# West Virginia Insurance Supplement

# **Examination Content Outlines**

# Effective: May 1, 2022

LIFE—GENERAL KNOWLEDGE	
CONTENT OUTLINE	

Product Knowledge, Terms, and Concepts

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c. Adhesion	Ref: 33-12-8; Series 42: 1,2,3,4,7
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Ref: All statutory references are taken from §114-25 and Section	Ref: 33-11-4(8), Rule 114-70
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Ref: All statutory references are taken from §114-25 and Section	a. Criminal prosecution and administrative action
33-12B of the West Virginia Code of State Rules, which are	Ref: 33-12-34
available at www.wvinsurance.gov/Legal-Authority.	b. Fraud
A. Insurance Commissioner2	Ref: 33-41-5, 114-71-3; Informational Letter 206
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# CASUALTY—GENERAL KNOWLEDGE CONTENT OUTLINE

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(50 scoreable questions plus 5 pretest questions)	5. Forgery and Alteration
(or societable questions plus o prefest questions)	<ol><li>Mysterious disappearance</li></ol>
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b. Products and Completed Operations	Medical Malpractice
2. Coverage	<ol><li>Directors and Officers (D&amp;O)</li></ol>
<ul> <li>a. Coverage A: Bodily Injury and Property Damage</li> </ul>	<ol><li>Employment Practices Liability (EPLI)</li></ol>
Liability (Occurrence, Claims made including	<ol><li>Cyber liability and data breach, funds transfer</li></ol>
Retroactive Date)	6. Liquor liability
b. Coverage B: Personal Injury and Advertising Injury	G. Umbrella/Excess Liability
c. Coverage C: Medical Payments	H. Business Owners Policy (BOP)
d. Supplemental Payments	II. INSURANCE TERMS AND RELATED CONCEPTS 15
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	2. 00.5.ago 2 5.55har injary and rationally injury

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a. Bodily Injury	C. Indemnity
b. Property Damage	D. Insurable interest
c. Split Limits	E. Loss valuation
d. Combined Single Limit	Actual cash value
2. Medical Payments	2. Replacement cost
3. Physical Damage (collision; other than collision;	3. Market value
specified perils)	4. Stated/agreed value
4. Uninsured motorists	5. Salvage value
5. Underinsured motorists	F. Negligence
6. Who is an insured	G. Liability
7. Types of Auto	H. Occurrence
a. Owned	I. Binders
b. Non-owned	J. Warranties
c. Hired	K. Representations
d. Temporary Substitute	L. Concealment
e. Newly Acquired Autos	M. Deposit Premium/Audit
f. Transportation Expense and Rental Reimbursement	N. Certificate of Insurance
Expense	O. Law of Large Numbers
8. Auto Dealers Coverage Form, including Garagekeepers	P. Pure vs. Speculative Risk
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9. Exclusions	R. Damages
10. Individual Named Insured and Drive Other Car (DOC)	Compensatory     a. General
11. Mobile equipment	b. Special
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addressed elsewhere in this outline.)	Act
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b. Compensation	B. Insuring agreement
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# **PROPERTY & CASUALTY WEST VIRGINIA SPECIFIC CONTENT OUTLINE**

