

**NOTICE OF WORKSHOP  
TO SOLICIT COMMENTS ON PROPOSED REGULATIONS  
AND  
WORKSHOP AGENDA**

The State of Nevada, Department of Business and Industry, Division of Insurance (“Division”) is proposing the adoption, amendment or repeal of regulations pertaining to chapter 684A of the Nevada Administrative Code (“NAC”). A workshop has been set for **9:30 a.m. on May 14, 2018**, at the following location:

**1<sup>st</sup> Floor Hearing Room  
Nevada Division of Insurance  
1818 E. College Parkway, Suite 103  
Carson City, Nevada 89706**

Interested persons may also participate through a simultaneous videoconference conducted at:

**4<sup>th</sup> Floor Nevada Room  
Nevada State Business Center  
Nevada Division of Insurance  
3300 W. Sahara Avenue, Suite 275  
Las Vegas, Nevada 89102**

The purpose of the workshop is to solicit comments from interested persons on the following general topic(s) that may be addressed in the proposed regulation(s); and to assist in determining whether the proposed regulation(s) is likely to impose a direct and significant burden upon a small business or directly restricts the formation, operation or expansion of a small business. Please submit any written comments no later than **May 7, 2018**.

**LCB File No. R028-18. Adjuster Licensing and Education.**

A regulation relating to insurance; prescribing the prelicensing education requirements for applicants for a license as an adjuster or an associate adjuster; prescribing certain continuing education requirements for renewal of a license as an adjuster held by an individual; prescribing the requirements for the approval of courses of instruction for prelicensing education and continuing education and for the approval of instructors of such courses of instruction; and providing other matters properly relating thereto.

A copy of all materials relating to the proposal may be obtained at the workshop or by visiting the Division’s Internet Web site at <http://doi.nv.gov/>, or by contacting the Division, 1818 E. College Parkway, Suite 103, Carson City, Nevada 89706, (775) 687-0700. A reasonable fee for copying may be charged. Members of the public who would like additional information about a proposed regulation may contact Susan Bell, Legal Secretary, at (775) 687-0704, or via e-mail to [suebell@doi.nv.gov](mailto:suebell@doi.nv.gov).

Notice of the workshop was provided via electronic means to all persons on the agency's e-mail list for noticing of administrative regulations. This *Notice of Workshop to Solicit Comments on Proposed Regulations* was posted to the agency's Internet Web site at <http://doi.nv.gov/>, the Nevada Legislature's Internet Web site at <http://www.leg.state.nv.us>, and at the following locations:

Nevada Division of Insurance  
1818 East College Parkway, Suite 103  
Carson City, Nevada 89706

Nevada Division of Insurance  
3300 West Sahara Avenue, Suite 275  
Las Vegas, Nevada 89102

Legislative Building  
401 South Carson Street  
Carson City, Nevada 89701

Nevada State Business Center  
3300 West Sahara Avenue  
Las Vegas, Nevada 89102

Blasdel Building  
209 East Musser Street  
Carson City, Nevada 89701

Grant Sawyer Building  
555 East Washington Avenue  
Las Vegas, Nevada 89101

Capitol Building Main Floor  
101 North Carson Street  
Carson City, Nevada 89701

Nevada Department of Employment,  
Training and Rehabilitation  
2800 E. Saint Louis Avenue  
Las Vegas, Nevada 89104

Nevada State Library & Archives  
100 North Stewart Street  
Carson City, Nevada 89701

Carson City Library  
900 North Roop Street  
Carson City, Nevada 89701

Churchill County Library  
553 South Main Street  
Fallon, Nevada 89406

Douglas County Library  
P.O. Box 337  
Minden, Nevada 89423

Elko County Library  
720 Court Street  
Elko, Nevada 89801

Esmeralda County Library  
P.O. Box 430  
Goldfield, Nevada 89013

Eureka Branch Library  
P.O. Box 293  
Eureka, Nevada 89316

Humboldt County Library  
85 East 5th Street  
Winnemucca, Nevada 89445

Lander County Library  
P.O. Box 141  
Battle Mountain, Nevada 89820

Las Vegas-Clark County Library District  
7060 W. Windmill Lane  
Las Vegas, Nevada 89113

