# MISSISSIPPI Insurance Supplement

# **Examination Content Outlines**

Effective: May 21, 2021

Note: Only PC with WC and WC Adjuster outlines were updated

a. Modes

b. Grace period

# LIFE PRODUCER CONTENT OUTLINE

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2. Examination of Records

Ref. 83-5-37, 65

3. Notice of hearing

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4. Penalties

Ref. 83-5-49, 67, 83, 85

5. Unlicensed activities

Ref. 83-1-49, 83-17-41, 45

### B. Terms and concepts

1. Insurance

Ref. 83-17-53, 83-19-1

2 Insurer

Ref. 83-1-151, 83-24-7, 83-6-1

3. Insurance transaction

Ref. 83-17-1; 83-17-53, 57; 83-59-3

4. Authorized/unauthorized; Certificate of Authority

Ref. 83-21-3, 83-1-23

5. Domestic, foreign and alien

Ref. 83-5-5

6. Mississippi Life and Health Insurance Guaranty

Association

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### C. Licensing

- 1. Persons required to be licensed
  - a. Insurance Producer

Ref. 83-17-53

b. Insurance Adjuster

Ref. 83-17-401

c. Resident/non-resident

Ref. 83-17-65. 67

d. Exemptions

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2. Appointments/Termination of Appointments

Ref. 83-17-75. 77

3. Penalties for noncompliance

a. Refusal/nonrenewal

Ref. 83-17-71

b. Suspension/revocation

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c Fines

Ref. 83-17-71

- 4. Maintenance and duration of license
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Ref. 83-17-37, 63

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c. Notify Commissioner of Change in Address Ref. 83-17-63

d. Report Administrative or Criminal Action

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### D. Marketing Practices

1. Protection of public interest

Ref. 83-6-39; 83-17-69; 83-24-31; MAC 19-1:20.02, 19-1-3:8:01

- 2 Unfair Practices
  - a. Unfair claims methods and trade practices

Ref. 83-5-19, 33, 35, 45

b. Producer's Compensation Disclosure

Ref: 83-17-73. 83-59-3

c. Rebating/illegal dealing in premiums

Ref. 83-3-121

d. Illegal inducements

Ref. 83-3-121

e. Twisting

Ref. Reg. F&C 37-1; MAC 19-1:1.01

f. Misrepresentation

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g. Defamation of Insurer

Ref. 83-5-35

h. Discrimination

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i. Cease and desist

Ref. 83-1-51; 83-5-41

j. Advertising

Ref. 83-5-35; Reg. L&H 53-1; MAC 19-1:3.01

k. Fraud

Ref. 83-17-71

- 3. Producer responsibilities
  - a. Policy delivery

Ref. 83-7-9, 13, 51; 83-23-235; 83-9-5, 25

b. Premium accountability (e.g. fiduciary responsibility, comingling)

Ref. 83-7-27

c. Reply to Commissioner

Ref. 83-24-13

- 4. Compensation
  - a. Receiving compensation

Ref. 83-17-73

b. Referral Fee

Ref. 83-17-7

c Controlled Business

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- 5. Life Policy Replacements and Disclosures
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b. Definition

Ref. Reg. 99-2; MAC 19-2:14.02

c. Duty of Producer

Ref. Reg. 99-2; MAC 19-2:14.03 through .07

# ACCIDENT & HEALTH OR SICKNESS PRODUCER CONTENT OUTLINE

(60 scored questions plus 15 pretest questions)

(60 scored questions plus 15 pretest questions)	9. Coinsurance
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Group disability income policy	15. Lifetime, annual, or per cause maximum benefit limits
Key employee policy	C. Riders
B. Accidental death and dismemberment	Impairment/exclusions
C. Medical expense insurance	Guaranteed insurability
Basic hospital, medical, and surgical policies	D. Rights of renewability
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3. COBRA	C. Dependent children benefits
F. Individual/Group Long Term Care (LTC)	D. Primary and contingent beneficiaries
G. Other policies	E. Modes of premium payments
1. Dental	F. Nonduplication and coordination of benefits (e.g.,
2. Vision	primary vs. excess)
3. Cancer	G. Occupational vs. non-occupational
Critical illness or specified disease	H. Tax treatment of premiums and proceeds of insurance
5. Worksite (employer-sponsored)	contracts (e.g., disability income and medical
6. Hospital indemnity	expenses, etc.)
7. Short-term medical	I. Managed care
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3. Grace period	etc.)
4. Reinstatement	C. Initial premium payment and receipt and consequences
5. Notice of claim	of the receipt (e.g., medical examination, etc.)
6. Claim forms	D. Submitting application (and initial premium if collected)
7. Proof of loss	to company for underwriting
8. Time of payment of claims	E. Policy delivery
9. Payment of claims	F. Explaining policy and its provisions, riders, exclusions,
10. Physical examination and autopsy	and ratings to clients
11. Legal actions	G. Replacement
12. Change of beneficiary	H. Contract law
13. Misstatement of age or sex	Elements of a contract
14. Change of occupation	2. Insurable interest
15. Illegal occupation	3. Warranties and representations
16. Relation of earnings to insurance	4. Unique aspects of the insurance contract
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1. Insuring clause	b. Unilateral
2. Free look	c. Adhesion
3. Consideration clause	d. Aleatory
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6. Waiver of premium

