



RULE-MAKING ORDER

CR-103P (May 2009)
(Implements RCW 34.05.360)

Agency: Office of the Insurance Commissioner

Permanent Rule Only

Effective date of rule:

Permanent Rules

31 days after filing.

Other (specify) June 27, 2011 (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

Yes No If Yes, explain:

Purpose: Chapter 67, Laws of 2010 provides for the separate licensing of crop adjusters and for the Commissioner to adopt rules regarding the pre-licensing education, examination, continuing education requirements, and renewal of the license. These rules set forth the educational and examination requirements for licensing and renewal of licenses of crop adjusters.

Insurance Commissioner Matter No. R 2010-10

Citation of existing rules affected by this order:

Repealed:
Amended:
Suspended:

Statutory authority for adoption: RCW 48.02.060, RCW 48.17.005, and RCW 48.17.150

Other authority : Chapter 67, Laws of 2010

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 11-05-090 on February 16, 2011

Describe any changes other than editing from proposed to adopted version: None

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

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Date adopted: March 30, 2011

NAME (TYPE OR PRINT)
Mike Kreidler

SIGNATURE

TITLE
Insurance Commissioner

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: March 30, 2011
TIME: 2:14 PM

WSR 11-08-016

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	<u>4</u>	Amended	_____	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in the agency's own initiative:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	<u>4</u>	Amended	_____	Repealed	_____

CROP ADJUSTERS

NEW SECTION

WAC 284-17-700 Definitions. As used in WAC 284-17-705 through 284-17-730, the terms below have the following meaning unless the context clearly requires otherwise:

"Certification program" means any crop adjuster educational and examination program meeting the federal Risk Management Agency requirements.

"Crop adjuster" has the meaning set forth in RCW 48.17.010 (1)(c).

"Risk Management Agency" or "RMA" means the Risk Management Agency of the United States Department of Agriculture.

NEW SECTION

WAC 284-17-705 Crop adjuster prelicensing education and examination requirements. (1) An applicant for a crop adjuster's license to adjust crop losses insured through a federal crop insurance program must complete all educational and examination requirements of a certification program. With the application, an applicant for a crop adjuster's license must submit to the commissioner true and accurate documentation of their certification program completion. A copy of the documentation demonstrates compliance with the prelicensing education and examination requirements necessary for a crop adjuster license. A crop adjuster licensed under this subsection may adjust crop losses that are and are not insured through a federal crop insurance program.

(2) An applicant for a crop adjuster's license to adjust crop losses that are not insured through a federal crop insurance program:

(a) Is not required to complete a prelicensing education course;

(b) Must pass the state's crop adjuster licensing exam; and

(c) Must not adjust crop insurance losses that are insured through a federal crop insurance program.

NEW SECTION

WAC 284-17-720 Crop adjuster license renewal requirements.

(1) Every licensed crop adjuster adjusting crop insurance losses insured through a federal insurance program must:

(a) Renew their license on or before the expiration of the license; and

(b) On or before February 28th of each year, file with the commissioner a true and accurate copy of documents establishing their certification program completion. Failure to timely file a copy of the documentation with the commissioner is a sufficient basis for the commissioner to suspend, revoke, or refuse to renew a crop adjuster license.

(2) Every licensed crop adjuster adjusting crop losses not insured through a federal crop insurance program:

(a) Must renew their license on or before the expiration of the license; and

(b) Are not required to take continuing education.

(3) Crop adjusters who do not renew their license prior to the expiration date must pay the surcharge under RCW 48.17.170.

NEW SECTION

WAC 284-17-730 Crop adjusters who are salaried employees of an insurance company or of a managing general agent.

(1) All authorized insurance companies and licensed managing general agents must annually, on or before February 28th of each year, file with the commissioner a list of all salaried employees who act on their behalf as crop adjusters adjusting losses insured through a federal crop insurance program and a true and accurate copy of the documentation establishing completion of the crop adjuster certification program.

(2) Each insurance company and its managing general agents must file with the commissioner any changes to the list within thirty days of a change. If the change includes the addition of a new crop adjuster to the list, the insurance company and managing general agent must also file a copy of the documentation establishing the crop adjuster's completion of the certification program.

NEW SECTION

WAC 284-17-735 Limited conversion to crop adjuster license.

On or before September 30, 2011, an adjuster that is currently licensed by the commissioner as an independent or public adjuster may convert the license to a crop adjuster license to only adjust crop losses not insured through a federal program upon compliance with the following:

(1) Send written notice to the commissioner requesting the conversion; and

(2) Provide the commissioner with proof of a minimum of two years crop adjusting experience.