Lincoln County Library  
P.O. Box 330  
Pioche, Nevada 89043-0330

Lyon County Library  
20 Nevin Way  
Yerington, Nevada 89447

Mineral County Public Library  
P.O. Box 1390  
Hawthorne, Nevada 89415

Pershing County Library  
P.O. Box 781  
Lovelock, Nevada 89419

Storey County Clerk  
P.O. Drawer D  
Virginia City, Nevada 89440


Tonopah Public Library  
P.O. Box 449  
Tonopah, Nevada 89049

Washoe County/Downtown Reno Library  
P.O. Box 2151  
Reno, Nevada 89505-2151

White Pine County Library  
950 Campton Street  
Ely, Nevada 89301

Members of the public who are disabled and require special accommodations or assistance at the workshop are requested to notify the Commissioner's secretary, in writing, no later than five (5) working days before the workshop: 1818 E. College Parkway, Suite 103, Carson City, Nevada 89706, or [suebell@doi.nv.gov](mailto:suebell@doi.nv.gov).

DATED this 18<sup>th</sup> day of April, 2018.

  
BARBARA D. RICHARDSON  
Commissioner of Insurance

### **WORKSHOP AGENDA**

The State of Nevada, Department of Business and Industry, Division of Insurance

**May 14, 2018 • 9:30 a.m.**

**Location of Workshop:**

Nevada Division of Insurance  
1818 E. College Pkwy., 1<sup>st</sup> Floor Hearing Room  
Carson City, NV 89706  
(Division Offices located in Suite 103)

**Available via Videoconference at:**

Nevada Division of Insurance  
3300 W. Sahara Ave., 4<sup>th</sup> Floor Nevada Room  
Las Vegas, NV 89102  
(Division Offices located in Suite 275)

1. Open Workshop: R028-18.
2. Presentation and Discussion of Proposed Regulation. (For Possible Action)

**LCB File No. R028-18. Adjuster Licensing and Education.**

A regulation relating to insurance; prescribing the prelicensing education requirements for applicants for a license as an adjuster or an associate adjuster; prescribing certain continuing education requirements for renewal of a license as an adjuster held by an individual; prescribing the requirements for the approval of

courses of instruction for prelicensing education and continuing education and for the approval of instructors of such courses of instruction; and providing other matters properly relating thereto.

3. Public Comment.
4. Close Workshop: R028-18.
5. Adjournment.

Supporting public material for this workshop may be requested from Susan Bell, Legal Secretary, Nevada Division of Insurance, 1818 E. College Parkway, Carson City, Nevada 89706, (775) 687-0704, or [suebell@doi.nv.gov](mailto:suebell@doi.nv.gov).

Note: Any agenda item may be taken out of order; items may be combined for consideration by the public body; items may be pulled or removed from the agenda at any time; and, discussion relating to an item may be delayed or continued at any time. The Hearing Officer, within his/her discretion, may allow for public comment on individual agenda items. Public comment may be limited to three minutes per speaker.

Members of the public are encouraged to submit written comments for the record.

We are pleased to make reasonable accommodations for attendees with disabilities. Please notify the Commissioner's secretary, in writing, no later than five (5) working days before the workshop: 1818 E. College Parkway, Suite 103, Carson City, Nevada 89706, or [suebell@doi.nv.gov](mailto:suebell@doi.nv.gov).

**NOTICES FOR THIS WORKSHOP HAVE BEEN POSTED IN ACCORDANCE WITH NRS 241 AT THE FOLLOWING LOCATIONS:**

Nevada Division of Insurance, 1818 E. College Parkway, Suite 103, Carson City, Nevada 89706  
Nevada Division of Insurance, 3300 W. Sahara Avenue, Suite 275, Las Vegas, Nevada 89102  
Nevada State Business Center, 3300 W. Sahara Avenue, Las Vegas, Nevada 89102  
Nevada State Legislative Building, 401 S. Carson Street, Carson City, Nevada 89701  
Grant Sawyer State Office Building, 555 E. Washington Avenue, Las Vegas, Nevada 89101  
Blasdel State Office Building, 209 E. Musser Street, Carson City, Nevada 89701  
Nevada State Capitol, 101 N. Carson Street, Carson City, Nevada 89701  
Nevada Dept. of Employment, Training and Rehabilitation, 2800 E. Saint Louis Avenue, Las Vegas, Nevada 89104  
The State of Nevada Website ([www.nv.gov](http://www.nv.gov))  
The Nevada State Legislature Website ([www.leg.state.nv.us](http://www.leg.state.nv.us))  
The Nevada Division of Insurance Website ([www.doi.nv.gov](http://www.doi.nv.gov))

