

**LIFE—GENERAL KNOWLEDGE
CONTENT OUTLINE**

Product Knowledge, Terms, and Concepts

(50 scoreable questions plus 10 pretest questions)

I. TYPES OF POLICIES 12

A. Traditional whole life products

1. Ordinary whole life
2. Limited-pay and single-premium life

B. Interest/market-sensitive/adjustable life products

1. Universal life
2. Variable whole life
3. Variable universal life
4. Interest-sensitive whole life
5. Indexed life

C. Term life

1. Types
 - a. Level
 - b. Decreasing
 - c. Return of premium
 - d. Annually renewable
2. Special features
 - a. Renewable
 - b. Convertible

D. Annuities

1. Single and flexible premium
2. Immediate and deferred
3. Fixed and variable
4. Indexed

E. Combination plans and variations

1. Joint life
2. Survivorship life (second to die)

II. POLICY RIDERS, PROVISIONS, OPTIONS, AND EXCLUSIONS 18

A. Policy riders

1. Waiver of premium and waiver of monthly deduction
2. Guaranteed insurability
3. Payor benefit
4. Accidental death and/or accidental death and dismemberment
5. Term riders
6. Other insureds
7. Long term care
8. Return of premium

B. Policy provisions and options

1. Entire contract
2. Insuring clause
3. Free look
4. Consideration
5. Owner's rights
6. Beneficiary designations
 - a. Primary and contingent
 - b. Revocable and irrevocable
 - c. Common disaster

- d. Minor beneficiaries
7. Premium Payment
 - a. Modes
 - b. Grace period
 - c. Automatic premium loan
 - d. Level or flexible
8. Reinstatement
9. Policy loans, withdrawals, partial surrenders
10. Non-forfeiture options
11. Dividends and dividend options (eg. participating, non-participating)
12. Incontestability
13. Assignments
14. Suicide
15. Misstatement of age and gender
16. Settlement options
17. Accelerated death benefits

C. Policy exclusions

III. COMPLETING THE APPLICATION, UNDERWRITING, AND DELIVERING THE POLICES.... 12

A. Completing the application

1. Required signatures
2. Changes in the application
3. Consequences of incomplete applications
4. Warranties and representations
5. Collecting the initial premium and issuing the receipt
6. Replacement
7. Disclosures at point of sale (e.g., HIPAA, HIV consent)
8. USA PATRIOT Act/anti-money laundering

B. Underwriting

1. Insurable interest
2. Medical information and consumer reports
3. Fair Credit Reporting Act
4. Risk classification
5. Stranger/Investor-owned life insurance (STOLI/IOLI)

C. Delivering the policy

1. When coverage begins
2. Explaining the policy and its provisions, riders, exclusions, and ratings to the client

D. Contract law

1. Elements of a contract
2. Unique aspects of the insurance contract
 - a. Conditional
 - b. Unilateral
 - c. Adhesion
 - d. Aleatory

IV. TAXES, RETIREMENT, AND OTHER INSURANCE CONCEPTS 8

A. Third-party ownership

B. Viatical Settlements

C. Life Settlements

D. Group life insurance

1. Conversion privilege
2. Contributory vs. noncontributory

E. Retirement plans

- 1. Qualified plans
- 2. Nonqualified plans

F. Life insurance needs analysis/suitability

- 1. Personal insurance needs
- 2. Business insurance needs
 - a. Key person
 - b. Buy sell

G. Social Security benefits

H. Tax treatment of insurance premiums, proceeds, and dividends

- 1. Individual life
- 2. Group life
- 3. Modified Endowment Contracts (MECs)

- 3. Termination of license
 - a. Expiration and cancellation
Ref: 33-12-17
 - b. Revocation and suspension
Ref: 33-11-6, 33-12-24
 - c. Nonrenewal
Ref: 33-12-24
- 4. Limitation of license
Ref: 33-12-18, 33-12-19, 33-12-20, 33-12-21
- 5. Appointment
Ref: 33-12-3(d), 33-12-17, 33-12-18(a), 33-12-24
- 6. Education requirements
 - a. Continuing education
Ref: 33-12-8; Rule 114-42-1, 2, 3, 4, 7
- 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

