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FIRST REPRINT

S.B. 88

SENATE BILL NO. 88—COMMITTEE ON COMMERCE AND LABOR

(ON BEHALF OF THE DIVISION OF INSURANCE OF THE
DEPARTMENT OF BUSINESS AND INDUSTRY)

PREFILED NOVEMBER 21, 2018

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions governing producers of insurance and other persons regulated by the Commissioner of Insurance. (BDR 57-220)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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

AN ACT relating to insurance; revising provisions relating to licenses, certificates, permits and other authorizations for producers of insurance and other persons regulated by the Commissioner of Insurance; revising certain educational requirements for persons regulated by the Commissioner of Insurance; revising certain licensing and other fees; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes the Commissioner of Insurance to regulate insurance in this State. (NRS 679B.120) This bill makes various changes relating to obtaining or renewing licenses, certificates, permits or other types of authorizations governed by title 57 of NRS, including, without limitation, educational requirements.

Sections 1 and 2 of this bill revise certain fees for obtaining and renewing various licenses, certificates, permits and other authorizations. **Sections 4-6, 8, 9 and 15** of this bill remove certain educational requirements for the issuance of various licenses. **Sections 6 and 7** of this bill remove certain references to fixed annuities. **Sections 11-14, 17-21, 34 and 36** of this bill eliminate the requirements that associate adjusters be licensed. **Sections 15 and 16** of this bill revise the licensing requirements for adjusters. **Section 32** of this bill revises provisions governing the expiration of a certificate to operate as a health exchange enrollment facilitator. **Section 37** of this bill provides that this bill is effective on passage and approval for the purposes of adopting regulations and other preparatory administrative acts and January 1, 2020, for all other purposes.



* S B 8 8 R 1 *

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 680B.010 is hereby amended to read as
2 follows:

3 680B.010 The Commissioner shall collect in advance and
4 receipt for, and persons so served must pay to the Commissioner,
5 fees and miscellaneous charges as follows:

- 6 1. Insurer's certificate of authority:
- 7 (a) Filing initial application \$2,450
- 8 (b) Issuance of certificate:
- 9 (1) For any one kind of insurance as defined in
10 NRS 681A.010 to 681A.080, inclusive 283
- 11 (2) For two or more kinds of insurance as so
12 defined 578
- 13 (3) For a reinsurer 2,450
- 14 (c) Each annual continuation of a certificate 2,450
- 15 (d) Reinstatement pursuant to NRS 680A.180, 50
16 percent of the annual continuation fee otherwise
17 required.
- 18 (e) Registration of additional title pursuant to
19 NRS 680A.240 50
- 20 (f) Annual renewal of the registration of additional
21 title pursuant to NRS 680A.240 25
- 22 2. Charter documents, other than those filed with
23 an application for a certificate of authority. Filing
24 amendments to articles of incorporation, charter,
25 bylaws, power of attorney and other constituent
26 documents of the insurer, each document \$10
- 27 3. Annual statement or report. For filing annual
28 statement or report \$25
- 29 4. Service of process:
- 30 (a) Filing of power of attorney \$5
- 31 (b) Acceptance of service of process 30
- 32 5. Licenses, appointments and renewals for
33 producers of insurance:
- 34 (a) Application and license \$125
- 35 (b) Appointment fee for each insurer 15
- 36 (c) Triennial renewal of each license 125
- 37 (d) Temporary license 10
- 38 (e) Modification of an existing license 50
- 39 6. Surplus lines brokers:
- 40 (a) Application and license \$125
- 41 (b) Triennial renewal of each license 125



1 7. Managing general agents' licenses,
2 appointments and renewals:
3 (a) Application and license \$125
4 (b) Appointment fee for each insurer..... 15
5 (c) Triennial renewal of each license..... 125
6 8. Adjusters', *as defined in NRS 684A.030*,
7 licenses and renewals:
8 (a) ~~Independent and public adjusters:~~
9 ~~(1)~~ Application and license \$125
10 ~~(2)~~ (b) Triennial renewal of each license 125
11 ~~(b) Associate adjusters:~~
12 ~~(1) Application and license..... 125~~
13 ~~(2) Triennial renewal of each license 125~~
14 9. Licenses and renewals for appraisers of
15 physical damage to motor vehicles:
16 (a) Application and license \$125
17 (b) Triennial renewal of each license..... 125
18 10. Additional title and property insurers pursuant
19 to NRS 680A.240:
20 (a) Original registration \$50
21 (b) Annual renewal..... 25
22 11. Insurance vending machines:
23 (a) Application and license, for each machine..... \$125
24 (b) Triennial renewal of each license..... 125
25 12. Permit for solicitation for securities:
26 (a) Application for permit..... \$100
27 (b) Extension of permit..... 50
28 13. Securities salespersons for domestic insurers:
29 (a) Application and license \$25
30 (b) Annual renewal of license..... 15
31 14. Rating organizations:
32 (a) Application and license \$500
33 (b) Annual renewal..... 500
34 15. Certificates and renewals for administrators
35 licensed pursuant to chapter 683A of NRS:
36 (a) Application and certificate of registration..... \$125
37 (b) Triennial renewal 125
38 16. For copies of the insurance laws of Nevada, a
39 fee which is not less than the cost of producing the
40 copies.
41 17. Certified copies of certificates of authority and
42 licenses issued pursuant to the Code..... \$10



1 18. For copies and amendments of documents on
2 file in the Division, a reasonable charge fixed by the
3 Commissioner, including charges for duplicating or
4 amending the forms and for certifying the copies and
5 affixing the official seal.

6 19. Letter of clearance for a producer of insurance
7 or other licensee if requested by someone other than
8 the licensee..... \$10

9 20. Certificate of status as a producer of insurance
10 or other licensee if requested by someone other than
11 the licensee..... \$10

12 21. Licenses, appointments and renewals for bail
13 agents:

14 (a) Application and license \$125
15 (b) Appointment for each surety insurer..... 15
16 (c) Triennial renewal of each license..... 125

17 22. Licenses and renewals for bail enforcement
18 agents:

19 (a) Application and license \$125
20 (b) Triennial renewal of each license..... 125

21 23. Licenses, appointments and renewals for
22 general agents for bail:

23 (a) Application and license \$125
24 (b) Initial appointment by each insurer..... 15
25 (c) Triennial renewal of each license..... 125

26 24. Licenses and renewals for bail solicitors:

27 (a) Application and license \$125
28 (b) Triennial renewal of each license..... 125

29 25. Licenses and renewals for title agents and
30 escrow officers:

31 (a) Application and license \$125
32 (b) Triennial renewal of each license..... 125
33 (c) Appointment fee for each title insurer..... 15
34 ~~(d) Change in name or location of business or in~~
35 ~~association..... 10]~~

36 26. Certificate of authority and renewal for a
37 seller of prepaid funeral contracts \$125

38 27. Licenses and renewals for agents for prepaid
39 funeral contracts:

40 (a) Application and license \$125
41 (b) Triennial renewal of each license..... 125

42 ~~[28. Licenses, appointments and renewals for~~
43 ~~fraternal benefit societies:~~

44 ~~(a) Application and license \$125~~
45 ~~(b) Appointment for each insurer 15~~