7. Exclusions and limitations

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#### A. Commissioner

(All references are to sections of Title 83, MS Regulation and MS Administrative Code (MAC))

1. Broad Powers

Ref. 83-1-47, 49, 51

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Association

Ref. 83-23-201 through 223

7. Fraternals

Ref. 83-29-1

8. Essential Health Benefits

Ref. 83-9-5, ACA Sec. 1302 42 U.S.C. 18022

### C. Licensing

- 1. Persons required to be licensed
  - a. Insurance Producer

Ref. 83-17-53

b. Insurance Adjuster

Ref. 83-17-401

c. Resident/non-resident

Ref. 83-17-65, 67

d. Exemptions

Ref. 83-17-67

2. Appointments/Termination of Appointments

Ref. 83-17-75, 77

- 3. Penalties for noncompliance
  - a. Refusal/nonrenewal

Ref. 83-17-71

b. Suspension/revocation

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c Fines

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- 4. Maintenance and duration of license
  - a. Renewal

Ref. 83-17-37, 63

b. Continuing Education

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1. Protection of public interest

Ref. 83-6-39; 83-17-69; 83-24-31; MAC 19-1:20.02, 19-1-3:8:01

- 2. Unfair Practices
  - a. Unfair claims methods and trade practices

Ref. 83-5-19, 29, 31, 33, 35, 45

b. Producer's Compensation Disclosure

Ref: 83-17-73, 83-59-3

c. Rebating/illegal dealing in premiums

Ref. 83-3-121

d. Illegal inducements

Ref. 83-3-121

e. Twisting

Ref. Reg. 19-1:1.01

f. Misrepresentation

Ref. 83-5-35

g. Defamation of Insurer

Ref. 83-5-35

h. Discrimination

Ref. 83-8-221, 83-30-67, 38-71-1, 83-71-57

i. Cease and desist

Ref. 83-1-51; 83-5-41

i. Advertisina

Ref. 83-5-35; Reg. L&H 53-1; MAC 19-1:3.01

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Ref. 83-17-71

- 3. Producer responsibilities
  - a. Policy delivery

Ref. 83-7-9, 13, 51; 83-23-235; 83-9-5, 25

b. Premium accountability (e.g. fiduciary responsibility, comingling)

Ref. 83-7-27

c. Reply to Commissioner

Ref. 83-24-13

- 4. Compensation
  - a. Receiving compensation

Ref. 83-17-73

b. Referral Fee

Ref. 83-17-7

c. Controlled Business

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- 5. Accident and Health Replacement and Disclosures
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- 6. Long-Term Care Insurance
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Ref. Reg. 90-102; MAC 19-3:8.01 through .05

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Ref. Reg. 90-102; MAC 19-3:8.06 through .08

