



STATE OF WEST VIRGINIA
Offices of the Insurance Commissioner

James A. Dodrill
Insurance Commissioner

WEST VIRGINIA INSURANCE BULLETIN

No. 20 – 06

Insurance Bulletins are issued when the Commissioner renders formal opinions, guidance or expectations on matters or issues, explains how new statutes or rules will be implemented or applied, or advises of interpretation or application of existing statutes or rules.

To: All Insurers Writing Health Insurance or Health Benefit Plan Coverage in West Virginia, Insurance Trade Associations, Insurance producers and Other Interested Persons

From: James A. Dodrill, Insurance Commissioner (WVOIC)

Re: Coronavirus (COVID-19) – Temporary Licensure of Producers

Date: March 17, 2020

On March 13, 2020, the President of the United States declared a National Emergency in relation to the novel Coronavirus 2019 (COVID-19) pandemic. On March 16, 2020, the Governor of the State of West Virginia declared a State of Emergency in West Virginia in relation to the novel Coronavirus 2019 (COVID-19) pandemic. Additionally, the Commissioner previously found, pursuant to *W. Va. Code* § 33-2-10a, that the COVID-19 pandemic has resulted in the existence of an insurance emergency in the State of West Virginia. See, Emergency Order in Emergency Proceeding No. 20-EO-01.

Third-party vendors under contract with the Offices of the Insurance Commissioner to provide producer testing and fingerprinting services have suspended and are continuing to suspend operations and/or close facilities in response to the COVID-19 crisis. The suspension of operations and/or closure of facilities by these third-party vendors has already resulted in a growing backlog of producer licensure applications and, if left unchecked, that backlog is expected to continue to grow. Therefore, action by the Commissioner is necessary to alleviate this backlog, prevent it from further increasing, and to facilitate continuity of operations by agencies, brokerages and other producers in the State of West Virginia.

Effective immediately, under the authority of *W. Va. Code* § 33-12-16, the Commissioner will issue a temporary producer license to applicants for a producer license, on a case-by-case basis, without requiring testing or fingerprinting, where it is determined that applicants are unable to complete the requisite testing or obtain fingerprinting due to third-party vendor operations suspensions or closures. Such temporary licenses will only be issued to applicants who will, when licensed, engage in the business of insurance while employed by an existing agency, brokerage or insurer and under the direct supervision of a producer who is currently licensed and in good standing with the Commissioner.



Temporary licenses will be issued for a period of up to 180 days and will be subject to being sooner rescinded depending upon the duration of the current insurance emergency. Upon rescission of the temporary producer license, the licensee will no longer be licensed, will immediately revert to the status of applicant, and must then complete all usual requirements for licensure in order to obtain a producer license.

Recipients of such temporary producer licenses will be subject to any and all limitations on the authority of such temporary license as specified in the license or in documentation furnished with the temporary license. Notwithstanding the foregoing, every such temporary producer licensee shall be required, when engaging in the business of insurance pursuant to temporary licensure, to do so only while under the direct supervision of a producer who is currently licensed and in good standing with the Commissioner.

Applicants, producers and others may contact Rob Grishaber, Director of Licensing & Education, at (304) 414-8412 with questions regarding this Bulletin.



James A. Dodrill
Insurance Commissioner