1	(c) Triennial renewal of each license	\$125
2	29.]	
3	28. Reinsurance intermediary broker or manager:	
4	(a) Application and license	\$125
5	(b) Triennial renewal of each license.....	125
6	{30.} 29. Agents for and sellers of prepaid burial	
7	contracts:	
8	(a) Application and certificate or license	\$125
9	(b) Triennial renewal	125
10	{31.} 30. Risk retention groups:	
11	(a) Initial registration	\$250
12	(b) Each annual continuation of a certificate of	
13	registration	250
14	{32.} 31. Required filing of forms:	
15	(a) For rates and policies.....	\$25
16	(b) For riders and endorsements	10
17	{33.} 32. Viatical settlements:	
18	(a) Provider of viatical settlements:	
19	(1) Application and license.....	\$1,000
20	(2) Annual renewal	1,000
21	(b) Broker of viatical settlements:	
22	(1) Application and license.....	500
23	(2) Annual renewal	500
24	(c) Registration of producer of insurance acting as	
25	a viatical settlement broker	250
26	{34.} 33. Insurance consultants:	
27	(a) Application and license	\$125
28	(b) Triennial renewal	125
29	{35.} 34. Licensee's association with or	
30	appointment or sponsorship by an organization:	
31	(a) Initial appointment, association or sponsorship,	
32	for each organization	\$50
33	(b) Renewal of each association or sponsorship	50
34	(c) Annual renewal of appointment	15
35	{36.} 35. Purchasing groups:	
36	(a) Initial registration and review of an application.....	\$100
37	(b) Each annual continuation of registration.....	100
38	{37.} 36. Exchange enrollment facilitators:	
39	(a) Application and certificate	\$125
40	(b) Triennial renewal of each certificate.....	125
41	(c) Temporary certificate	10
42	{(d) Modification of an existing certificate}.....	50
43	—38.} 37. In addition to any other fee or charge, all applicable	
44	fees required of any person, including, without limitation, persons	
45	listed in this section, pursuant to NRS 680C.110.	



Sec. 2. NRS 680C.110 is hereby amended to read as follows:

680C.110 1. In addition to any other fee or charge, the Commissioner shall collect in advance and receipt for, and persons so served must pay to the Commissioner, the fees required by this section.

2. A fee required by this section must be:

(a) If an initial fee, paid at the time of an initial application or issuance of a license, as applicable;

(b) Except as otherwise provided in NRS 680A.180, 683A.378, 686A.380, 694C.230, 695A.080, 695B.135, 695D.150, 695H.090 and 696A.150, if an annual fee, paid on or before the date established by regulation of the Commissioner;

(c) If a triennial fee, paid on or before the time of continuation, renewal or other similar action in regard to a certificate, license, permit or other type of authorization, as applicable; and

(d) Deposited in the Fund for Insurance Administration and Enforcement created by NRS 680C.100.

3. The fees required pursuant to this section are not refundable.

4. The following fees must be paid by the following persons to the Commissioner:

(a) Associations of self-insured private employers, as defined in NRS 616A.050:

- (1) Initial fee \$1,300
- (2) Annual fee \$1,300

(b) Associations of self-insured public employers, as defined in NRS 616A.055:

- (1) Initial fee \$1,300
- (2) Annual fee \$1,300

(c) Independent review organizations, as provided for in NRS 616A.469 or 683A.3715, or both:

- (1) Initial fee \$60
- (2) Annual fee \$60

(d) Producers of insurance, as defined in NRS 679A.117:

- (1) Initial fee \$60
- (2) Triennial fee \$60

(e) Reinsurers, as provided for in NRS 681A.1551 or 681A.160, as applicable:

- (1) Initial fee \$1,300
- (2) Annual fee \$1,300

(f) Intermediaries, as defined in NRS 681A.330:

- (1) Initial fee \$60
- (2) Triennial fee \$60

(g) Reinsurers, as defined in NRS 681A.370:

- (1) Initial fee \$1,300



1 (2) Annual fee..... \$1,300

2 (h) Administrators, as defined in NRS 683A.025:

3 (1) Initial fee..... \$60

4 (2) Triennial fee..... \$60

5 (i) Managing general agents, as defined in

6 NRS 683A.060:

7 (1) Initial fee..... \$60

8 (2) Triennial fee..... \$60

9 (j) Agents who perform utilization reviews, as

10 defined in NRS 683A.376:

11 (1) Initial fee..... \$60

12 (2) Annual fee..... \$60

13 (k) Insurance consultants, as defined in

14 NRS 683C.010:

15 (1) Initial fee..... \$60

16 (2) Triennial fee..... \$60

17 (l) Independent adjusters, as defined in

18 NRS 684A.030:

19 (1) Initial fee..... \$60

20 (2) Triennial fee..... \$60

21 (m) Public adjusters, as defined in NRS 684A.030:

22 (1) Initial fee..... \$60

23 (2) Triennial fee..... \$60

24 (n) ~~Associate adjusters, as defined in~~

25 ~~NRS 684A.030:~~

26 ~~(1) Initial fee..... \$60~~

27 ~~(2) Triennial fee..... \$60~~

28 ~~(o) Motor vehicle physical damage appraisers, as defined in~~

29 ~~NRS 684B.010:~~

30 (1) Initial fee..... \$60

31 (2) Triennial fee..... \$60

32 ~~(p) Brokers, as defined in NRS 685A.031:~~

33 (1) Initial fee..... \$60

34 (2) Triennial fee..... \$60

35 ~~(q) Companies, as defined in NRS 686A.330:~~

36 (1) Initial fee..... \$1,300

37 (2) Annual fee..... \$1,300

38 ~~(r) Rate service organizations, as defined in~~

39 ~~NRS 686B.020:~~

40 (1) Initial fee..... \$1,300

41 (2) Annual fee..... \$1,300

42 ~~(s) Brokers of viatical settlements, as defined~~

43 ~~in NRS 688C.030:~~

44 (1) Initial fee..... \$60

45 (2) Annual fee..... \$60



1 ~~[(t)]~~ (s) Providers of viatical settlements, as
2 defined in NRS 688C.080:
3 (1) Initial fee.....\$60
4 (2) Annual fee.....\$60
5 ~~[(u)]~~ (t) Agents for prepaid burial contracts subject
6 to the provisions of chapter 689 of NRS:
7 (1) Initial fee.....\$60
8 (2) Triennial fee.....\$60
9 ~~[(v)]~~ (u) Agents for prepaid funeral contracts subject to the
10 provisions of chapter 689 of NRS:
11 (1) Initial fee.....\$60
12 (2) Triennial fee.....\$60
13 ~~[(w)]~~ (v) Sellers of prepaid burial contracts subject to the
14 provisions of chapter 689 of NRS:
15 (1) Initial fee.....\$60
16 (2) Triennial fee.....\$60
17 ~~[(x)]~~ (w) Sellers of prepaid funeral contracts subject to the
18 provisions of chapter 689 of NRS:
19 (1) Initial fee.....\$60
20 (2) Triennial fee.....\$60
21 ~~[(y)]~~ (x) Providers, as defined in NRS 690C.070:
22 (1) Initial fee.....\$1,300
23 (2) Annual fee.....\$1,300
24 ~~[(z)]~~ (y) Escrow officers, as defined in
25 NRS 692A.028:
26 (1) Initial fee.....\$60
27 (2) Triennial fee.....\$60
28 ~~[(aa)]~~ (z) Title agents, as defined in NRS 692A.060:
29 (1) Initial fee.....\$60
30 (2) Triennial fee.....\$60
31 ~~[(bb)]~~ (aa) Captive insurers, as defined in NRS 694C.060:
32 (1) Initial fee.....\$250
33 (2) Annual fee.....\$250
34 ~~[(cc)] Insurance agents for societies, as provided for~~
35 ~~in NRS 695A.330:~~
36 ~~— (1) Initial fee.....\$60~~
37 ~~— (2) Triennial fee.....\$60~~
38 ~~— [(dd)]~~ (bb) Purchasing groups, as defined in
39 NRS 695E.100:
40 (1) Initial fee.....\$250
41 (2) Annual fee.....\$250
42 ~~[(ee)]~~ (cc) Risk retention groups, as defined in
43 NRS 695E.110:
44 (1) Initial fee.....\$250
45 (2) Annual fee.....\$250