**LIFE—WEST VIRGINIA SPECIFIC
CONTENT OUTLINE
State Laws and Rules**

(28 scoreable questions plus 6 pretest questions)

I. WEST VIRGINIA LAWS AND RULES COMMON TO LIFE, ACCIDENT AND SICKNESS INSURANCE..... 21

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. Insurance Commissioner 2

- 1. Broad powers
Ref: 33-2-1, 33-2-3, 33-2-4, 33-12-6
- 2. Examination of records
Ref: 33-2-4, 33-2-9
- 3. Notice and conduct of hearing
Ref: 33-2-12, 33-2-13
- 4. Penalties
Ref: 33-2-9, 33-2-11, 33-3-11, 33-11-6, 33-11-8, 33-12-24, 33-44-7
- 5. Filing and approval of forms
Ref: 33-6-8, 33-6-9

B. Definitions..... 4

- 1. Domestic, foreign, alien, nonadmitted, and unauthorized companies
Ref: 33-1-6, 33-1-7, 33-1-8, 33-44-3
- 2. Stock and mutual
Ref: 33-1-18, 33-1-19
- 3. Transacting insurance
Ref: 33-3-1, 33-12-2(m), (o), (p), 33-12-21
- 4. Producer
Ref: 33-1-12, 33-12-22

C. Licensing 7

- 1. Purpose/Requirements
Ref: 33-12-2, 33-12-6
- 2. Qualifications
 - a. Producer
Ref: 33-12-2, 33-12-6, 33-12-9
 - b. Direct response
Ref: 33-6-35(a)(1), 33-28-3(c), 33-28-3(e)
 - c. Nonresident Life/A&H producer
Ref: 33-12-12
 - d. Fingerprinting
Ref: 33-12-37; Title 114-2A-7

D. Unfair Trade Practices 6

- 1. Unfair claims methods and practices
Ref: 33-11-4(9); 33-43-2, Rule 114-14-5, 6
- 2. Excessive charges
Ref: Information letter No. 6
- 3. Rebating
Ref: 33-11-4(8), Rule 114-70
- 4. Coercion
Ref: 33-11-5, 33-11-4(4)
- 5. Misrepresentation
Ref: 33-11-4(1)
- 6. Defamation
Ref: 33-11-4(3)
- 7. Advertising
Ref: 33-11-4(2); Rule 114-11-4
- 8. Penalties
Ref: 33-11-6, 33-11-8

E. Mass Marketed Life and Sickness Insurance 1

Ref: 33-6-35, 33-6-8(e)

F. West Virginia Life and Health Guaranty Association 1

Ref: 33-26A-2 through 33-26A-8

G. Unauthorized Insurers

Ref: 33-44-3, 4, 7, 9, 11

II. WEST VIRGINIA LAWS AND RULES PERTINENT TO LIFE INSURANCE ONLY 7

A. Replacement..... 3

- 1. Definitions
Ref: Rule 114-8-1, 2
- 2. Duties of producers
Ref: Rule 114-8-4.2(d)
- 3. Duties of insurance companies
Ref: Rule 114-8-5
- 4. Exemptions
Ref: Rule 114-8-3

B. Disclosure 0-1

Ref: Rule 114-11A-5

C. Policy Clauses and Provisions 1

- 1. Protection, beneficiaries, and creditors
Ref: 33-6-20, 33-6-27, 33-6-28
- 2. Policy loan interest rate

Ref: 33-13-8, 33-13-8(a)

D. Group Life 2

- 1. Assignment of proceeds

Ref: 33-14-28

- 2. Employee and debtor groups

Ref: 33-14-2, 33-14-3

- 3. Labor union and trustee groups

Ref: 33-14-4, 33-14-5

- 4. Conversion on termination of policy

Ref: 33-14-17

- 5. Conversion on termination of employment

Ref: 33-14-16

E. Suitability in Annuity Transactions.....0-1

Ref: Rule 114-11B-1 through 114-11B-7

F. Insurable Interest.....0-1

Ref: 33-6-2

- 3. Grace period
- 4. Reinstatement
- 5. Notice of claim
- 6. Claim forms
- 7. Proof of loss
- 8. Time of payment of claims
- 9. Payment of claims
- 10. Physical examination and autopsy
- 11. Legal actions
- 12. Change of beneficiary
- 13. Misstatement of age or sex
- 14. Change of occupation
- 15. Illegal occupation
- 16. Relation of earnings to insurance

