined in Rule 120-2-3-.09(1)(k) or hold the designation of CPCU.

(d) All continuing education requirements as outlined in Rule 120-2-3-.15 and all renewal requirements as outlined in Rule 120-2-3-.16 apply to public adjusters.

(e) The applicant must include with his/her application a public adjuster bond in accordance with Rule 120-2-3-.18.

(f) Exceptions to prelicensing course:

1. Applicants with a designation of CPCU;
2. Applicants who qualify for exemption under O.C.G.A. §§33-23-5(a)(5)(A) and 33-23-5(a)(5)(B);
3. Applicants who provide satisfactory evidence such as a transcript from a college or university indicating successful completion of two (2) college or university courses related to insurance. Such courses must relate to the lines of authority for which the Applicant has applied;
4. Applicants with college degrees in insurance;
5. Other applicants at the Commissioner's discretion.

(3) Workers' Compensation adjuster:

- (a) To be eligible for a resident workers' compensation adjuster license in accordance with Chapter 23 of Title 33 of the Official Code of Georgia Annotated and this Regulation, the applicant must make proper application to the Commissioner and pay all required fees.
- (b) Applicants must hold and submit proof of the designation of CWCP, CPCU, or UCC, or qualify under Rule 120-2-3-.09(1)(k).
- (c) Effective January 1, 2010, all new applicants, excluding active licensees and individuals that apply for reinstatement within 6 months of expiration date, shall be required to submit electronic fingerprints through a vendor selected by the Department for a criminal background check. The applicant shall bear the cost for electronic fingerprinting.
- (d) All continuing education requirements as outlined in Rule 120-2-3-.15(2)(c) and all renewal requirements as outlined in Rule 120-2-3-.16 apply to workers' compensation adjusters.

(4) Crop Hail adjuster:

- (a) To be eligible for a resident crop hail adjuster license in accordance with Chapter 23 of Title 33 of the Official Code of Georgia Annotated and this Regulation, the applicant must make proper application to the Commissioner and pay all required fees.
- (b) All applicants must complete an approved proficiency testing program. Applicants are exempt from the proficiency testing program requirements if they qualify for the exemption outlined in Rule 120-2-3-.09(1)(k) or hold either the designation of CPCU or UCC.
- (c) Effective January 1, 2010, all new applicants, excluding active licensees and individuals that apply for reinstatement within 6 months of expiration date, shall be required to submit electronic

fingerprints through a vendor selected by the Department for a criminal background check. The applicant shall bear the cost for electronic fingerprinting.

(d) All continuing education requirements as outlined in Rule 120-2-3-.15 and all renewal requirements as outlined in Rule 120-2-3-.16 apply to crop hail adjusters.

(5) Emergency Disaster adjuster:

(a) In the event of a Georgia Emergency Management Authority (GEMA) declared disaster or catastrophe, the insurer will be required to electronically file with the Department a list of non-licensed salaried staff adjusters and out of state licensees that will handle claims relating to the catastrophe/disaster. Upon proper filing, Disaster Re-entry Permits will be assigned to each insurer. These re-entry permits are to be temporarily assigned to each adjuster for a period not to exceed 60 days.

(b) The Insurer's electronic emergency adjuster filing must include information regarding its adjuster Coordinator. The filing must include the adjuster coordinator's name, address, e-mail address, phone and fax number, as well as any additional information the Commissioner deems necessary. The adjuster coordinator will be responsible for the emergency disaster adjuster filings and assignment of the re-entry permits.

(c) In the event of a non-GEMA declared disaster, nonresident adjusters licensed in another state may enter Georgia for a period not to exceed 60 days. The adjuster must notify the Department prior to entry into this state. Such notification must include the adjuster's name, address, date of anticipated entry into this state and any other information that the Commissioner deems necessary to complete the filing. If the adjuster will be in this state for a period exceeding 60 days, the individual must apply for adjuster licensure.

Authority:

O.C.G.A. §§33-2-9, 33-8-1, 33-23-1, 33-23-5, 33-23-5.1, 33-23-6, 33-23-8, 33-23-10, 33-23-15, 33-23-18, 33-23-29, 33-23-44.