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	State Laws and Rules		a. Continuing education
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c. Split Limits	Z. Deposit Premium/Audit
d. Combined Single Limit	AA. Certificate of Insurance
2. Medical Payments	BB. Damages
<ol><li>Physical Damage (collision; other than collision;</li></ol>	1. Compensatory
specified perils)	a. General
Uninsured motorists	b. Special
5. Underinsured motorists	2. Punitive
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	Domestic, foreign, alien, nonadmitted, and	_	Ref: 33-11-4(2)
	unauthorized companies	8.	Unfair discrimination
	Ref: 33-1-6, 33-1-7, 33-1-8, 33-12C-3, 33-44-3	_	Ref: 33-11-4(7)
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L	Mine Subsidence1		10.1, 10.2, 10.3, 10.5, 10.6, 10.7, 16
	Ref: 33-30-3, 33-30-4, 33-30-6, 33-30-7, 33-30-10		a. Indemnity
N	//. Homeowner's Insurance1		b. Medical
	Declination, termination, and disclosure		2. Administrative
	Ref: 33-17a		Ref: 23-5-1(b)(1); Rules 85-1-7.2, 10.7, 16
	.g		J. 1 (1)(7)
ADJUSTER—WEST VIRGINIA SPECIFIC CONTENT OUTLINE State Laws and Rules			OMMERCIAL LINES COVERAGE0-3  f: Standard insurance textbooks and policies
		A. Commercial Property Forms	
(	75 scoreable questions plus 5 pretest questions)		Commercial General Liability Policy
			Businessowners Policy
	VEST VIRGINIA LAWS AND RULES PERTINENT TO ADJUSTERS55		Commercial Auto Forms Commercial Crime Forms
	Ref: All statutory references are taken from §114-25 and Section		Surety Bonds
Λ	33-12B of the West Virginia Code of State Rules, which are	г.	Surety Bolius
	available at www.wvinsurance.gov/Legal-Authority.	III. PE	ERSONAL LINES COVERAGE0-3
Δ	A. Claims Practice Rules	Re	f: Standard insurance textbooks and policies
•	State licensing and regulation of adjusters	A.	Dwelling Forms/Standard Fire Policy
	Ref: 33-12B(1); Rule 114-25-2.10, 3, 7, 9		Homeowner's Forms
	Unfair claim settlement practices		Personal Property Floaters
	Ref: 33-11-4(9); Rule 114-14-1 through 10		Personal Excess Liability Coverage
	Insurable interest in property		Personal Auto Policy
	Ref: 33-6-3	F.	Mobile Home Coverage
	4. Binders	IV. MI	ISCELLANEOUS COVERAGE
	Ref: 33-6-18	Re	f: Standard insurance textbooks and policies
	5. West Virginia Property and Casualty Insurance		Watercraft Coverage
	Guaranty Association	В.	Flood Insurance
	Ref: 33-26-10 through 33-26-19	.,	0UDANIOE TERMO AND 00NOERTO
	Mandatory reporting requirements		SURANCE TERMS AND CONCEPTS 5-19
	a. Criminal prosecution and administrative action	•	f: Standard insurance textbooks and policies
	Ref: 33-12-34		Abandonment
	b. Fraud		Accident
	Ref: 33-41-5, 114-71-3; Informational Letter 206		Actual Cash Value
	y. 11 1, 11 1 2, 11go. manorial 2000. 200		Appraisal Clause
B	3. Property Adjusting		Arbitration / Mediation
	Valued policy law		Co-insurance
	Ref: 33-17-9		Concealment
	Cooperation with fire marshal in fire loss investigation	H.	Deductible

- I. Depreciation
- J. Direct Loss
- K. Fraud
- L. Hazard
- M. Indemnity
- N. Indirect Loss
- O. Liability
- P. Loss of Use
- Q. Market Value
- R. Misrepresentation
- S. Mortgagee Rights
- T. Named Perils Coverage
- U. Negligence
- V. Occurrence
- W. Open Perils (all-risk) Coverage
- X. Other Insurance Provision
- Y. Overinsurance
- Z. Pair and Set Clause
- AA. Peril
- **BB. Proximate Cause**
- CC. Replacement Cost
- DD. Representations
- EE. Subrogation
- FF. Warranties
- **GG. Surplus Lines**

# PUBLIC ADJUSTER WEST VIRGINIA SPECIFIC CONTENT OUTLINE

State Laws and Rules

(45 scoreable questions)

#### 

Ref: All statutory references are taken from §114-25 and Section 33-12B of the West Virginia Code of State Rules, which are available at <a href="https://www.wvinsurance.gov/Legal-Authority">www.wvinsurance.gov/Legal-Authority</a>.

#### A. Public Adjusters

- 1. License requirements
  - a. Administrative actions
  - b. Definition of public adjuster

Ref: §114-25-2.10, §114-25-11.6.a.2, §114-25-11.6.g, 33-12B-1, 33-12B-3, 33-12B-4

c. Hearings

Ref: 33-12B-14

d. Penalties

Ref: 33-12B-14

2. Standards of Conduct

Ref: §114-25-10, §114-25-2.10, §114-25-10.2h, §114-25-14

3. Compensation

Ref: §114-25-10.1.d, §114-25-10.e, §114-25-11.2.a, §114-25-11.2.b, §114-25-10.2c, §114-25-11.3, §114-25-12.4, §114-25-15.2

a. Disclosure

Ref: §114-25-10.1.h

b. Obligation

Ref: §114-25-11

- c. Ownership
- d. Referrals

Ref: §114-25-10.1.f

- 4. Record keeping
  - a. Reporting changes to the Commissioner of Insurance

Ref: §114-25-17, 33-12B-10a

b. Record retention

Ref: §114-25-8.2, §114-25-11.1

- 5. Contracts
  - a. General requirements

Ref: §114-25-10.2 §114-25-10.2.d, §114-25-11, §114-25-11.1, §114-25-11.2, §114-25-11.5, §114-25-11.5c, §114-25-11.6.f, §114-25-15.4

b. Rescinding

Ref: §114-25-11.6.h

c. Voiding

Ref: §114-25-15.4

- 6. Claims
  - a. Catastrophe fees

Ref: §114-25-12.4

b. Disclosure process

*Ref:* §114-25-11.6 c. Settlement

Ref: §114-25-11.6, §114-25-13, §114.25-15.3

- 7. Mandatory reporting requirements
  - a. Criminal prosecution and administrative action *Ref: 33-12-34*
  - b. Fraud