B. Other provisions and clauses

- 1. Insuring clause
- 2. Free look
- 3. Consideration clause
- 4. Probationary period
- 5. Elimination period
- 6. Waiver of premium
- 7. Exclusions and limitations
- 8. Preexisting conditions
- 9. Coinsurance
- 10. Deductibles
- 11. Eligible expenses
- 12. Copayments
- 13. Pre-authorizations and prior approval requirements
- 14. Usual, reasonable, and customary (URC) charges
- 15. Lifetime, annual, or per cause maximum benefit limits

C. Riders

- 1. Impairment/exclusions
- 2. Guaranteed insurability

D. Rights of renewability

- 1. Noncancelable
- 2. Cancelable
- 3. Guaranteed renewable

III. SOCIAL INSURANCE 3

A. Medicare (Parts A, B, C, D)

B. Medicaid

C. Social Security benefits

IV. OTHER INSURANCE CONCEPTS..... 4

A. Total, partial, recurrent and residual disability

B. Owner's rights

C. Dependent children benefits

D. Primary and contingent beneficiaries

E. Modes of premium payments

F. Nonduplication and coordination of benefits (e.g., primary vs. excess)

G. Occupational vs. non-occupational

H. Tax treatment of premiums and proceeds of insurance contracts (e.g., disability income and medical expenses, etc.)

I. Managed care

J. Workers Compensation

K. Subrogation

V. FIELD UNDERWRITING PROCEDURES..... 9

A. Completing the application

**ACCIDENT & HEALTH—GENERAL
KNOWLEDGE
CONTENT OUTLINE**

Product Knowledge, Terms, and Concepts

(50 scoreable questions plus 10 pretest questions)

I. TYPES OF POLICIES 14

A. Disability income

- 1. Individual disability income policy
- 2. Business overhead expense policy
- 3. Business disability buyout policy
- 4. Group disability income policy
- 5. Key employee policy

B. Accidental death and dismemberment

C. Medical expense insurance

- 1. Basic hospital, medical, and surgical policies
- 2. Major medical policies
- 3. Health Maintenance Organizations (HMOs)
- 4. Preferred Provider Organizations (PPOs)
- 5. Point of Service (POS) plans
- 6. Flexible Spending Accounts (FSAs)
- 7. High Deductible Health Plans (HDHPs) and related Health Savings Accounts (HSAs)

D. Medicare supplement policies

E. Group insurance

- 1. Differences between individual and group contracts
- 2. General characteristics
- 3. COBRA

F. Individual/Group Long Term Care (LTC)

G. Other policies

- 1. Dental
- 2. Vision
- 3. Cancer
- 4. Critical illness or specified disease
- 5. Worksite (employer-sponsored)
- 6. Hospital indemnity
- 7. Short-term medical
- 8. Accident

II. POLICY PROVISIONS, CLAUSES, AND RIDERS..... 20

A. Mandatory and optional provisions

- 1. Entire contract
- 2. Time limit on certain defenses (incontestable)

- B. Explaining sources of insurability and HIPAA privacy information (e.g., MIB Report, Fair Credit Reporting Act, etc.)**
- C. Initial premium payment and receipt and consequences of the receipt (e.g., medical examination, etc.)**
- D. Submitting application (and initial premium if collected) to company for underwriting**
- E. Policy delivery**
- F. Explaining policy and its provisions, riders, exclusions, and ratings to clients**
- G. Replacement**
- H. Contract law**
 - 1. Elements of a contract
 - 2. Insurable interest
 - 3. Warranties and representations
 - 4. Unique aspects of the insurance contract
 - a. Conditional
 - b. Unilateral
 - c. Adhesion
 - d. Aleatory

- Ref: 33-6-35(a)(1), 33-28-3(c), 33-28-3(e)*
- c. Nonresident Life/A&H producer
Ref: 33-12-12
- d. Fingerprinting
Ref: 33-12-37; Title 114-2A-7