**STATE OF NEVADA  
DEPARTMENT OF BUSINESS & INDUSTRY  
DIVISION OF INSURANCE**

**Determination of Necessity - Small Business Impact Statement  
NRS 233B.0608(1)**

**A REGULATION relating to insurance, providing for prelicensing education requirements for applicants for a license as an adjuster; approval of course of instruction and instructor; record retention and timely filing of compliance documentation; and continuing education and the requirements related thereto.**

**EFFECTIVE DATE OF REGULATION:  
Upon filing with the Nevada Secretary of State**

**1. BACKGROUND.**

Assembly Bill 12 was passed by the 2017 Nevada Legislature and signed into law by Governor Sandoval on May 12, 2017. That bill added language from the NAIC Independent Adjuster Model Law, which includes a requirement of successfully completing a pre-licensing course of education prior to taking the adjuster's licensing examination, and 24 hours of continuing education prior to the renewal of an adjuster's license. This regulation is needed to provide the requirements for approval of these courses and their instructors, the content of the courses, and the verification of completion that must be provided to the Nevada Division of Insurance.

**2. DESCRIPTION OF SOLICITATION SHOWING A CONCERTED EFFORT. NRS 233B.0608(1).**

The impact of this regulation on small businesses was analyzed by the Licensing Section of the Nevada Division of Insurance. A solicitation of this regulation was not made with small businesses in Nevada, as none of the proposed changes in this regulation will impact small businesses. The changes proposed in this regulation provide rules related to the new adjuster licensing requirements made in accordance with the changes to Nevada Revised Statutes pursuant to Assembly Bill 12, passed by the 2017 Nevada Legislature and signed into law by Governor Sandoval on May 12, 2017.

**3. DOES THE PROPOSED REGULATION IMPOSE A DIRECT AND SIGNIFICANT ECONOMIC BURDEN UPON A SMALL BUSINESS OR DIRECTLY RESTRICT THE FORMATION, OPERATION OR EXPANSION OF A SMALL BUSINESS? NRS 233B.0608(1).**

NO       YES

**4. HOW WAS THAT CONCLUSION REACHED? NRS 233B.0608(3).**

The Licensing Section of the Nevada Division of Insurance analyzed this proposed regulation and determined that this regulation will not add additional costs to small businesses in the state of Nevada. The regulation is imparting the rules and requirements for education providers to adjusters and licensing requirements for Nevada adjusters.

I, BARBARA D. RICHARDSON, Commissioner of Insurance for the State of Nevada, hereby certify to the best of my knowledge or belief a concerted effort was made to determine the impact of the proposed regulation on small businesses and that this statement was prepared properly and the information contained herein is accurate. (NRS 233B.0608(3))

4/18/18  
(DATE)

  
BARBARA D. RICHARDSON  
Commissioner of Insurance

**Small Business Impact Statement**  
**NRS 233B.0608(2)-(4) and 233B.0609**

**A REGULATION relating to insurance, providing for prelicensing education requirements for applicants for a license as an adjuster; approval of course of instruction and instructor; record retention and timely filing of compliance documentation; and continuing education and the requirements related thereto.**

**1. SUMMARY OF COMMENTS RECEIVED FROM SMALL BUSINESSES. NRS 233B.0609(1)(a).**

No comments were received from small businesses regarding this proposed regulation. The Licensing Section of the Nevada Division of Insurance analyzed this proposed regulation and determined that this regulation will not add additional costs to small businesses in the state of Nevada. The regulation is imparting the rules and requirements for education providers to adjusters and licensing requirements for Nevada adjusters.

Other interested parties may receive a copy of this summary by contacting Susan Bell, Legal Secretary, Nevada Division of Insurance, at (775) 687-0704 or [suebell@doi.nv.gov](mailto:suebell@doi.nv.gov).