- 1 ~~[(ff)]~~ **(dd)** Medical discount plans, as defined in
- 2 NRS 695H.050:
- 3 (1) Initial fee.....\$1,300
- 4 (2) Annual fee.....\$1,300
- 5 ~~[(gg)]~~ **(ee)** Club agents, as defined in
- 6 NRS 696A.040:
- 7 (1) Initial fee.....\$60
- 8 (2) Triennial fee.....\$60
- 9 ~~[(hh)]~~ **(ff)** Motor clubs, as defined in NRS 696A.050:
- 10 (1) Initial fee.....\$1,300
- 11 (2) Annual fee.....\$1,300
- 12 ~~[(ii)]~~ **(gg)** Bail agents, as defined in NRS 697.040:
- 13 (1) Initial fee.....\$60
- 14 (2) Triennial fee.....\$60
- 15 ~~[(jj)]~~ **(hh)** Bail enforcement agents, as defined in
- 16 NRS 697.055:
- 17 (1) Initial fee.....\$60
- 18 (2) Triennial fee.....\$60
- 19 ~~[(kk)]~~ **(ii)** Bail solicitors, as defined in
- 20 NRS 697.060:
- 21 (1) Initial fee.....\$60
- 22 (2) Triennial fee.....\$60
- 23 ~~[(ll)]~~ **(jj)** General agents, as defined in NRS 697.070:
- 24 (1) Initial fee.....\$60
- 25 (2) Triennial fee.....\$60
- 26 ~~[(mm)]~~ **(kk)** Exchange enrollment facilitators, as
- 27 defined in NRS 695J.050:
- 28 (1) Initial fee.....\$60
- 29 (2) Triennial fee.....\$60
- 30 5. An initial fee of \$1,000 must be paid to the Commissioner
- 31 by each:
- 32 (a) Insurer who is authorized to transact casualty insurance, as
- 33 defined in NRS 681A.020;
- 34 (b) Insurer who is authorized to transact health insurance, as
- 35 defined in NRS 681A.030;
- 36 (c) Insurer who is authorized to transact life insurance, as
- 37 defined in NRS 681A.040;
- 38 (d) Insurer who is authorized to transact property insurance, as
- 39 defined in NRS 681A.060;
- 40 (e) Title insurer, as defined in NRS 692A.070;
- 41 (f) Fraternal benefit society, as defined in NRS 695A.010;
- 42 (g) Corporation subject to the provisions of chapter 695B of
- 43 NRS;
- 44 (h) Health maintenance organization, as defined in
- 45 NRS 695C.030;



1 (i) Organization for dental care, as defined in NRS 695D.060;
2 and

3 (j) Prepaid limited health service organization, as defined in
4 NRS 695F.050.

5 6. An insurer who is required to pay an initial fee of \$1,000
6 pursuant to subsection 5 shall also pay to the Commissioner an
7 annual fee in an amount determined by the Commissioner. When
8 determining the amount of the annual fee, the Commissioner must
9 consider:

10 (a) The direct written premiums reported to the Commissioner
11 by the insurer during the previous year;

12 (b) The number of insurers who are required to pay an annual
13 fee pursuant to this subsection;

14 (c) The direct written premiums reported during the previous
15 year by all insurers paying such fees; and

16 (d) The budget of the Division.

17 7. An insurer who is not required to pay an initial or annual fee
18 pursuant to subsection 4 or subsections 5 and 6 shall pay to the
19 Commissioner an initial fee of \$1,300 and an annual fee of \$1,300.

20 **Sec. 3.** (Deleted by amendment.)

21 **Sec. 4.** NRS 683A.242 is hereby amended to read as follows:

22 683A.242 1. An applicant for, or holder of, a license issued
23 pursuant to NRS 683A.265 is not required to pass a written
24 examination or meet any ~~[prelicensing-education-or]~~ continuing
25 education requirements to receive or renew a license.

26 2. A travel retailer who is listed in the register maintained
27 pursuant to NRS 683A.3685 or any employee or authorized
28 representative of such a travel retailer who is listed in the register of
29 a producer of limited lines travel insurance, is not required to pass
30 any written examination or complete any education requirements
31 other than the program of instruction or training required by
32 paragraph (f) of subsection 1 of NRS 683A.369.

33 **Sec. 5.** NRS 683A.251 is hereby amended to read as follows:

34 683A.251 1. The Commissioner shall prescribe the form of
35 application by a natural person for a license as a resident producer
36 of insurance. The applicant must declare, under penalty of refusal to
37 issue, or suspension or revocation of, the license, that the statements
38 made in the application are true, correct and complete to the best of
39 his or her knowledge and belief. Before approving the application,
40 the Commissioner must find that the applicant has:

41 (a) Attained the age of 18 years;

42 (b) Not committed any act that is a ground for refusal to issue,
43 or suspension or revocation of, a license;



1 (c) ~~Completed a course of study for the lines of authority for~~
2 ~~which the application is made, unless the applicant is exempt from~~
3 ~~this requirement;~~

4 ~~—(d)}~~ Paid all applicable fees prescribed for the license, which
5 may not be refunded; and

6 ~~{(e)}~~ (d) Successfully passed the examinations for the lines of
7 authority for which application is made, unless the applicant is
8 exempt from this requirement.

9 2. A business organization must be licensed as a producer of
10 insurance in order to act as such. Application must be made on a
11 form prescribed by the Commissioner. Before approving the
12 application, the Commissioner must find that the applicant has:

13 (a) Paid all applicable fees prescribed for the license, which may
14 not be refunded;

15 (b) Designated a natural person who is licensed as a producer of
16 insurance and who is authorized to transact business on behalf of the
17 business organization to be responsible for the organization's
18 compliance with the laws and regulations of this State relating to
19 insurance; *and*

20 (c) ~~If the business organization has authorized a producer of~~
21 ~~insurance not designated pursuant to paragraph (b) to transact~~
22 ~~business on behalf of the business organization, submitted to the~~
23 ~~Commissioner on a form prescribed by the Commissioner the name~~
24 ~~of each producer of insurance authorized to transact business on~~
25 ~~behalf of the business organization; and~~

26 ~~—(d)}~~ Established and maintains a valid electronic mail address at
27 the applicant's own expense.