Ref: 33-41-5, 114-71-3; Informational Letter 206

#### II. INSURANCE TERMS AND CONCEPTS .......15

Ref: Standard insurance textbooks and policies

- A. Abandonment
- B. Accident
- C. Actual Cash Value
- D. Appraisal Clause
- E. Arbitration / Mediation
- F. Co-insurance
- G. Concealment
- H. Deductible
- I. Depreciation
- J. Direct Loss
- K. Fraud
- L. Hazard
- M. Indemnity
- N. Indirect Loss
- O. Liability
- P. Loss of Use
- Q. Market Value
- R. Misrepresentation
- S. Mortgagee Rights
- T. Named Perils Coverage
- U. Negligence
- V. Occurrence
- W. Open Perils (all-risk) Coverage
- X. Other Insurance Provision
- Y. Overinsurance
- Z. Pair and Set Clause
- AA. Peril
- **BB.** Proximate Cause
- CC. Replacement Cost

- DD. Representations
- EE. Subrogation
- FF. Warranties
- **GG. Surplus Lines**

### VIATICAL SETTLEMENT BROKER **WEST VIRGINIA SPECIFIC CONTENT OUTLINE**

State Laws and Rules

(35 scoreable questions)

#### WEST VIRGINIA LAWS AND RULES PERTINENT TO VIATICAL SETTLEMENTS......35

Ref: All statutory references are taken from §114-25 and Section 33-12B of the West Virginia Code of State Rules, which are available at www.wvinsurance.gov/Legal-Authority.

A. Definitions

Ref: §33-13C-2; Rule §114-80-2

B. Licensing and Renewal Requirements Ref: §33-13C-3; Rule §114-80-4

C. Reporting Requirements Ref: §33-13C-6; Rule §114-80-6

D. Disclosures

Ref: §33-13C-5, §33-13C-8; Rule §114-80-10

E. Contracts and Payments of Proceeds Ref: Rule §114-80-8

F. Examination or Investigation Ref: §33-13C-7

G. Standards for Evaluation of Reasonable Payments to Terminally or Chronically III Insureds

Ref: Rule §114-80-5

H. General Rules

Ref: §33-13C-10; Rule §114-80-7

I. Prohibited Practices

Ref: §33-13C-11, §33-13C-12; Rule §114-80-118

J. Advertising and Marketing Ref: §33-13C-13; Rule §114-80-9

K. Fraud Prevention and Control

Ref: §33-13C-15; Informational Letter 206

L. Criminal Penalties

Ref: §33-13C-16

### **WEST VIRGINIA SURPLUS LINES EXAMINATION CONTENT OUTLINE**

State Laws and Rules

(50 scoreable questions)

WEST VIRGINIA LAWS AND RULES PERTINENT TO SURPLUS LINES INSURANCE ......50

Ref: All statutory references are taken from §114-25 and Section 33-12B of the West Virginia Code of State Rules, which are available at www.wvinsurance.gov/Legal-Authority.

- A. Alien Insurer
- B. Rebates
- C. Definitions
- D. Surplus Lines Insurance

- E. Withdrawal of Eligibility As A Surplus Lines Insurer
- F. Surplus Lines Tax
- G. Surplus Lines Licenses
- H. Suspension, Revocation or Nonrenewal of Surplus Lines Licensee's License
- I. Duty to File Evidence of Insurance and Affidavits
- J. Evidence of Insurance and Subsequent Changes to the Insurance
- K. Licensee's Duty to Notify Insured
- L. Effect of Payment to Surplus Lines Licensee
- M. Surplus Lines Licensees May Accept Business From Other Producers
- N. Records of Surplus Lines Licensee
- O. Reports-Summary of Exported Business
- P. Violations
- Q. Service of Process
- R. Change of Address
- S. Due Diligence
- T. Placement of Surplus Lines Coverage
- U. Surplus Lines Premium Tax Annual Return and Report by Surplus Lines Licensee
- V. Allocation of Surplus Lines Insurance Premium Tax on Multi-State Risks
- W. Export List
- X. Conditions for Marketing Insurance with Surplus **Lines Insurers**
- Y. Mandatory Reporting Requirements
  - 1. Criminal prosecution and administrative action Ref: 33-12-34
  - 2. Fraud