**2. HOW WAS THE ANALYSIS CONDUCTED? NRS 233B.0609(1)(b).**

The impact of this regulation on small businesses was analyzed by the Licensing Section of the Nevada Division of Insurance. A solicitation of this regulation was not made with small businesses in Nevada, as none of the proposed changes in this regulation will impact small businesses. The changes proposed in this regulation provide rules related to the new adjuster licensing requirements made in accordance with the changes to Nevada Revised Statutes pursuant to Assembly Bill 12, passed by the 2017 Nevada Legislature and signed into law by Governor Sandoval on May 12, 2017.

**3. ESTIMATED ECONOMIC EFFECT ON SMALL BUSINESSES THE REGULATION IS TO REGULATE.**  
**NRS 233B.0609(1)(c).**

This proposed regulation is not expected to create either an adverse or beneficial effect on any of the small businesses in Nevada, including those regulated by the Nevada Division of Insurance. New adjuster

license requirements, along with prelicensing education and continuing education requirements, were included in Assembly Bill 12. This regulation does not add new costs or expenses for small businesses.

4. METHODS CONSIDERED TO REDUCE IMPACT ON SMALL BUSINESSES. NRS 233B.0609(1)(d).

No methods were considered, as there are no new costs or expenses being added as a result of this regulation.

5. ESTIMATED COST OF ENFORCEMENT. NRS 233B.0609(1)(e).

None.

6. FEE CHANGES. NRS 233B.0609(1)(f).

No new fees are created as a result of this regulation.

7. DUPLICATIVE PROVISIONS. NRS 233B.0609(1)(g).

This regulation does not duplicate any existing provision in federal, state, or local laws.

8. REASONS FOR CONCLUSIONS. NRS 233B.0609(1)(h).

The Licensing Section of the Nevada Division of Insurance analyzed this proposed regulation and determined that this regulation will not add additional costs to small businesses in the state of Nevada. The regulation is imparting the rules and requirements for education providers to adjusters and licensing requirements for Nevada adjusters.

I, BARBARA D. RICHARDSON, Commissioner of Insurance for the State of Nevada, hereby certify to the best of my knowledge or belief a concerted effort was made to determine the impact of the proposed regulation on small businesses and that this statement was prepared properly and the information contained herein is accurate. (NRS 233B.0609(2))

4/18/18  
(DATE)

  
BARBARA D. RICHARDSON  
Commissioner of Insurance





**PROPOSED REGULATION OF  
THE COMMISSIONER OF INSURANCE**

**LCB File No. R028-18**

April 17, 2018

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §§1-7, 17-27 and 28, NRS 679B.130 and section 10 of Assembly Bill No. 12, chapter 40, Statutes of Nevada 2017, at page 167 (NRS 684A.235); §§8-16, NRS 679B.130, 684A.070 and Section 10 of Assembly Bill No. 12, chapter 40, Statutes of Nevada 2017, at page 167 (NRS 684A.235).

A REGULATION relating to insurance; prescribing the prelicensing education requirements for applicants for a license as an adjuster or an associate adjuster; prescribing certain continuing education requirements for renewal of a license as an adjuster held by an individual; prescribing the requirements for the approval of courses of instruction for prelicensing education and continuing education and for the approval of instructors of such courses of instruction; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law authorizes the Commissioner of Insurance to adopt reasonable regulations for the administration of the Nevada Insurance Code. (NRS 679B.130) Existing law also: (1) prohibits a person, with certain limited exceptions, from acting as or holding himself or herself out to be an adjuster or an associate adjuster without a license; (2) requires a person to successfully complete a prelicensing course of study as a prerequisite for issuance of a license as an adjuster; and (3) requires an individual who holds a license as an adjuster, with certain limited exceptions, to complete a minimum number of hours of courses of continuing education as a prerequisite to renewal of his or her license. (NRS 684A.040, 684A.070; section 7 of Assembly Bill No. 12, chapter 40, Statutes of Nevada 2017, at page 166 (NRS 684A.135))