28 3. A natural person who is a resident of this State applying for
29 a license must, as part of his or her application and at the applicant's
30 own expense:

31 (a) Arrange to have a complete set of his or her fingerprints
32 taken by a law enforcement agency or other authorized entity
33 acceptable to the Commissioner;

34 (b) Submit to the Commissioner:

35 (1) A completed fingerprint card and written permission
36 authorizing the Commissioner to submit the applicant's fingerprints
37 to the Central Repository for Nevada Records of Criminal History
38 for submission to the Federal Bureau of Investigation for a report on
39 the applicant's background and to such other law enforcement
40 agencies as the Commissioner deems necessary; or

41 (2) Written verification, on a form prescribed by the
42 Commissioner, stating that the fingerprints of the applicant were
43 taken and directly forwarded electronically or by another means to
44 the Central Repository and that the applicant has given written
45 permission to the law enforcement agency or other authorized entity



1 taking the fingerprints to submit the fingerprints to the Central
2 Repository for submission to the Federal Bureau of Investigation for
3 a report on the applicant's background and to such other law
4 enforcement agencies as the Commissioner deems necessary; and

5 (c) Establish and maintain a valid electronic mail address.

6 4. The Commissioner may:

7 (a) Unless the applicant's fingerprints are directly forwarded
8 pursuant to subparagraph (2) of paragraph (b) of subsection 3,
9 submit those fingerprints to the Central Repository for submission
10 to the Federal Bureau of Investigation and to such other law
11 enforcement agencies as the Commissioner deems necessary;

12 (b) Request from each such agency any information regarding
13 the applicant's background as the Commissioner deems necessary;
14 and

15 (c) Adopt regulations concerning the procedures for obtaining
16 this information.

17 5. The Commissioner may require any document reasonably
18 necessary to verify information contained in an application.

19 **Sec. 6.** NRS 683A.261 is hereby amended to read as follows:

20 683A.261 1. Unless the Commissioner refuses to issue the
21 license under NRS 683A.451, the Commissioner shall issue a
22 license as a producer of insurance to a person who has satisfied the
23 requirements of NRS 683A.241 and 683A.251. A producer of
24 insurance may qualify for a license in one or more of the lines of
25 authority permitted by statute or regulation, including:

26 (a) Life insurance on human lives, which includes benefits from
27 endowments and annuities and may include additional benefits from
28 death by accident and benefits for dismemberment by accident and
29 for disability income.

30 (b) Accident and health insurance for sickness, bodily injury or
31 accidental death, which may include benefits for disability income.

32 (c) Property insurance for direct or consequential loss or damage
33 to property of every kind.

34 (d) Casualty insurance against legal liability, including liability
35 for death, injury or disability and damage to real or personal
36 property. For the purposes of a producer of insurance, this line of
37 insurance includes surety indemnifying financial institutions or
38 providing bonds for fidelity, performance of contracts or financial
39 guaranty.

40 (e) Variable annuities and variable life insurance, including
41 coverage reflecting the results of a separate investment account.

42 (f) Credit insurance, including credit life, credit accident and
43 health, credit property, credit involuntary unemployment,
44 guaranteed asset protection, and any other form of insurance offered
45 in connection with an extension of credit that is limited to wholly or



1 partially extinguishing the obligation which the Commissioner
2 determines should be considered as limited-line credit insurance.

3 (g) Personal lines, consisting of automobile and motorcycle
4 insurance and residential property insurance, including coverage for
5 flood, of personal watercraft and of excess liability, written over one
6 or more underlying policies of automobile or residential property
7 insurance.

8 (h) ~~Fixed annuities, including, without limitation, indexed~~
9 ~~annuities, as a limited line.~~

10 ~~(i)~~ Travel insurance, as defined in NRS 683A.197, as a limited
11 line.

12 ~~(i)~~ (i) Rental car ~~agency~~ as a limited line.

13 ~~(k)~~ (j) Portable electronics as a limited line.

14 ~~(i)~~ (k) Crop as a limited line.

15 2. A license as a producer of insurance remains in effect unless
16 revoked, suspended or otherwise terminated if a request for a
17 renewal is submitted on or before the date for the renewal specified
18 on the license, all applicable fees for renewal are paid for each
19 license ~~and each authorization to transact business on behalf of a~~
20 ~~business organization licensed pursuant to subsection 2 of NRS~~
21 ~~683A.251,~~ and any requirement for education or any other
22 requirement to renew the license is satisfied by the date specified on
23 the license for the renewal. A producer of insurance may submit a
24 request for a renewal of his or her license within 30 days after the
25 date specified on the license for the renewal if the producer of
26 insurance otherwise complies with the provisions of this subsection
27 and pays, in addition to any fee paid pursuant to this subsection, a
28 penalty of 50 percent of all applicable renewal fees, except for any
29 fee required pursuant to NRS 680C.110. A license as a producer of
30 insurance expires if the Commissioner receives a request for a
31 renewal of the license more than 30 days after the date specified on
32 the license for the renewal. A fee paid pursuant to this subsection is
33 nonrefundable.

34 3. A natural person who allows his or her license as a producer
35 of insurance to expire may reapply for the same license within 12
36 months after the date specified on the license for a renewal without
37 passing a written examination ~~for completing a course of study~~
38 ~~required by paragraph (c) of subsection 1 of NRS 683A.251,~~ but
39 **any continuing education requirements must be met and** a penalty
40 of twice all applicable renewal fees, except for any fee required
41 pursuant to NRS 680C.110, is required for any request for a renewal
42 of the license that is received after the date specified on the license
43 for the renewal.

44 4. A licensed producer of insurance who is unable to renew his
45 or her license because of military service, extended medical



1 disability or other extenuating circumstance may request a waiver of
2 the time limit and of any fine or sanction otherwise required or
3 imposed because of the failure to renew.

4 5. A license must state the licensee's name, address, personal
5 identification number, the date of issuance, the lines of authority and
6 the date of expiration and must contain any other information the
7 Commissioner considers necessary. The license must be made
8 available for public inspection upon request.

9 6. A licensee shall inform the Commissioner of each change of
10 business, residence or electronic mail address, in writing or by other
11 means acceptable to the Commissioner, within 30 days after the
12 change. If a licensee changes his or her business, residence or
13 electronic mail address without giving written notice and the
14 Commissioner is unable to locate the licensee after diligent effort,
15 the Commissioner may revoke the license without a hearing. The
16 mailing of a letter by certified mail, return receipt requested,
17 addressed to the licensee at his or her last mailing address appearing
18 on the records of the Division, and the return of the letter
19 undelivered, constitutes a diligent effort by the Commissioner.

20 **Sec. 7.** NRS 683A.291 is hereby amended to read as follows:

21 683A.291 1. An applicant for licensing in this state as a
22 producer of insurance who was previously licensed for the same
23 lines of authority in another state need not complete any education
24 or examination if the applicant is currently licensed in that state or,
25 if the application is received within 90 days after the cancellation of
26 the license, the other state certifies that the applicant was in good
27 standing at the time of cancellation. Alternatively, the exemption is
28 available if the records of the National Association of Insurance
29 Commissioners show that the applicant is or was licensed and in
30 good standing for the lines of authority requested.

