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A BILL

TO AMEND CHAPTER 47, TITLE 38 OF THE 1976 CODE
RELATING TO INSURANCE ADJUSTERS, BY ADDING
SECTION 38-47-45, TO PROVIDE FOR A CONTINUING
EDUCATION REQUIREMENT FOR LICENSED ADJUSTERS.

Be it enacted by the General Assembly of the State of South
Carolina:

SECTION 1. Chapter 47, Title 38 of the 1976 Code is amended
by adding:

“Section 38-47-45. (A) A person licensed pursuant to the
provisions of this chapter shall comply with the provisions of
Section 38-43-106, with certain exceptions:

(1) Licensed adjusters are required to complete biennially a
minimum of fourteen hours of continuing insurance education in
order to be eligible for licensure for the following two years. At
least two of the fourteen required continuing insurance education
hours must be in courses involving ethics or professional
responsibility, or both.

(2) A licensed adjuster shall provide evidence of his
continuing insurance education status and pay a continuing
education recordkeeping fee to the continuing education
administrator by April first of the biennial compliance year unless
he is granted an extension. Beginning March fifteenth of the
compliance year, a licensed adjuster may request in writing a
sixty-day extension to complete continuing education
requirements. The request must be received by the close of
business on April first of the compliance year. A licensed adjuster
who does not comply with continuing education requirements shall
have his license suspended on renewal. In order to reinstate his
license, within a sixty-day period immediately following the

1 license suspension date, he shall complete three hours of
2 continuing education in addition to the fourteen hours required and
3 pay a reinstatement fee equal to the biennial license fee, in addition
4 to the regular biennial license fee. If continuing education
5 compliance is not met within the sixty-day period immediately
6 following the license suspension date, the adjuster's license must
7 be canceled and remains canceled until that time as the state
8 adjuster licensing examination has been taken and passed with a
9 minimum score of seventy. However, if the reason for license
10 suspension is directly related to nonpayment of the biennial
11 continuing education fee, within the twelve-month period
12 immediately following the license suspension date, the adjuster
13 may reinstate his license by paying a penalty fee, not to exceed one
14 hundred fifty dollars to the department for administrative purposes.

15 (3) A maximum of six credit hours may be carried forward.

16 (4) In addition to the representatives on the Continuing
17 Education Advisory Committee, pursuant to Section 38-43-106,
18 the director may accept nominations for qualified individuals from
19 the South Carolina Claims Association, the Claims Management
20 Association of South Carolina, insurers that are not members of
21 any trade association, or another individual, group, or professional
22 association.

23 (5) A nonresident adjuster who successfully satisfied
24 continuing insurance education requirements of his resident state is
25 deemed to have met the continuing education requirements of this
26 section as long as certification is provided to the continuing
27 education administrator. However, a nonresident adjuster whose
28 home state does not have continuing education requirements is
29 required to meet the requirements of this section.

30 (6) A licensed adjuster with a minimum of twenty years of
31 continuous licensure, or with twenty-five years of active licensure
32 as an adjuster, is only required to take seven hours of continuing
33 education credits biannually.

34 (B)(1) The director or his designee shall administer these
35 continuing education requirements and shall approve courses of
36 instruction which qualify for these purposes. However, the director
37 may enter into reciprocal agreements with the insurance
38 commissioners of other states regarding the approval of continuing
39 education courses if, in his judgment, the arrangements or
40 agreements are in the best interest of the State and if the courses
41 submitted meet the minimum statutory requirements of this State
42 for course approval. In administering this program, the department
43 may promulgate regulations where an adjuster provides to a

1 continuing education administrator established within the
2 department, proof of compliance with continuing education
3 requirements as a condition of license renewal or, in the
4 alternative, contract with an outside service provider to provide
5 recordkeeping services as the continuing education administrator.
6 The costs of the continuing education administrator must be paid
7 from the continuing insurance education fees paid by an adjuster in
8 the manner provided by this section, except that course approval
9 responsibilities may not be designated to the continuing education
10 administrator. The continuing education administrator shall
11 compile and maintain records reflecting the continuing insurance
12 education status of all licensed or qualified adjusters subject to the
13 requirements of this section. The continuing education
14 administrator shall furnish to each adjuster, a report of the
15 continuing insurance education status.

16 (2) The department may promulgate regulations prescribing
17 the overall parameters of continuing education requirements, and
18 these regulations authorize the director or his designee to recognize
19 product-specific training.

20 (C) An adjuster's license is for an indefinite term unless
21 revoked or suspended as long as the provisions of this section are
22 met. A licensed insurance adjuster who is unable to comply with
23 license renewal procedures due to active military service or some
24 other extenuating circumstance such as a long-term medical
25 disability may request a waiver of these requirements."

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27 SECTION 2. This act takes effect upon approval by the Governor.

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