Existing law authorizes the Commissioner to license an individual as an independent adjuster, a public adjuster, a company adjuster or a staff adjuster. (NRS 684A.050) Existing law: (1) further authorizes the Commissioner to promulgate reasonable regulations relating to adjusters; and (2) requires the Commissioner to adopt regulations establishing a prelicensing course of study for an adjuster. (Section 10 of Assembly Bill No. 12, chapter 40, Statutes of Nevada 2017, at page 167 (NRS 684A.235); NRS 684A.070)

**Section 8** of this regulation requires an applicant for a license as an adjuster or as an associate adjuster to complete prelicensing education for the line of insurance for which the applicant is applying. **Sections 9-16** of this regulation establish requirements relating to such prelicensing

education, including, without limitation, requirements for approval of courses of instruction for prelicensing education and requirements for approval of instructors of such courses of instruction. **Section 17** of this regulation requires an individual who holds a license as an adjuster to complete continuing education related to the line or lines of insurance for which the licensee holds a license as an adjuster as a prerequisite for renewal of his or her license. **Sections 18-26** of this regulation establish requirements relating to such continuing education, including, without limitation, requirements for the approval of courses of instruction for continuing education and requirements for the approval of instructors of such courses of instruction.

**Section 27** of this regulation revises the passing score which an applicant for a license as an adjuster must obtain in order to pass the licensing examination.

**Section 1.** Chapter 684A of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 26, inclusive, of this regulation.

**Sec. 2.** *As used in this chapter, unless the context otherwise requires, the words and terms defined in sections 3 to 7, inclusive, of this regulation have the meanings ascribed to them in those sections.*

**Sec. 3.** *“Designated representative” means:*

*1. Any nongovernmental entity with which the Commissioner contracts pursuant to NRS 684A.120 to perform ministerial functions associated with prelicensing, licensing or continuing education programs; or*

*2. An employee of the Division who has been designated by the Commissioner to act on behalf of the Commissioner with regard to prelicensing, licensing or continuing education programs.*

**Sec. 4.** *“Instructor” means the person who will be responsible for teaching the material of the course to the participants of the course. The instructor may be, but is not required to be, the same person as the sponsor.*

**Sec. 5.** *“License as an adjuster” means a license as an independent adjuster, a public adjuster, a company adjuster or a staff adjuster.*

*Sec. 6. "Sponsor" means the person seeking approval for a course of instruction pursuant to section 9 of this regulation.*

*Sec. 7. "Unsuitable person" has the meaning ascribed to it in NAC 679B.039.*

*Sec. 8. In addition to the requirements of chapter 684A of NRS, an applicant for a license as an adjuster or an associate adjuster must complete a course of instruction approved by the Commissioner or a designated representative for the line of insurance for which the applicant is applying. The course must have been completed within 2 years immediately preceding the date of the application for the license.*

*Sec. 9. 1. A course of instruction and the instructor for the course must be approved by the Commissioner or a designated representative before the course is offered to a prospective applicant for a license as an adjuster. The sponsor of the course must submit to the Commissioner or a designated representative:*

*(a) An application for approval of the instructor, specifying his or her experience and qualifications;*

*(b) An application for approval of the course, including, without limitation, a detailed outline of the course and a description of the scale to be used in grading the persons taking the course;*

*(c) A schedule of the times the course is to be taught; and*

*(d) A certification that the content of the course complies with sections 8 to 16, inclusive, of this regulation.*

*2. The Commissioner or a designated representative will not approve a course which:*

*(a) Substantially involves techniques for taking the licensing examination;*

*(b) Is directed toward teaching techniques of selling, soliciting or negotiating insurance, motivation or finding applicants for insurance;*

*(c) Is substantially a course to teach clerical skills; or*

*(d) Does not meet the requirements of sections 8 to 16, inclusive, of this regulation.*

*3. An approved course must not have more than 8 hours of instruction in the classroom each day.*

*4. The Commissioner or a designated representative will grant or deny approval of each course in writing within 60 days after receiving the information required pursuant to subsection 1.*

*5. Any material change in the content of a course approved by the Commissioner or a designated representative must be submitted for approval before presentation of the course.*

**Sec. 10. 1. An instructor must:**

*(a) Have at least 5 years of relevant experience in the topic to be taught; or*

*(b) Be approved by the Nevada System of Higher Education to teach insurance within that System.*

*2. Not more than one-third of any course approved by the Commissioner or a designated representative may be taught by:*