31 2. An examination is not required for a producer of insurance
32 who confines his or her activity to insurance categorized as limited
33 line, credit, travel, portable electronics ~~[-, baggage or fixed annuity,~~
34 ~~or covering vehicles leased for a short term.] or rental car.~~

35 3. A person licensed in another state who moves to this state
36 and desires to become licensed as a resident producer of insurance
37 with the benefit of the exemption provided in subsection 1 must
38 apply for licensing within 90 days after establishing legal residence.

39 **Sec. 8.** NRS 683C.030 is hereby amended to read as follows:

40 683C.030 1. An application for a license to act as an
41 insurance consultant must be submitted to the Commissioner on
42 forms prescribed by the Commissioner and must be accompanied by
43 the applicable license fee set forth in NRS 680B.010 and, in addition
44 to any other fee or charge, all applicable fees required pursuant to
45 NRS 680C.110. The license fee set forth in NRS 680B.010 is not



1 refundable. If the applicant is a natural person, the application must
2 include the social security number of the applicant.

3 2. An applicant for an insurance consultant's license must
4 successfully complete an examination ~~[and a course of instruction]~~
5 which the Commissioner shall establish by regulation.

6 3. Each license issued pursuant to this chapter is valid for 3
7 years from the date of issuance or until it is suspended, revoked or
8 otherwise terminated, and each insurance consultant must pay, in
9 addition to any other fee or charge, all applicable fees required
10 pursuant to NRS 680C.110.

11 **Sec. 9.** NRS 683C.035 is hereby amended to read as follows:

12 683C.035 1. The Commissioner shall prescribe the form of
13 application by a natural person for a license as an insurance
14 consultant. The applicant must declare, under penalty of refusal to
15 issue, or suspension or revocation of, the license, that the statements
16 made in the application are true, correct and complete to the best of
17 his or her knowledge and belief. Before approving the application,
18 the Commissioner must find that the applicant has:

19 (a) Attained the age of 18 years.

20 (b) Not committed any act that is a ground for refusal to issue,
21 or suspension or revocation of, a license pursuant to NRS 683A.451.

22 (c) Paid all applicable fees prescribed for the license, which may
23 not be refunded.

24 (d) Passed each examination required for the license ~~[and~~
25 ~~successfully completed each course of instruction which the~~
26 ~~Commissioner requires by regulation.]~~ unless the applicant is a
27 resident of another state and holds a similar license in that state.

28 2. A business organization must be licensed as an insurance
29 consultant in order to act as such. Application must be made on a
30 form prescribed by the Commissioner. Before approving the
31 application, the Commissioner must find that the applicant has:

32 (a) Paid all applicable fees prescribed for the license, which may
33 not be refunded; and

34 (b) Designated a natural person who is licensed as an insurance
35 consultant in this State and who is affiliated with the business
36 organization to be responsible for the organization's compliance
37 with the laws and regulations of this State relating to insurance.

38 3. The Commissioner may require any document reasonably
39 necessary to verify information contained in an application.

40 4. A license issued pursuant to this chapter is valid for 3 years
41 after the date of issuance or until it is suspended, revoked or
42 otherwise terminated.

43 5. An insurance consultant may qualify for a license pursuant
44 to this chapter in one or more of the lines of authority set forth in
45 paragraphs (a) to (d), inclusive, of subsection 1 of NRS 683A.261.



1 **Sec. 10.** (Deleted by amendment.)

2 **Sec. 11.** NRS 684A.020 is hereby amended to read as follows:

3 684A.020 1. Except as otherwise provided in subsection 2,
4 “adjuster” means any person who, for compensation, including,
5 without limitation, a fee or commission, investigates and settles, and
6 reports to his or her principal relative to, claims:

7 (a) Arising under insurance contracts for property, casualty or
8 surety coverage, including, without limitation, workers’
9 compensation coverage, on behalf solely of the insurer or the
10 insured; or

11 (b) Against a self-insurer who is providing similar coverage.

12 2. For the purposes of this chapter:

13 (a) ~~[An associate adjuster, as defined in NRS 684A.030;~~

14 ~~—(b)]~~ An attorney at law who adjusts insurance losses from time
15 to time incidental to the practice of his or her profession;

16 ~~[(e)]~~ (b) An adjuster of ocean marine losses;

17 ~~[(d)]~~ (c) A salaried employee of an insurer, unless the employee:

18 (1) Investigates, negotiates or settles workers’ compensation
19 claims; and

20 (2) Obtains a license pursuant to this chapter;

21 ~~[(e)]~~ (d) A salaried employee of a managing general agent
22 maintaining an underwriting office in this state;

23 ~~[(f)]~~ (e) An employee of an independent adjuster or an employee
24 of an affiliate of an independent adjuster who is one of not more
25 than 25 such employees under the supervision of an independent
26 adjuster or licensed agent and who:

27 (1) Collects information relating to a claim for coverage
28 arising under an insurance contract from or furnishes such
29 information to an insured or a claimant; and

30 (2) Conducts data entry, including, without limitation,
31 entering data into an automated claims adjudication system;

32 ~~[(g)]~~ (f) A licensed agent who supervises not more than 25
33 employees described in paragraph ~~[(f)]~~ (e);

34 ~~[(h)]~~ (g) A person who is employed only to collect factual
35 information concerning a claim for coverage arising under an
36 insurance contract;

37 ~~[(i)]~~ (h) A person who is employed solely to obtain facts
38 surrounding a claim or to furnish technical assistance to a licensed
39 independent adjuster;

40 ~~[(j)]~~ (i) A person who is employed to investigate suspected
41 fraudulent insurance claims but who does not adjust losses or
42 determine the payment of claims;

43 ~~[(k)]~~ (j) A person who performs only executive, administrative,
44 managerial or clerical duties, or any combination thereof, but does



1 not investigate, negotiate or settle claims with a policyholder or
2 claimant or the legal representative of a policyholder or claimant;

3 ~~[(k)]~~ (k) A licensed health care provider or any employee thereof
4 who provides managed care services if those services do not include
5 the determination of compensability;

6 ~~[(m)]~~ (l) A managed care organization or any employee thereof
7 or an organization that provides managed care services or any
8 employee thereof if the services provided do not include the
9 determination of compensability;

10 ~~[(n)]~~ (m) A person who settles only reinsurance or subrogation
11 claims;

12 ~~[(o)]~~ (n) A broker, agent or representative of a risk retention
13 group;

14 ~~[(p)]~~ (o) An attorney-in-fact of a reciprocal insurer;

15 ~~[(q)]~~ (p) A manager of a branch office of an alien insurer that is
16 located in the United States; or

17 ~~[(r)]~~ (q) A person authorized to adjust claims under the authority
18 of a third-party administrator who holds a certificate of registration
19 issued by the Commissioner pursuant to NRS 683A.08524, unless
20 the person investigates, negotiates or settles workers' compensation
21 claims,

22 ↪ is not considered an adjuster.