c. Outline of Coverage

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# LIFE, ACCIDENT AND HEALTH OR SICKNESS **PRODUCER**

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(115 scored questions plus 10 pretest questions)	participating)
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A. Traditional whole life products	14. Suicide
1. Ordinary whole life	<ol><li>15. Misstatement of age and gender</li></ol>
2. Limited-pay and single-premium life	16. Settlement options
B. Interest/market-sensitive/adjustable life products	17. Accelerated death benefits
1. Universal life	C. Policy exclusions
2. Variable whole life	III COMPLETING THE APPLICATION UNDERWRITING AND
3. Variable universal life	III. COMPLETING THE APPLICATION, UNDERWRITING, AND DELIVERING LIFE POLICES
4. Interest-sensitive whole life	A. Completing the application
5. Indexed life	
C. Term life	Required signatures     Changes in the application
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a. Level	Consequences of incomplete applications     Waynesting and representations
b. Decreasing	4. Warranties and representations
c. Return of premium	5. Collecting the initial premium and issuing the receipt
d. Annually renewable	6. Replacement
2. Special features	7. Disclosures at point of sale (e.g., HIPAA, HIV consent)
a. Renewable	8. USA PATRIOT Act/anti-money laundering
b. Convertible	B. Underwriting
D. Annuities	Insurable interest
Single and flexible premium	Medical information and consumer reports
Immediate and deferred	Fair Credit Reporting Act
3. Fixed and variable	4. Risk classification
4. Indexed	<ol><li>Stranger/Investor-owned life insurance (STOLI/IOLI)</li></ol>
E. Combination plans and variations	C. Delivering the policy
1. Joint life	1. When coverage begins
	<ol><li>Explaining the policy and its provisions, riders,</li></ol>
Survivorship life (second to die)	exclusions, and ratings to the client
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b. Revocable and irrevocable	Pusings insurance needs     Rusings insurance needs
c. Common disaster	2. Business insurance needs
d. Minor beneficiaries	a. Key person
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d. Level or flexible 8. Reinstatement

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9. Policy loans, withdrawals, partial surrenders

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Business overhead expense policy     Business disability because the little because	15. Lifetime, annual, or per cause maximum benefit limits
3. Business disability buyout policy	C. Riders
Group disability income policy	1. Impairment/exclusions
5. Key employee policy	2. Guaranteed insurability
B. Accidental death and dismemberment	D. Rights of renewability
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General characteristics	C. Dependent children benefits
3. COBRA	D. Primary and contingent beneficiaries
F. Individual/Group Long Term Care (LTC)	
G. Other policies	E. Modes of premium payments
1. Dental	F. Nonduplication and coordination of benefits (e.g.,
2. Vision	primary vs. excess)
3. Cancer	G. Occupational vs. non-occupational
4. Critical illness or specified disease	H. Tax treatment of premiums and proceeds of insurance
5. Worksite (employer-sponsored)	contracts (e.g., disability income and medical
6. Hospital indemnity	expenses, etc.)
7. Short-term medical	I. Managed care
8. Accident	J. Workers Compensation
	K. Subrogation
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Entire contract	B. Explaining sources of insurability and HIPAA privacy
2. Time limit on certain defenses (incontestable)	information (e.g., MIB Report, Fair Credit Reporting Act
3. Grace period	etc.)
4. Reinstatement	C. Initial premium payment and receipt and consequences
5. Notice of claim	of the receipt (e.g., medical examination, etc.)
6. Claim forms	D. Submitting application (and initial premium if collected
7. Proof of loss	to company for underwriting
8. Time of payment of claims	E. Policy delivery
9. Payment of claims	
10. Physical examination and autopsy	F. Explaining policy and its provisions, riders, exclusions
11. Legal actions	and ratings to clients
12. Change of beneficiary	G. Replacement
13. Misstatement of age or sex	H. Contract law
14. Change of occupation	Elements of a contract
15. Illegal occupation	2. Insurable interest
16. Relation of earnings to insurance	3. Warranties and representations
B. Other provisions and clauses	<ol><li>Unique aspects of the insurance contract</li></ol>
•	a. Conditional
1. Insuring clause	b. Unilateral
2. Free look	c. Adhesion
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### B. Life and Health terms and concepts

1 Insurance

Ref. 83-17-53, 83-19-1

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Ref. 83-1-151, 83-24-7, 83-6-1

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Ref. 83-17-71

b. Suspension/revocation

Ref. 83-5-67

c. Fines

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4. Maintenance and duration of license

a Renewal

Ref. 83-17-37, 63

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Ref. 83-5-35

h. Discrimination

Ref. 83-8-221, 83-30-67, 38-71-1, 83-71-57

i. Cease and desist

Ref. 83-1-51; 83-5-41

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Ref. 83-5-35; Reg. F&C 53-1; MAC 19-1:3.01

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a. Policy delivery

Ref. 83-7-9, 13, 51; 83-23-235; 83-9-5, 25

b. Premium accountability (e.g. fiduciary responsibility,

comingling)