*(a) A person who does not satisfy the requirements of subsection 1;*

*(b) Videotapes or audiotapes; or*

*(c) Any other mechanical teaching aids.*

*3. For the purposes of this section, “mechanical teaching aids” includes, without limitation, digital or electronic versions of mechanical methods of instruction such as software*

*which presents a slideshow, video or audio recordings transmitted via the Internet and other similar methods of communication.*

**Sec. 11. 1.** *A correspondence course, extension course or self-study course may be approved by the Commissioner or a designated representative if:*

- (a) The course satisfies all the requirements of sections 8 to 16, inclusive, of this regulation;*
- (b) The student has quick and easy access to the sponsor or instructor of the course; and*
- (c) The student must pass a final examination at the end of the course to receive credit and the examination is directly monitored by the sponsor, the instructor or the sponsor's or instructor's representative.*

*2. The Commissioner or a designated representative will determine the equivalent number of hours of instruction in the classroom allowed for each approved correspondence course, extension course or self-study course.*

**Sec. 12. 1.** *A course must consist of:*

*(a) At least 5 hours of instruction in the classroom, or the equivalent in a self-study course approved by the Commissioner or a designated representative pursuant to section 11 of this regulation, in the provisions of title 57 of NRS and the regulations adopted pursuant thereto, at least one-half of which must cover the laws and regulations common to all lines of insurance; and*

*(b) At least 15 hours of instruction in the classroom covering:*

- (1) Principles and concepts of insurance in general;*
- (2) Basic principles and concepts of the line of insurance for which the applicant is applying;*

- (3) The processes related to adjusting a claim;*
- (4) The ethical responsibilities of the adjuster; and*
- (5) Regulation by the government.*

*2. The Commissioner or a designated representative will determine pursuant to section 11 of this regulation if a correspondence course, extension course or self-study course meets the requirements of subsection 1.*

**Sec. 13.** *1. Each sponsor of a course shall maintain a complete record of each person attending the course. The record must:*

- (a) Indicate each person's attendance;*
- (b) Indicate his or her final grade in the course;*
- (c) Be available for review by the Commissioner or a designated representative upon request during normal business hours; and*
- (d) Be retained by the sponsor for not less than 4 years.*

*2. Each sponsor of a course shall submit quarterly to the Commissioner or a designated representative for each course offered the name of the sponsor of the course, the date the course was completed and the name and grade of each person attending the course. If the course is a self-study course, the sponsor shall also submit the name and description of the course.*

*3. Except as otherwise provided in subsection 4, each sponsor of a course shall give to each person who successfully completes the course an original certificate of completion. The certificate must list the sponsor and instructor of the course, the grade obtained by the student in the course, the location, dates and times the course was offered and the fact that the course*

*was for an adjuster. An applicant for a license as an adjuster must submit the certificate of completion with his or her application for a license as an adjuster.*

*4. The sponsor of a course may comply with the provisions of subsection 3 by providing to a person who successfully completes a course an electronically generated certificate of completion, if the electronically generated certificate of completion cannot be altered in any way. The sponsor of a course that elects to issue an electronically generated certificate of completion shall upload the applicant's course completion directly to the Commissioner's education database as soon as practicable.*

**Sec. 14. 1.** *The Commissioner or a designated representative thereof may suspend or revoke the approval of a course if he or she determines that:*

*(a) The content of the course has been changed without notice to the Commissioner or designated representative and the change affects the number of hours of credit assigned to the course;*

*(b) A certificate of completion has been issued and hours were credited to a person who has not completed the course;*

*(c) A certificate of completion has not been issued and hours have not been credited when requested to a person who has successfully completed the course;*

*(d) The quality of instruction is inadequate;*

*(e) The content of the course does not meet the requirements for approval of a course set forth in section 12 of this regulation;*

*(f) The sponsor has not maintained the records required by section 13 of this regulation; or*

*(g) The sponsor has employed an unsuitable person as an instructor for the course.*

*2. The Commissioner or a designated representative may audit a course to ensure that the content and instructor meet the requirements of sections 8 to 16, inclusive, of this regulation.*

*3. If approval of a course is suspended or revoked by the Commissioner or a designated representative, approval may be reinstated at the discretion of the Commissioner or a designated representative and after the Commissioner or designated representative receives proof that the conditions giving rise to the suspension or revocation have been corrected.*