Ref: 33-41-5, 114-71-3; Informational Letter 206

## WEST VIRGINIA WORKERS COMPENSATION ADJUSTER EXAMINATION **CONTENT OUTLINE**

(45 scoreable questions)

- **WORKERS COMPENSATION INSURANCE, EMPLOYERS** LIABILITY INSURANCE, **AND RELATED ISSUES** 
  - A. Standard policy concepts
  - **B.** Self-insurers

Ref: 23-2-9: 85-18-1

- C. Work-related vs. non-work related
- D. Other states' insurance

#### II. WEST VIRGINIA LAWS AND RULES PERTINENT TO **ADJUSTERS**

Ref: All statutory references are taken from §114-25 and Section 33-12B of the West Virginia Code of State Rules

#### A. General Adjusting

- 1. State licensing and regulation of adjusters Ref: 33-12B (1); Rule 114-25; Session 2020 House Bill 4502
- 2. Compromise and settlement

Ref: 23-5-7

- 3. Mandatory reporting requirements
  - a. Criminal prosecution and administrative action Ref: 33-12-34

b. Fraud

Ref: 33-41-5, 114-71-3; Informational Letter 206

# III. WEST VIRGINIA LAWS, RULES AND REGULATIONS PERTINENT TO

#### **WORKERS COMPENSATION**

## A. Purpose

#### **B.** Definitions

Ref: 23-2-1,1a; 23-4-6; 85-8-3.4, 3.5

- 1. Employer
- 2. Employee
- 3. Temporary partial disability
- 4. Temporary total disability
- 5. Non-awarded partial disability (NAP)
- 6. Permanent partial disability
- 7. Permanent total disability
- 8. Injury
- 9. Occupational exposure injury
- 10. Occupational disease
- 11. Orthopedic occupational disease
- 12. Non-orthopedic occupational disease
- 13. Occupational Pneumoconiosis Board

#### C. Requirements/Procedures

1. Exclusiveness of right to compensation

Ref: 23-2-6

2. Injury reports

Ref: 23-4-1a, 23-4-1b, 85-1-3, 85-1-4

#### D. Coverages

1. Injuries covered

Ref: 23-4-1; 23-4-1(b)

2. Employment covered

Ref. 23-2-1, 23-2-1a, 85-8-4, 85-8-6

3. Employment excluded

Ref. 23-2-1, 1a; 85-8-4, 85-8-6

4. Sole proprietors and partners

Ref. 23-2-1, 85-8-6

#### E. Benefits

1. Medical care services and supplies

Ref: 85-1-10.3, 85-1-15, 23-4-3, 85-20

2. Income

a. Temporary total disability

Ref: 23-4-6(b), 23-4-1c

b. Permanent partial disability

Ref: 23-4-6(e)(1), 23-4-6(f), 23-4-1d

c. Permanent total disability

Ref: 23-4-6(d), 23-4-6(n)(1)

c. Weekly

Ref: 23-4-6, 23-4-14, Info Letter 162A

d. Payment

Ref: 23-4-18, 23-4-1c, 23-4-1d, 85-1-11, 85-1-12, Info Letters 162A, 173

3. Vocational Rehabilitation

Ref: 23-4-9, 85-15-1

4. Death and burial

Ref: 23-4-4, 23-4-10, Info Letter 170.

5. Right to sue

Ref: 23-2-6, 23-2C-21

- 6. Non-awarded partial (NAP)
- 7. Temporary partial rehabilitation (TPR)

#### F. Administrative

Ref: 23-5-1(b)(1); Rules 85-1-7.2, 10.7, 16

# IV. WEST VIRGINIA WORKERS COMPENSATION ADJUSTING

A. Claims practices

Ref: 85-1; Rule 1

- B. Content of orders
- C. Office of Judges
- D. Board of Review
- E. Supreme Court
- F. Medical examinations

Ref: 23-4-7a, 85-1-10.4, 85-20-12 and 85-20-64.

G. Settlements/awards

Ref: 23-5-7, 85-12-1.

#### V. INSURANCE TERMS AND CONCEPTS

Ref: Standard insurance textbooks and policies

- A. Fraud
- B. Indemnity
- C. Negligence
- D. Timely filing
- E. To and from / zone of employment