Ref. 83-7-27 c. Reply to Commissioner

Ref. 83-24-13

6. Compensation

a. Receiving compensation

Ref. 83-17-73

b. Referral Fee

Ref. 83-17-7

c. Controlled Business

Ref. 83-17-1

7. Life, Accident and Health or Sickness Policy

Replacement and Disclosures

a. Purpose

Ref. 83-9-35; MAC 19-2:14.01

b. Definition

Ref. 83-9-35; MAC 19-2:14.02

c. Duty of Producer

Ref. 83-9-35; MAC 19-2:14.03 through .07

8. Long-Term Care Insurance

a. Policy standards

Ref. Reg. 90-102; MAC 19-3:8.01 through .05

b. Required Provisions

Ref. Reg. 90-102; MAC 19-3:8.06 through .08

c. Outline of Coverage

Ref. Reg. 90-102; MAC 19-3:8.17 through .18

# PROPERTY PRODUCER **CONTENT OUTLINE**

(60 scored questions plus 15 prefest questions)	O. Nonrenewal
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5. HO-6	S. Binder
6. HO-8	T. Endorsements
B. Dwelling policies	U. Blanket vs. Specific
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3. DP-3	A. Declarations
C. Commercial lines	B. Insuring agreement
	C. Conditions
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2. Commercial property	E. Definition of the insured
Commercial building and business personal property	F. Duties of the insured
form	G. Obligations of the insurance company
b. Causes of loss forms	H. Mortgagee rights
c. Business income	I. Proof of loss
d. Extra expense	J. Notice of claim
e. Equipment breakdown	K. Appraisal
3. Business Owners Policy (BOP)	L. Other Insurance Provision
4. Builders Risk	M. Subrogation
D. Inland marine	N. Elements of a contract
Personal Articles floaters	O. Warranties, representations, and concealment
Commercial Property floaters	P. Sources of underwriting information
E. National Flood Insurance Program	Q. Fair Credit Reporting Act
F. Others	R. Privacy Protection (Gramm Leach Bliley)
1. Earthquake	S. Policy Application
2. Mobile Homes	T. Terrorism Risk Insurance Act (TRIA)
3. Watercraft	IV. Mississippi Property Insurance Laws
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## C. Licensing

1. Persons required to be licensed

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b. Insurance Adjuster

Ref. 83-17-401

c. Resident/non-resident

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c. Notify Commissioner of Change in Address

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1. Protection of public interest

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2. Unfair Practices

a. Unfair claims methods and trade practices

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b. Producer's Compensation Disclosure

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m. Fraud

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3. Producer responsibilities

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b. Premium accountability (e.g. fiduciary responsibility)

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c. Separate Account Requirement

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a. Payment of commissions

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4. Admitted and Non-admitted insurers

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Domestic, foreign and alien Insurers; certificate of authority

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6. Mississippi Insurance Guaranty Association

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b. Insurance Adjuster

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c. Notify Commissioner of Change in Address

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1. Protection of public interest

Ref. 83-6-39; 83-17-69; 83-24-31; MAC 19-1:20.02

2. Unfair Practices

a. Unfair claims methods and trade practices

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b. Producer's Compensation Disclosure

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c. Rebating/illegal dealing in premiums

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e. Twisting

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3. Producer responsibilities

a. Policy deliveries

Ref. (2007-1) MAC 19-1:34.04-.05

b. Premium accountability (e.g. fiduciary responsibility)

Ref. 83-17-71; Reg. (2000-4 Sec 4) MAC 19-1:25.04

c. Separate Account Requirement

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1. Proof of Notice

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1. Binding coverage

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c. Coverage C: Medical Payments
d. Supplemental Payments
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Domestic, foreign and alien Insurers; certificate of authority

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6. Mississippi Insurance Guaranty Association

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7. Mississippi State Rating Bureau

Ref. 83-3-7, 24

8. Mississippi Residential Property Insurance Underwriting Association

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9. Mississippi Windstorm Underwriting Association

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10. Valued Policy

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### C. Licensing

- 1. Persons required to be licensed
  - a. Insurance Producer

Ref. 83-17-53. 55, 59, 61, 63, 251

b. Insurance Adjuster

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c. Resident/non-resident Ref. 83-17-65. 67

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2. Appointments/Termination of Appointments

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- 3. Penalties for noncompliance
  - a. Refusal/nonrenewal

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- 4. Maintenance and duration of license
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c. Notify Commissioner of Change in Address

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1. Protection of public interest

Ref. 83-6-39; 83-17-69; 83-24-31; MAC 19-1:20.02

- 2. Unfair Practices
  - a. Unfair claims methods and trade practices

Ref. 83-5-19, 33, 35, 45

b. Producer's Compensation Disclosure

Ref: 83-17-73, 83-59-3

c. Rebating/illegal dealing in premiums

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d. Illegal inducements

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f. Misrepresentation

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g. Credit Scoring Adverse-Action

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i. Discrimination

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j. Failure to issue proper receipts