- 3. Termination of license
 - a. Expiration and cancellation
Ref: 33-12-17
 - b. Revocation and suspension
Ref: 33-11-6, 33-12-24
 - c. Nonrenewal
Ref: 33-12-24
- 4. Limitation of license
Ref: 33-12-18, 33-12-19, 33-12-20, 33-12-21
- 5. Appointment
Ref: 33-12-3(d), 33-12-17, 33-12-18(a), 33-12-24
- 6. Education requirements
 - a. Continuing education
Ref: 33-12-8; Series 42: 1,2,3,4,7
- 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

**ACCIDENT AND HEALTH OR SICKNESS
WEST VIRGINIA SPECIFIC
CONTENT OUTLINE
State Laws and Rules**

(30 scoreable questions plus 6 pretest questions)

I. WEST VIRGINIA LAWS AND RULES COMMON TO LIFE AND ACCIDENT AND SICKNESS INSURANCE 21

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. Insurance Commissioner 2**
 - 1. Broad powers
Ref: 33-2-1, 33-2-3, 33-2-4, 33-12-6
 - 2. Examination of records
Ref: 33-2-4, 33-2-9
 - 3. Notice and conduct of hearing
Ref: 33-2-12, 33-2-13
 - 4. Penalties
Ref: 33-2-9, 33-2-11, 33-3-11, 33-11-6, 33-11-8, 33-12-24, 33-44-7
 - 5. Filing and approval of forms
Ref: 33-6-8, 33-6-9
- B. Definitions 4**
 - 1. Domestic, foreign, and alien companies
Ref: 33-1-6, 33-1-7, 33-1-8
 - 2. Stock and mutual
Ref: 33-1-18, 33-1-19
 - 3. Transacting insurance
Ref: 33-3-1, 33-12-2(m), (o), (p), 33-12-21
 - 4. Producer
Ref: 33-1-12, 33-12-23
- C. Licensing 7**
 - 1. Purpose/Requirements
Ref: 33-12-2, 33-12-6
 - 2. Qualifications
 - a. Producer
Ref: 33-12-2, 33-12-6, 33-12-9
 - b. Direct response

D. Unfair Trade Practices 6

- 1. Unfair claims methods and practices
Ref: 33-11-4(9), Rule. 114-14-5, 6
- 2. Excessive charges
Ref: Information Letter No. 6
- 3. Rebating
Ref: 33-11-4(8), Rule 114-70
- 4. Coercion
Ref: 33-11-5, 33-11-4(4)
- 5. Misrepresentation
Ref: 33-11-4(1)
- 6. Defamation
Ref: 33-11-4(3)
- 7. Advertising
Ref: 33-11-4(2); Rule 114-11-4
- 8. Penalties
Ref: 33-11-6, 33-11-8

E. Mass Marketed Life & Sickness Insurance 1

Ref: 33-6-35, 33-6-8(e)

F. West Virginia Life and Health Guaranty Association 1

Ref: 33-26A-2, 33-26A-9 (a), 33-26A-3(c)(2)(A)

G. Unauthorized Insurers

Ref: 33-44-3, 4, 7, 9, 11

II. WEST VIRGINIA LAWS AND RULES PERTINENT TO ACCIDENT AND HEALTH OR SICKNESS INSURANCE ONLY 9

A. Required Disclosure Provisions; Individual Minimum A&S Standards 1

Ref: Informational Letter 186A

B. Requirements for Replacement; Individual Minimum A&S Standards 1

Ref: Informational Letter 186A

C. Medicare Supplement Insurance 2

Ref: 33-6-11(a), 33-16-3(d), 33-28-5(b); Rule 114-17, 24

D. Health Maintenance Organization Act 1

Ref: 33-25A-2, 33-25A-14

- 1. Definitions
- 2. Deceptive practice
- E. Corporations..... 1**
Ref: 33-24-2, 33-24-4
 - 1. Hospital service corporations
 - 2. Medical service corporations
 - 3. Dental service corporations
 - 4. Health service corporations
- F. Coverage for Newborn Children..... 1**
Ref: 33-6-32
- G. Long-Term Care..... 1-2**
Ref: 33-15A, Rule 114-32-12.2; 114-32-32
- H. Small Employer Group..... 0-1**
Ref: 33-16D-2