*Sec. 15. The Commissioner will refuse to issue a license as an adjuster to, or will suspend or revoke the license of, any person who knowingly submits to the Commissioner a false or fraudulent certificate of completion of a course of instruction.*

*Sec. 16. Every application, certificate or other form required to be filed with the Commissioner or a designated representative pursuant to sections 8 to 16, inclusive, of this regulation must be on a form approved by the Commissioner.*

*Sec. 17. To renew a license as an adjuster, each individual who holds a license as an adjuster must, except as otherwise provided in section 7 of Assembly Bill No. 12, chapter 40, Statutes of Nevada 2017, at page 166 (NRS 684A.135), certify that he or she has successfully completed 24 hours of approved continuing education within the 3-year period before the date of renewal described in NRS 684A.130. Pursuant to section 7 of Assembly Bill No. 12, chapter 40, Statutes of Nevada 2017, at page 166 (NRS 684A.135), three of the 24 hours of approved continuing education must be in a subject of ethics. The hours of continuing education must be related to the line or lines of insurance for which the licensee holds a license.*

*Sec. 18. 1. Any person who requests approval of a course of continuing education shall furnish to the Commissioner or to a designated representative thereof not later than 60 days before the beginning of the course:*



- (a) An outline of the subject matter;*
- (b) The method of presentation;*
- (c) The qualifications of the instructor;*
- (d) The number of classroom hours or, if the request is for approval of a correspondence course, a self-study course or an on-line computer course, the equivalent of classroom hours, and a written procedure for conducting a supervised final examination;*
- (e) Any applicable fee established and required by the Commissioner; and*
- (f) Any other information required by the Commissioner or a designated representative.*

*2. Submission of the information required by subsection 1 must be on an application approved by the Commissioner.*

*3. The course must be designed to increase the knowledge and understanding of the individual who holds a license as an adjuster regarding:*

- (a) Principles of adjusting insurance claims;*
- (b) Applicable laws, rules and regulations concerning insurance;*
- (c) Recent changes in adjusting principles or practices; and*
- (d) The duties, ethics and responsibilities of the licensee.*

*4. The Commissioner or a designated representative will not approve a course that teaches topics relating to personal improvement, motivation, time management, supportive office skills or other topics that are not related to increasing technical knowledge of insurance principles, coverage, laws or regulations. The provisions of this subsection do not limit the authority of the Commissioner or a designated representative to refuse to approve a course for noncompliance with any other provision of sections 17 to 26, inclusive, of this regulation.*

*5. The Commissioner or a designated representative will not approve a course if the total number of classroom hours is less than 1 hour. One hour of credit will be awarded for each 50 minutes of instruction, or the equivalent in self-study approved pursuant to section 11 of this regulation.*

*6. The Commissioner or a designated representative will grant or deny approval of each course in writing within 60 days after receiving the information required pursuant to subsection 1.*

*7. Any material change in the content of a course approved by the Commissioner or a designated representative must be submitted for approval before presentation of the course.*

*8. A course that has been approved by the Commissioner or a designated representative is not required to be approved for any subsequent presentation of the course, except that the sponsor of the course shall submit a notice to the Commissioner or a designated representative, not later than 30 days before the course is offered, that includes the following information:*

- (a) The name and number of the course;*
- (b) The name of the instructor of the course;*
- (c) The place where the course will be offered; and*
- (d) The date and time when the course will be offered.*

**Sec. 19. 1.** *A course of continuing education must not be advertised unless the Commissioner or a designated representative has approved the course in writing.*

*2. Any advertisement of an approved course of continuing education must contain:*

- (a) The title of the course;*
- (b) The name and address of the person approved to provide the course;*

*(c) The lines of insurance for which the course has been approved;*

*(d) The number of hours of credit for continuing education for which the course has been approved; and*

*(e) A brief summary or outline of the contents of the course.*

**Sec. 20.** *The sponsor of a course of continuing education approved by the Commissioner or a designated representative thereof shall:*

*1. Provide a certificate of completion to each person who successfully completes the course. The certificate must be on a form approved by the Commissioner or a designated representative.*