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k. Cease and desist

Ref. 83-1-51; 83-5-41

Advertising

Ref. 83-5-35; 83-17-1, 71; Reg. 19-1:3.01

m. Fraud

Ref. 7-5-303; 83-17-71

- 3. Producer responsibilities
  - a. Policy deliveries

Ref. (2007-1) MAC 19-1:34.04-.05

b. Premium accountability (e.g. fiduciary responsibility) Ref. 83-17-71; Reg. (2000-4 Sec 4) MAC 19-1:25.04

c. Separate Account Requirement

Ref. Reg. 79-001; MAC 19-1:11.01

d. Reply to the Insurance Commissioner *Ref.* 83-24-13

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- 4. Compensation
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- 1. Property policies
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### F. Applications and Binders

1. Binding coverage

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### G. Automobile

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4. Rates and Forms

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5. Penalties

Ref. 83-5-49, 67, 83, 85

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Ref. 83-1-49, 83-17-41, 45

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Ref. 83-17-1; 83-17-53, 57; 83-59-3

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- 1. Persons required to be licensed
  - a. Insurance Producer

Ref. 83-17-53. 55, 59, 61, 63, 251

b. Insurance Adjuster

Ref. 83-17-401

c. Resident/non-resident

Ref. 83-17-65, 67

d. Exemptions

Ref. 83-17-67

2. Appointments/Termination of Appointments

Ref. 83-17-75, 77

- 3. Penalties for noncompliance
  - a. Refusal/nonrenewal

Ref. 83-17-71

b. Suspension/revocation

Ref. 83-5-67

c. Administrative fines

Ref. 83-17-71

4. Maintenance and duration of license

a. Renewal

Ref. 83-17-37, 63

b. Continuing Education

Ref. 83-17-251

c. Notify Commissioner of Change in Address *Ref.* 83-17-63

d. Report Administrative or Criminal Action *Ref.* 83-17-81

### D. Marketing Practices

1. Protection of public interest

Ref. 83-6-39; 83-17-69; 83-24-31; MAC 19-1:20.02

- 2. Unfair Practices
  - a. Unfair claims methods and trade practices

Ref. 83-5-19, 33, 35, 45

b. Producer's Compensation Disclosure

Ref: 83-17-73, 83-59-3

c. Rebating/illegal dealing in premiums

Ref. 83-3-121

d. Illegal inducements

Ref. 83-2-29

e. Twisting

Ref. Reg. F&C 37-1; MAC 19-1:1.01

f. Misrepresentation

Ref. 83-5-35

g. Credit Scoring Adverse-Action

Ref. 15 USCA § 1681m

h. Defamation

Ref. 83-5-35

i. Discrimination

Ref. 83-2-3

j. Failure to issue proper receipts

Ref. 83-17-71

k. Cease and desist

Ref. 83-1-51: 83-5-41

I. Advertising

Ref. 83-5-35; 83-17-1, 71; Reg. 19-1:3.01

m. Fraud

Ref. 7-5-303; 83-17-71

- 3. Producer responsibilities
  - a. Policy deliveries

Ref. (2007-1) MAC 19-1:34.04-.05

b. Premium accountability (e.g. fiduciary responsibility)

Ref. 83-17-71; Reg. (2000-4 Sec 4) MAC 19-1:25.04

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c. Separate Account Requirement

Ref. Reg. 79-001; MAC 19-1:11.01

d. Reply to the Insurance Commissioner *Ref.* 83-24-13

Kel. 03-24-13

e. Burden of determining authorization

Ref. 83-1-23

- 4. Compensation
  - a. Payment of commissions

Ref. 83-17-73

b. Duly licensed producer

Ref. 83-17-7

c. Referral Fee

Ref. 83-17-7

d. Controlled Business

Ref. 83-17-1

### E. Cancellation/Nonrenewal

- 1. Property policies
  - a. Personal Lines

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(1) Homeowners

Ref. 83-5-28

(2) Automobile

Ref. 83-11-1 through 21

2. Proof of Notice

Ref. 83-11-9. 13

### F. Applications and Binders

1. Binding coverage

Ref. (2009-1) MAC 19-5:4.01-.06)

#### G. Automobile

1. Financial Responsibility

Ref. 63-15-3

2. Uninsured/Underinsured motorist

Ref. 83-11-101 through 111

# PROPERY & CASUALTY WITH WORKERS' COMPENSATION ADJUSTER CONTENT OUTLINE

(60 scored and 5 unscored questions)