23 **Sec. 12.** NRS 684A.030 is hereby amended to read as follows:

24 684A.030 1. "Independent adjuster" means an adjuster who
25 is representing the interests of an insurer or a self-insurer and who:

26 (a) Contracts for compensation with the insurer or self-insurer as
27 an independent contractor or an employee of an independent
28 contractor;

29 (b) Is treated for tax purposes by the insurer or self-insurer in a
30 manner consistent with an independent contractor rather than an
31 employee; and

32 (c) Investigates, negotiates or settles property, casualty or surety
33 claims, including, without limitation, workers' compensation
34 claims, for the insurer or self-insurer.

35 2. "Public adjuster" means an adjuster employed by and
36 representing solely the financial interests of the insured named in
37 the policy. The term does not include an adjuster who investigates,
38 negotiates or settles workers' compensation claims.

39 3. "Company adjuster" means a salaried employee of an
40 insurer who:

41 (a) Investigates, negotiates or settles *property, casualty or*
42 *surety claims, including, without limitation,* workers'
43 compensation claims; and

44 (b) Obtains a license pursuant to this chapter.



1 4. "Staff adjuster" means a person who investigates, negotiates
2 or settles workers' compensation claims under the authority of a
3 third-party administrator who holds a certificate of registration
4 issued by the Commissioner pursuant to NRS 683A.08524.

5 ~~{5. "Associate adjuster" means an employee of an adjuster
6 who, under the direct supervision of the adjuster, assists in the
7 investigation and settlement of insurance losses on behalf of his or
8 her employer.}~~

9 **Sec. 13.** NRS 684A.035 is hereby amended to read as follows:
10 684A.035 1. The provisions of NRS 683A.341 and 686A.310
11 apply to adjusters . ~~{and associate adjusters.}~~

12 2. For the purposes of subsection 1, unless the context requires
13 that a section apply only to producers of insurance or insurers, any
14 reference in those sections to "producer of insurance" or "insurer"
15 must be replaced by a reference to "adjuster ." ~~{for associate
16 adjuster.}~~

17 **Sec. 14.** NRS 684A.040 is hereby amended to read as follows:
18 684A.040 1. Except as otherwise provided in NRS
19 684A.060, no person may act as, or hold himself or herself out to be,
20 an adjuster ~~{or associate adjuster}~~ in this State unless then licensed
21 as such under the applicable adjuster's license ~~{or associate
22 adjuster's license, as the case may be,}~~ issued under the provisions
23 of this chapter.

24 2. Any person violating the provisions of this section is guilty
25 of a gross misdemeanor.

26 3. Except as otherwise provided in NRS 684A.060, a person
27 who acts as an adjuster in this State without a license is subject to an
28 administrative fine of not more than \$1,000 for each violation.

29 4. A salaried employee of an insurer who investigates,
30 negotiates or settles workers' compensation claims may, but is not
31 required to, obtain a license as a company adjuster pursuant to this
32 chapter. The provisions of subsections 1, 2 and 3 do not apply to a
33 salaried employee of an insurer.

34 **Sec. 15.** NRS 684A.070 is hereby amended to read as follows:
35 684A.070 1. For the protection of the people of this State, the
36 Commissioner may not issue or continue any license as an adjuster
37 except in compliance with the provisions of this chapter. Any person
38 for whom a license is issued or continued must:

- 39 (a) Be at least 18 years of age;
40 (b) Be eligible to declare this State as his or her home state;
41 (c) Be competent, trustworthy, financially responsible and of
42 good reputation, as determined by the Commissioner;
43 (d) Never have been convicted of, or entered a plea of guilty,
44 guilty but mentally ill or nolo contendere to, forgery, embezzlement,



1 obtaining money under false pretenses, larceny, extortion or
2 conspiracy to defraud;

3 (e) Except as otherwise provided in subsection 4, never have
4 committed any act that is a ground for refusal to issue, suspension or
5 revocation of a license pursuant to NRS 683A.451;

6 (f) Unless exempted pursuant to NRS 684A.100 or 684A.105,
7 successfully ~~complete a prelicensing course of study prescribed by~~
8 ~~the Commissioner by regulation and~~ pass all examinations required
9 under this chapter; ~~and~~

10 (g) Not be concurrently licensed as a producer of insurance for
11 property, casualty or surety or a surplus lines broker, except as a bail
12 agent ~~is~~; and

13 *(h) Establish and maintain a valid electronic mail address.*

14 2. A natural person who is a resident of this State applying for
15 a license must, as part of his or her application and at the applicant's
16 own expense:

17 (a) Arrange to have a complete set of his or her fingerprints
18 taken by a law enforcement agency or other authorized entity
19 acceptable to the Commissioner; and

20 (b) Submit to the Commissioner:

21 (1) A completed fingerprint card and written permission
22 authorizing the Commissioner to submit the applicant's fingerprints
23 to the Central Repository for Nevada Records of Criminal History
24 for submission to the Federal Bureau of Investigation for a report on
25 the applicant's background and to such other law enforcement
26 agencies as the Commissioner deems necessary; or

27 (2) Written verification, on a form prescribed by the
28 Commissioner, stating that the fingerprints of the applicant were
29 taken and directly forwarded electronically or by another means to
30 the Central Repository and that the applicant has given written
31 permission to the law enforcement agency or other authorized entity
32 taking the fingerprints to submit the fingerprints to the Central
33 Repository for submission to the Federal Bureau of Investigation for
34 a report on the applicant's background and to such other law
35 enforcement agencies as the Commissioner deems necessary.

36 3. The Commissioner may:

37 (a) Unless the applicant's fingerprints are directly forwarded
38 pursuant to subparagraph (2) of paragraph (b) of subsection 2,
39 submit those fingerprints to the Central Repository for submission
40 to the Federal Bureau of Investigation and to such other law
41 enforcement agencies as the Commissioner deems necessary;

42 (b) Request from each such agency any information regarding
43 the applicant's background as the Commissioner deems necessary;
44 and



1 (c) Adopt regulations concerning the procedures for obtaining
2 this information.

3 4. The Commissioner may waive the requirements of
4 paragraph (d) or (e) of subsection 1 for good cause shown.

5 ~~5. For the purposes of paragraph (f) of subsection 1, the~~
6 ~~Commissioner shall adopt regulations establishing a prelicensing~~
7 ~~course of study for an adjuster.]~~

8 **Sec. 16.** NRS 684A.130 is hereby amended to read as follows:

9 684A.130 1. Each license issued under this chapter continues
10 in force for 3 years unless it is suspended, revoked or otherwise
11 terminated. A license may be renewed upon payment of all
12 applicable fees for renewal to the Commissioner, completion of any
13 other requirement for renewal of the license specified in this chapter
14 and submission of the statement required pursuant to NRS
15 684A.143 if the licensee is a natural person. The statement, if
16 required, must be submitted, all requirements must be completed
17 and all applicable fees must be paid on or before the last day of the
18 month in which the license is renewable.