*2. Maintain records of attendance and examination scores for not less than 4 years.*

*3. Make these records and scores available to the Commissioner or a designated representative upon request.*

*4. Not employ an unsuitable person as an instructor for the course.*

**Sec. 21.** *An individual who holds a license as an adjuster who is seeking approval for hours of continuing education after completing a course organized by and conducted with the supervision of a trade association of the insurance industry or a national association of agents, brokers or adjusters that was not approved by the Commissioner or a designated representative thereof must:*

*1. Request approval of the hours from the Commissioner or a designated representative;*

*2. Submit the information required in subsection 1 of section 18 of this regulation; and*

*3. Submit a document signed by the instructor or sponsor of the course which verifies the attendance of the licensee and his or her successful completion of each portion of the course for which credit is sought.*

*Sec. 22. An individual who holds a license as an adjuster who teaches an approved course may receive credit for continuing education for the number of hours that would be granted to a licensee taking and successfully completing the course. Such a licensee will receive credit in this manner only once during a renewal period for each course taught.*

*Sec. 23. An individual who holds a license as an adjuster:*

*1. May receive credit for continuing education only once during a renewal period for each course taken.*

*2. May not carry forward to the next renewal period any hours of continuing education that are accumulated during a renewal period in excess of the hours required pursuant to section 17 of this regulation.*

*Sec. 24. 1. Each individual who holds a license as an adjuster shall furnish to the Commissioner upon the renewal of his or her license or upon the request of the Commissioner, the original certificate of completion issued by the sponsor for each course of continuing education.*

*2. Such a licensee shall keep a copy of each certificate of completion for not less than 4 years after the completion of the course.*

*3. Failure to provide verification of continuing education credits upon request by the Commissioner is evidence that the licensee did not complete the required continuing education.*

*Sec. 25. 1. The Commissioner or a designated representative thereof may suspend or revoke the approval of a course of continuing education if he or she determines that:*

*(a) The content of the course has been changed without notice to the Commissioner or designated representative and the change affects the number of hours of credit assigned to the course;*

*(b) A certificate of completion has been issued and hours were credited to a person who has not completed the course;*

*(c) A certificate of completion has not been issued and hours have not been credited when requested to a person who has successfully completed the course;*

*(d) The quality of instruction is inadequate;*

*(e) The content of the course does not meet the objectives of subsection 3 of section 18 of this regulation;*

*(f) The sponsor has not maintained the records required by subsection 2 of section 20 of this regulation; or*

*(g) The sponsor has employed an unsuitable person as an instructor for the course.*

*2. The Commissioner or a designated representative may audit a course to ensure that the content and instructor meet the requirements of section 18 of this regulation.*

*3. If approval of a course is suspended or revoked by the Commissioner or a designated representative, approval may be reinstated at the discretion of the Commissioner or a designated representative and after the Commissioner or designated representative receives proof that the conditions giving rise to the suspension or revocation have been corrected.*

*Sec. 26. 1. The Commissioner will not, except as otherwise provided in section 7 of Assembly Bill No. 12, chapter 40, Statutes of Nevada 2017, at page 166 (NRS 684A.135), renew the license of an individual who holds a license as an adjuster and fails to comply with the requirements of sections 17 to 26, inclusive, of this regulation.*

*2. Any person who submits a false or fraudulent affidavit that certifies his or her compliance with the requirements of sections 17 to 26, inclusive, of this regulation shall be deemed to have:*

*(a) Violated a regulation for the purposes of subsection 2 of NRS 683A.451;*

*(b) Made a material misrepresentation in an application for a license for the purposes of subsection 1 or 3 of NRS 683A.451; and*

*(c) Proven himself or herself untrustworthy for the purposes of subsection 8 of NRS 683A.451.*

**Sec. 27.** NAC 684A.010 is hereby amended to read as follows:

684A.010 ~~Am~~ *Unless exempted from taking or retaking the examination pursuant to NRS 684A.100 or 684A.105, an applicant for a license as an adjuster must attain a score of ~~80~~ 70 or more points in order to pass the licensing examination ~~is~~ required by NRS 684A.100.*

**Sec. 28.** This regulation becomes effective on July 1, 2018, or upon filing with the Secretary of State, whichever occurs later.