# I. PROPERTY AND CASUALTY INSURANCE TERMS AND CONCEPTS

- A. Insurance
  - 1. Law of large numbers
- B. Insurable interest
- C. Risk
- D. Hazard
- E. Peril
- F. Loss (direct and indirect)
- G. Proximate cause
- H. Deductible
- I. Indemnity
- J. Actual cash value
- K. Replacement cost
- L. Limits of Liability
- M. Coinsurance/Insurance to value
- N. Accident
- O. Occurrence
- P. Cancellation
- Q. Nonrenewal
- R. Liability
- S. Negligence
- T. Robbery
- **U.** Burglary
- V. Theft

### II. TYPES OF PROPERTY POLICIES

- A. Personal lines
  - 1. Dwelling and contents (DP forms)
  - 2. Personal liability
  - 3. Homeowners (coverages and endorsements)
  - 4. Mobile Homes

### **B.** Commercial lines

- 1. Commercial property
  - a. Commercial building personal property form
  - b. Causes of loss forms
  - c. Business income
  - d. Extra expense
- 2. Commercial Package Policy (CPP)
- 3. Equipment Breakdown coverage forms
- 4. Businessowners Policy (BOP)

5. Farmowners

### C. Ocean and Inland marine

- 1. Personal floaters
- 2. Commercial floaters
- 3. Nationwide definition

### D. Additional coverages and exclusions

- 1. Flood
- 2. Business Interruption
- 3. Ordinance or Law

### III. TYPES OF CASUALTY POLICIES

# A. Commercial general liability

- 1. Premises and operations liability
- 2. Products and completed operations liability
- 3. Contractual liability
- 4. Medical payments
- 5. Owners and contractors protective liability

### B. Automobile: personal and business auto

- 1. Liability
- 2. Physical damage (collision and comprehensive)
- 3. Uninsured/ Underinsured motorists
- 4. Named insureds
- 5 Insureds
- 6. Owned automobile
- 7. Nonowned automobile
- 8. Temporary substitute auto
- 9. Auto adjusting definitions (included operations, overlap areas, unibody damage)

#### C. Commercial crime

- 1. Coverage forms
  - a. Theft, disappearance, and destruction
  - b. Robbery and safe burglary
  - c. Premises burglary
  - d. Premises theft and robbery outside premises

### D. Workers Compensation

Ref. 71-3-1 through 129

- 1. Liability for compensation
  - a. Burden and standard of proof
  - b. Apportionment
  - c. Intoxication
  - d. Willful intent to injure
  - e. Compensation where third parties are liable
  - f. Statute of limitations
- 2. Indemnity benefits
  - a. Compensation for disability
  - b. Permanent total disability
  - c. Serious head or facial disfigurement
  - d. Partial or total loss of use of a member

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- 3. Medical benefits
  - a. Right of selection
  - b. Duty to provide
- 4. Average weekly wage

# E. Standard Fire Policy

Ref: 83-13-1 through 25

- 1. Basic coverages
- 2. Limitations and restrictions
- 3. Loss
- 4. Appraisal
- F. Professional liability
- G. Umbrella/excess liability
- H. Surety bonds

# IV. STATUTES, RULES, AND REGULATIONS PERTINENT TO ADJUSTERS

(All references are to sections of Title 71 and 83 and Reg. Chapter 14)

### A. Commissioner of Insurance

- 1. Broad powers and duties
- 2. Examination of records
- 3. Investigations/Notice of hearing
- 4. Penalties

## B. Adjuster licensing

Ref. 83-17-401 through 423

- 1. License requirements
- 2. License suspension and revocation
- 3. Change of address *Ref.* 83-17-63
- 4. Definitions

# C. Unfair trade practices

- 1. Unfair claims settlement practices *Ref.* 83-5-19, 33, 45
- 2. Misrepresentation

Ref. 83-5-35

3. Unfair discrimination Ref. 83-71-7, 57; Reg. Chapter 14

# V. PROPERTY INSURANCE STATUTES, RULES, AND REGULATIONS

A. Cancellation/Nonrenewal

Ref. 83-5-28, 83-11-1 through 21

# VI. CASUALTY INSURANCE STATUTES, RULES, AND REGULATIONS

### A. Automobile Insurance/Financial Responsibility

- Required limits Bodily Injury/Physical Damage Ref. 63-15-3
- 2. Cancellation/nonrenewal

Ref. 83-5-28, 83-11-1 through 21

# PUBLIC ADJUSTER CONTENT OUTLINE

(50 scored questions)

# I. AUTO INSURANCE

- A. Personal and Commercial Physical Damage Coverages Comprehensive and Collision
- B. Types of Autos