19 2. Any license not so renewed expires at midnight on the last
20 day specified for its renewal. The Commissioner may accept a
21 request for renewal received by the Commissioner within 30 days
22 after the expiration of the license if the request is accompanied by:

23 (a) A fee for renewal of 150 percent of all applicable fees
24 otherwise required, except for any fee required pursuant to NRS
25 680C.110 and subsection 2 of NRS 684A.050;

26 (b) If the person requesting renewal is a natural person, the
27 statement required pursuant to NRS 684A.143;

28 (c) Proof of successful completion of any requirement for an
29 examination unless exempt pursuant to NRS 684A.105; and

30 (d) If applicable, a request for a waiver of the time limit for
31 renewal and of any fine or sanction otherwise required or imposed
32 because of the failure of the licensee to renew his or her license
33 because of military service, extended medical disability or other
34 extenuating circumstance.

35 3. *An adjuster who is unable to comply with the procedures*
36 *and requirements to renew a license due to military service, long-*
37 *term medical disability or some other extenuating circumstance*
38 *may request waiver of same and a waiver of any requirement*
39 *relating to an examination, fine or other sanction imposed for*
40 *failure to comply with such procedures or requirements.*

41 4. *An adjuster shall inform the Commissioner by any means*
42 *acceptable to the Commissioner of any change in the residence*
43 *address or business address for the home state or in the legal*
44 *name of the adjuster within 30 days of the change.*



1 5. *In order to assist in the performance of the duties of the*
2 *Commissioner, the Commissioner may contract with*
3 *nongovernmental entities, including, without limitation, the*
4 *National Association of Insurance Commissioners or its affiliates*
5 *or subsidiaries, to perform any ministerial function, including,*
6 *without limitation, the collection of fees and data, related to*
7 *licensing that the Commissioner may deem appropriate.*

8 6. This section does not apply to temporary licenses issued
9 under NRS 684A.150.

10 **Sec. 17.** NRS 684A.143 is hereby amended to read as follows:

11 684A.143 1. A natural person who applies for the issuance or
12 renewal of a license *as an adjuster* shall submit to the
13 Commissioner the statement prescribed by the Division of Welfare
14 and Supportive Services of the Department of Health and Human
15 Services pursuant to NRS 425.520. The statement must be
16 completed and signed by the applicant.

17 2. The Commissioner shall include the statement required
18 pursuant to subsection 1 in:

19 (a) The application or any other forms that must be submitted
20 for the issuance or renewal of the license ~~;~~ *as an adjuster*; or

21 (b) A separate form prescribed by the Commissioner.

22 3. A license *as an adjuster* may not be issued or renewed by
23 the Commissioner if the applicant is a natural person who:

24 (a) Fails to submit the statement required pursuant to subsection
25 1; or

26 (b) Indicates on the statement submitted pursuant to subsection
27 1 that the applicant is subject to a court order for the support of a
28 child and is not in compliance with the order or a plan approved by
29 the district attorney or other public agency enforcing the order for
30 the repayment of the amount owed pursuant to the order.

31 4. If an applicant indicates on the statement submitted pursuant
32 to subsection 1 that the applicant is subject to a court order for the
33 support of a child and is not in compliance with the order or a plan
34 approved by the district attorney or other public agency enforcing
35 the order for the repayment of the amount owed pursuant to the
36 order, the Commissioner shall advise the applicant to contact the
37 district attorney or other public agency enforcing the order to
38 determine the actions that the applicant may take to satisfy the
39 arrearage.

40 ~~{5. As used in this section, "license" means:~~

41 ~~—(a) A license as a(n) [adjuster; and~~

42 ~~—(b) A license as an associate adjuster.]~~

43 **Sec. 18.** NRS 684A.147 is hereby amended to read as follows:

44 684A.147 1. If the Commissioner receives a copy of a court
45 order issued pursuant to NRS 425.540 that provides for the



1 suspension of all professional, occupational and recreational
2 licenses, certificates and permits issued to a person who is the
3 holder of a license ~~{}~~ *as an adjuster*, the Commissioner shall deem
4 the license issued to that person to be suspended at the end of the
5 30th day after the date on which the court order was issued unless
6 the Commissioner receives a letter issued to the holder of the license
7 by the district attorney or other public agency pursuant to NRS
8 425.550 stating that the holder of the license has complied with the
9 subpoena or warrant or has satisfied the arrearage pursuant to
10 NRS 425.560.

11 2. The Commissioner shall reinstate a license *as an adjuster*
12 that has been suspended by a district court pursuant to NRS 425.540
13 if the Commissioner receives a letter issued by the district attorney
14 or other public agency pursuant to NRS 425.550 to the person
15 whose license was suspended stating that the person whose license
16 was suspended has complied with the subpoena or warrant or has
17 satisfied the arrearage pursuant to NRS 425.560.

18 ~~{3. As used in this section, "license" means:~~

19 ~~— (a) A license as an adjuster; and~~

20 ~~— (b) A license as an associate adjuster.]~~

21 **Sec. 19.** NRS 684A.170 is hereby amended to read as follows:

22 684A.170 1. Every adjuster *who is a resident of this State*
23 shall have and maintain in this state a place of business accessible to
24 the public and from which the licensee principally conducts
25 transactions under his or her license. The address of such place shall
26 appear upon the application for a license and upon the license, when
27 issued, and the licensee shall promptly notify the Commissioner in
28 writing of any change thereof. Nothing in this section shall prohibit
29 the maintenance of such place in the licensee's residence in this
30 state.

31 2. The license of the licensee ~~{and those of associate adjusters~~
32 ~~employed by the licensee}~~ shall be conspicuously displayed in such
33 place of business in a part thereof customarily open to the public.

34 **Sec. 20.** NRS 684A.210 is hereby amended to read as follows:

35 684A.210 1. The Commissioner may suspend, revoke, limit
36 or refuse to continue any adjuster's license : ~~{for associate adjuster's~~
37 ~~license:}~~

38 (a) For any cause specified in any other provision of this
39 chapter;

40 (b) For any applicable cause for revocation of the license of a
41 producer of insurance under NRS 683A.451; or

42 (c) If the licensee has for compensation represented or attempted
43 to represent both the insurer and the insured in the same transaction.

44 2. The license of a business entity may be suspended, revoked,
45 limited or continuation refused for any cause which relates to any



1 individual designated with respect to the license to exercise its
2 powers.

3 3. The holder of any license which has been suspended or
4 revoked shall forthwith surrender the license to the Commissioner.

5 **Sec. 21.** NRS 684A.220 is hereby amended to read as follows:

6 684A.220 NRS 683A.451, 683A.461 and 683A.480 also apply
7 to suspension, revocation, limitation or refusal to continue adjusters'
8 licenses, ~~and associate adjusters' licenses,~~ except where in conflict
9 with the express provisions of this chapter.

10 **Sec. 22.** (Deleted by amendment.)

11 **Sec. 23.** (Deleted by amendment.)

12 **Sec. 24.** (Deleted by amendment.)

13 **Sec. 25.** (Deleted by amendment.)

14 **Sec. 26.** (Deleted by amendment.)

15 **Sec. 27.** (Deleted by amendment.)

16 **Sec. 28.** (Deleted by amendment.)

17 **Sec. 29.** NRS 695C.055 is hereby amended to read as follows:

18 695C.055 1. The provisions of NRS 449.465, 679A.200,
19 679B.700, subsections 6 and 7 of NRS 680A.270, subsections 2, 4,
20 18, 19 and ~~32~~ 31 of NRS 680B.010, NRS 680B.020 to 680B.060,
21 inclusive, chapter 686A of NRS, NRS 687B.500 and chapters 692C
22 and 695G of NRS apply to a health maintenance organization.

