



## West Virginia *Offices of the Insurance Commissioner*

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### ***Definitions of Adjuster Types***

***July 1, 2021***

**Company adjuster** means an adjuster who is a staff employee of an insurance company, who is paid by the insurance company, and who investigates, negotiates, or settles claims.

**Independent adjuster** is defined as an individual, a business entity, an independent contractor, or an employee of a contractor, who contracts for compensation with insurers or self-insurers; is one whom the insurer's or self-insurer's tax treatment of the individuals is consistent with that of an independent contractor, rather than as an employee, as defined in the Internal Revenue Code, United States Title 26, Subtitle C; and (3) Investigates, negotiates, or settles property, casualty, or workers' compensation claims for insurers or self-insurers.

**Public adjuster** is defined as, any person who, for compensation or any other thing of value on behalf of the insured: Acts or aids, solely in relation to first-party claims arising under insurance contracts that insure the real or personal property of the insured, on behalf of an insured in negotiating for, or effecting the settlement of, a claim for loss or damage covered by an insured contract; Advertises for employment as a public adjuster of insurance claims or solicits business or represents himself or herself to the public as a public adjuster of first-party insurance claims for losses or damages arising out of policies of insurance that insure real or personal property; or Directly or indirectly solicits business, investigates or adjusts losses, or advises an insured about first-party claims for losses or damages arising out of policies of insurance that insure real or personal property for another person engaged in the business of adjusting losses or damages covered by an insurance policy on behalf of an insured.