### II. BUSINESOWNERS POLICY (PROPERTY ONLY)

# III. COMMERCIAL PROPERTY COVERAGE

# IV. DWELLING, HOMEOWNERS AND OTHER PROPERTY COVERAGES

# V. GENERAL INSURANCE CONCEPTS AND PRINCIPLES

- A. Property and Casualty insurance terms
- B. Insurance Concepts
- C. Loss Report

# VI. Overview of Property & Casualty Insurance

- A. Product Knowledge
- B. Policy Provisions

### VII. Mississippi Adjuster Law, Rules and Regulations

Ref. 83-17-501 through 527

- A. Commissioner of Insurance
- B. Definitions
- C. License Requirements
- D. Adjuster

# INDUSTRIAL FIRE CONTENT OUTLINE

(50 scored questions)

# I. MISSISSIPPI LAWS AND RULES PERTINENT TO INDUSTRIAL FIRE INSURANCE

(All references are to sections of Title 83, MS Regulation and MS Administrative Code (MAC))

### A. Insurance Commissioner

- 1. Duties of the Commissioner Ref. 83-1-47, 49, 51; 83-5-37, 39, 65
- B. Industrial Fire Insurance

Ref. 83-13-1 through 25

### C. Persons required to be licensed

Ref. 83-17-53, 65

### D. Maintaining a license

1. Change of Address

Ref. 83-17-63

2. License Renewal

Ref. 83-17-37, 63

- 3. Appointments
  - Ref. 83-17-75, 77

# E. Suspension, termination, revocation of license and other penalties

Ref. 83-5-67, 83-17-71

#### F. Unfair Trade Practices

- 1. Unfair claims practices and settlements *Ref.* 83-5-19, 33, 45
- 2. Twisting

Ref. Reg. F&C 37-1; MAC 19-1:1.01

Rebating

Ref. 83-3-121

# G. Foreign, alien and domestic companies

Ref. 83-1-23, 83-5-5

### II. POLICY DEFINITIONS

- A. Insurance contract basics
- B. Declarations and Insuring Agreement
- C. Conditions
- D. Exclusions
- E. Insurable Interest
- F. Contract of Indemnity
- G. Subrogation
- H. Actual Cash Value
- I. Warranties and Representations
- J. Concealment and Fraud Policy Cancellation
- K. Pro rata
- L. Hazard
  - 1. Physical
  - 2. Moral
  - 3. Morale
- M. Loss
  - Direct
     Indirect
- N. Requirement if Loss Occurs
- O. Perils Not Included
- P. Other Insurance

### III. EXTENDED COVERAGE (ALLIED LINES)

(All references are to sections of Title 83, MS Regulation and MS Administrative Code (MAC))

# A. Perils Insured Against and Their Provisions

Ref. 83-13-1 through 25

- 1. Windstorm
- 2. Hail

- 3. Explosion
- Riot, including a riot attending a strike
- Civil Commotion
- 6. Aircraft
- 7. Vehicles
- 8. Smoke

### IV. BURGLARY ENDORSEMENT

- A. Coverages
- **B.** Exclusions

# **BAIL AGENT CONTENT OUTLINE**

(60 scored questions)

(All references are to sections of Title 83. Ref: 83-39-1 through 31: MAC 19-6:7.03)

### Arrest and release

- A. Who may make an arrest
- B. Surrender of defendants
- C. Issuing warrants
- D. Apprehension of defendants
- E. Property Bond
- Consideration for setting bonds

### Collateral and indemnity

- A. Return of collateral after fulfillment
- B. Custody of Collateral
- C. Penalties

### III. Contracts

- A. Parties to a contract
- B. Indemnification agreements/surety contracts
- C. Creating a valid contract

### IV. Courts and their jurisdiction

- A. Courts
- B. Power of attorney
- C. Posting licensing with courts
- D. Persons excluded from acting as a bail agent
- E. Court procedures
- F. Court appearance
- G. Arraignment
- Trial
- Appeal
- Conditions for release J.
- K. Failure to appear

# Forfeitures and judgements

- A. Bond forfeiture
- B. Motions to set aside judgements
- C. Final judgement of forfeiture

## VI. Fulfilling the Obligation

- A. Discharging Bonds
- B. Evidence to convict

## VII. Mississippi Bail Laws & Regulations

- A. License Requirements
- B. License Eligibility
- C. Qualification, including bonds
- D. Appointments
- E. Non-resident eligibility
- Soliciting bail agent duties
- Limited surety agent duties
- H. Personal surety agent duties
- Record keeping I.
- Licensing renewal and expiration
- K. Denial, suspension or revocation of license
- License transfer requirements License appeal
- M. Continuing education
- Reinstatement requirements
- Fines for agents and insurers
- Change of address
- Q. Disciplinary actions/penalties