23 2. For the purposes of subsection 1, unless the context requires
24 that a provision apply only to insurers, any reference in those
25 sections to "insurer" must be replaced by "health maintenance
26 organization."

27 **Sec. 30.** (Deleted by amendment.)

28 **Sec. 31.** (Deleted by amendment.)

29 **Sec. 32.** NRS 695J.260 is hereby amended to read as follows:

30 695J.260 1. If an exchange enrollment facilitator fails to
31 obtain an appointment by the Exchange within 30 days after the date
32 on which the certificate was issued, the exchange enrollment
33 facilitator's certificate expires and the exchange enrollment
34 facilitator shall promptly deliver his or her certificate to the
35 Commissioner.

36 2. If the Exchange terminates an exchange enrollment
37 facilitator's appointment, the exchange enrollment facilitator is
38 prohibited from engaging in the business of an exchange enrollment
39 facilitator . ~~under his or her certificate until such time as the
40 exchange enrollment facilitator receives a new appointment by the
41 Exchange. If the exchange enrollment facilitator does not obtain a
42 new appointment by the Exchange within 30 days after the date the
43 appointment was terminated, the exchange enrollment facilitator's
44 certificate expires and the exchange enrollment facilitator shall
45 promptly deliver his or her certificate to the Commissioner.]~~



1 3. Except as otherwise provided in subsection 4, if the
2 Exchange terminates the appointment of an entity other than a
3 natural person:

4 (a) The appointments of exchange enrollment facilitators named
5 on the entity's appointment also terminate; and

6 (b) The exchange enrollment facilitator is prohibited from
7 engaging in the business of an exchange enrollment facilitator under
8 his or her certificate . ~~[until such time as the exchange enrollment
9 facilitator receives a new appointment by the Exchange. If the
10 exchange enrollment facilitator does not obtain a new appointment
11 by the Exchange within 30 days after the date on which the
12 appointment was terminated, the exchange enrollment facilitator's
13 certificate expires and the exchange enrollment facilitator shall
14 promptly deliver his or her certificate to the Commissioner.]~~

15 4. The provisions of subsection 3 do not apply to any
16 appointments the exchange enrollment facilitator may have
17 individually or through an entity other than the terminated entity.

18 5. Upon the termination of an appointment for an entity or
19 certificate holder, the Executive Director of the Exchange shall
20 notify the Commissioner of the effective date of the termination and
21 the grounds for termination.

22 **Sec. 33.** (Deleted by amendment.)

23 **Sec. 34.** NRS 648.018 is hereby amended to read as follows:

24 648.018 Except as to polygraphic examiners and interns, this
25 chapter does not apply:

26 1. To any detective or officer belonging to the law enforcement
27 agencies of the State of Nevada or the United States, or of any
28 county or city of the State of Nevada, while the detective or officer
29 is engaged in the performance of his or her official duties.

30 2. To special police officers appointed by the police
31 department of any city, county, or city and county within the State
32 of Nevada while the officer is engaged in the performance of his or
33 her official duties.

34 3. To insurance adjusters ~~[and their associate adjusters]~~
35 licensed pursuant to the Nevada Insurance Adjusters Law who are
36 not otherwise engaged in the business of private investigators.

37 4. To any private investigator, private patrol officer, process
38 server, dog handler or security consultant employed by an employer
39 regularly in connection with the affairs of that employer if a bona
40 fide employer-employee relationship exists, except as otherwise
41 provided in NRS 648.060, 648.140 and 648.203.

42 5. To a reposessor employed exclusively by one employer
43 regularly in connection with the affairs of that employer if a bona
44 fide employer-employee relationship exists, except as otherwise
45 provided in NRS 648.060, 648.140 and 648.203.



1 6. To a person engaged exclusively in the business of obtaining
2 and furnishing information as to the financial rating of persons.

3 7. To a charitable philanthropic society or association
4 incorporated under the laws of this State which is organized and
5 maintained for the public good and not for private profit.

6 8. To an attorney at law in performing his or her duties as such.

7 9. To a collection agency unless engaged in business as a
8 reposessor, licensed by the Commissioner of Financial Institutions,
9 or an employee thereof while acting within the scope of his or her
10 employment while making an investigation incidental to the
11 business of the agency, including an investigation of the location of
12 a debtor or his or her assets and of property which the client has an
13 interest in or lien upon.

14 10. To admitted insurers and agents and insurance brokers
15 licensed by the State, performing duties in connection with
16 insurance transacted by them.

17 11. To any bank organized pursuant to the laws of this State or
18 to any national bank engaged in banking in this State.

19 12. To any person employed to administer a program of
20 supervision for persons who are serving terms of residential
21 confinement.

22 13. To any commercial registered agent, as defined in NRS
23 77.040, who obtains copies of, examines or extracts information
24 from public records maintained by any foreign, federal, state or
25 local government, or any agency or political subdivision of any
26 foreign, federal, state or local government.

27 14. To any holder of a certificate of certified public accountant
28 issued by the Nevada State Board of Accountancy pursuant to
29 chapter 628 of NRS while performing his or her duties pursuant to
30 the certificate.

31 15. To a person performing the repair or maintenance of a
32 computer who performs a review or analysis of data contained on a
33 computer solely for the purposes of diagnosing a computer hardware
34 or software problem and who is not otherwise engaged in the
35 business of a private investigator.

36 16. To any person who for any consideration engages in
37 business or accepts employment to provide information security.

38 **Sec. 35.** (Deleted by amendment.)

39 **Sec. 36.** NRS 684A.140 is hereby repealed.

40 **Sec. 37.** This act becomes effective upon passage and approval
41 for the purpose of adopting regulations and performing any other
42 preparatory administrative tasks that are necessary to carry out the
43 provisions of this act, and on January 1, 2020, for all other purposes.



TEXT OF REPEALED SECTION

684A.140 Associate adjuster: Application for license; fee; license; penalty.

1. Concurrently with an application for a license or for renewal of a license as an adjuster, the applicant or licensee must provide an appointment for each associate adjuster employed by him or her or to be employed by him or her contingent upon issuance of the license. Each person who desires to become licensed as an associate adjuster must submit an application to the Commissioner for such a license. The application must include the social security number of the applicant.

2. Upon payment of all applicable fees, the Commissioner shall issue and deliver to a licensed adjuster a license for each associate authorized by the State to act on behalf of the licensee. The Commissioner shall not issue a license as an associate adjuster to a person who is licensed as a producer of insurance for property, casualty or surety or a surplus lines broker.

3. The license of an associate adjuster may be renewed upon payment of all applicable fees. The license terminates at the same time as the license of the employing adjuster unless, within 30 days after the termination of the license, the associate adjuster submits to the Commissioner all applicable fees and a request to be employed by another employing adjuster. The Commissioner shall promptly terminate an associate adjuster's license upon written request therefor by the employing adjuster.

4. A person shall not act as or hold himself or herself out in this State to be an associate adjuster unless the person holds a current license as such issued to the person by the Commissioner. A violation of this provision is a gross misdemeanor.