R. Unlawful acts

### VIII. Skip tracing, arrest, and surrender

- Reasons for surrender
- Return of premium after surrender
- Procedures for surrender
- Accessing records
- **Bail Contract**

# IX. Definitions and Terminology

### A. Agent

- 1. Bail enforcement
- 2. Personal Surety
- 3. Limited Surety
- 4. Bail Soliciting
- Arraignment
- Bail
- D. Bonds
  - 1. Appeal
  - 2. Bail

  - 3. Cash
  - 4. Personal recognizance
  - 5. Criminal
  - 6. Civil
  - 7. Appearance
  - 8. Post-conviction
- Collateral F
- F Contracts
- G. Custody
- Defendant
- Extradition 1
- J. Felony
- **Fugitive**
- L. Insurer
- M. Levy
- Obligor
  - 1. Obligations of the parties
  - 2. Amount of bail
  - 3. Receipts
  - 4. Posting the bond/recordings
  - 5. Informational notice requirements
  - 6. Transferring a bond
- O. Power of attorney
- Premium
- Q. Principal
- Surety
- Trust Account
- Writs T.

### X. Writing and underwriting bonds

- A. Bond process
  - 1. Application for bond
  - 2. The surety contract including underwriting authority

# **WORKER'S COMPENSATION ADJUSTER** CONTENT OUTLINE

(50 scored questions)

(All references to Miss. Code Ann. § 71-3-1 through 129, 83-17-401 through 425, and the Mississippi Workers' Compensation Claims Guide)

Effective: May 21, 2021

# MISSISSIPPI WORKERS' COMPENSATION LAWS AND **ADJUSTING PRACTICES**

# A. Licensing requirements

Ref. 83-17-401 through 423

- 1. Adjuster
- 2. Exemptions/exceptions
- 3. Continuing education

- License denial, maintenance, renewal, and expiration
- 5. License termination, revocation, suspension

### B. Claims methods and practices

- 1. Bad Faith
- 2. Misrepresentation
- 3. Fraud

### C. Workers' Compensation Policy

- 1. Employers Liability insurance
- 2. Other States insurance

#### D. Administration of the Act

- 1. Impartial construction
- 2. Agency of Administration and Members

### E. Application

- 1. Employers subject to the MWCA
- 2. Penalties for failure to secure coverage

### F. Coverage

- 1. Uninsured subcontractor
- 2. Notice of cancellation and nonrenewal

### G. Jurisdiction

### H. Extraterritorial application

- 1. Concurrent jurisdiction
- I. Exclusiveness of liability

### J. Liability for compensation

- 1. Compensable injuries
- 2. Burden of Proof
- 3. Standard of Proof
- 4. Found Dead Presumption
- 5. Coming and Going Rule
- 6. Consecutive injuries
- 7. Idiopathic Falls
- 8. Independent Contractors
- 9. Non-resident aliens
- 10. Apportionment
- 11. Intoxication
- 12. Willful intent to injure
- 13. Compensation for injuries where third parties are liable
- 14. Statute of limitations

# K. Reporting of injuries

- 1. Requirements
- 2. Penalty

### L. Indemnity Benefits

- 1. Compensation for disability or death
  - a. Temporary total disability
  - b. Temporary Partial Disability
  - c. Permanent partial disability
    - 1. Partial or total loss of use of a member
  - d. Permanent total disability
  - e. Serious head or facial disfigurement
  - f. Death benefits
- 2. Calculation of compensation rate
- 3. Indemnity Waiting Period
- 4. Maximum and Minimum Payments
- 5. Hernia
- 6. Payments and penalties
- 7. Maximum medical improvement
- 8. Form B-18 Report of Payment or Suspension of Payment

# M. Average Weekly Wage

# N. Mileage reimbursement

### O. Child and Spousal Support Liens

### P. Medical Benefits

- 1. Right of selection
- 2. Qualified providers
- 3. Ex Parte' communications
- 4. Authorization
- 5. Duty to provide
- 6. Medical fee schedule

### Q. Second injury fund

### R. Litigation

 Form B-5,11 Petition to Controvert & Response

Effective: May 21, 2021

### S. Settlements

- 1. Procedure
- 2. Medicare Requirements
- T. Third party recovery