- 1. Moral
- 2. Morale
- 3. Physical
- E. Peril**
- F. Loss**
 - 1. Direct
 - 2. Indirect
- G. Loss Valuation**
 - 1. Actual cash value
 - 2. Replacement cost
 - 3. Market value
 - 4. Stated/agreed value
 - 5. Salvage value

**PROPERTY—GENERAL KNOWLEDGE
CONTENT OUTLINE**

Product Knowledge, Terms, and Concepts

(50 scoreable questions plus 10 pretest questions)

I. TYPES OF POLICIES 25

- A. Homeowners**
 - 1. HO-2
 - 2. HO-3
 - 3. HO-4
 - 4. HO-5
 - 5. HO-6
 - 6. HO-8
- B. Dwelling policies**
 - 1. DP-1
 - 2. DP-2
 - 3. DP-3
- C. Commercial lines**
 - 1. Commercial Package Policy (CPP)
 - 2. Commercial property
 - a. Commercial building and business personal property form
 - b. Causes of loss forms
 - c. Business income
 - d. Extra expense
 - e. Equipment breakdown
 - 3. Business Owners Policy (BOP)
 - 4. Builders Risk
- D. Inland marine**
 - 1. Personal Articles floaters
 - 2. Commercial Property floaters
- E. National Flood Insurance Program**
- F. Others**
 - 1. Earthquake
 - 2. Mobile Homes
 - 3. Watercraft
 - 4. Farm Owners
 - 5. Windstorm

- H. Proximate cause**
 - I. Deductible**
 - J. Indemnity**
 - K. Limits of liability**
 - L. Coinsurance/Insurance to value**
 - M. Occurrence**
 - N. Cancellation**
 - O. Nonrenewal**
 - P. Vacancy and unoccupancy**
 - Q. Liability**
 - 1. Absolute
 - 2. Strict
 - 3. Vicarious
 - R. Negligence**
 - S. Binder**
 - T. Endorsements**
 - U. Blanket vs. Specific**

III. POLICY PROVISIONS AND CONTRACT LAW 11

- A. Declarations**
- B. Insuring agreement**
- C. Conditions**
- D. Exclusions**
- E. Definition of the insured**
- F. Duties of the insured**
- G. Obligations of the insurance company**
- H. Mortgagee rights**
 - I. Proof of loss**
 - J. Notice of claim**
- K. Appraisal**
- L. Other Insurance Provision**
- M. Subrogation**
- N. Elements of a contract**
- O. Warranties, representations, and concealment**
- P. Sources of underwriting information**
- Q. Fair Credit Reporting Act**
- R. Privacy Protection (Gramm Leach Bliley)**
- S. Policy Application**
- T. Terrorism Risk Insurance Act (TRIA)**

II. INSURANCE TERMS AND RELATED CONCEPTS 14

- A. Insurance**
 - 1. Law of Large Numbers
- B. Insurable interest**
- C. Risk**
 - 1. Pure vs. Speculative Risk
- D. Hazard**

**PROPERTY—WEST VIRGINIA SPECIFIC
CONTENT OUTLINE
State Laws and Rules**

(30 scoreable questions plus 5 pretest questions)

**I. WEST VIRGINIA LAWS AND RULES PERTINENT TO
PROPERTY INSURANCE..... 30**

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. Insurance Commissioner 2

1. Broad powers
Ref: 33-2-1, 33-2-3, 33-2-4, 33-12-6
2. Examination of records
Ref: 33-2-4, 33-2-9
3. Notice and Conduct of hearing
Ref: 33-2-12, 33-2-13
4. Penalties
Ref: 33-2-9, 33-2-11, 33-3-11, 33-11-6, 33-11-8, 33-12-24, 33-44-7

**B. Definitions, Restrictions, and
Responsibilities..... 7**

1. Licensed and unlicensed companies
Ref: 33-3-1, 33-12C-3, 33-44-3
2. Domestic, foreign, alien, nonadmitted and unauthorized companies
Ref: 33-1-6, 33-1-7, 33-1-8, 33-12C-3, 33-44-3
3. Stock and mutual companies
Ref: 33-1-18, 33-1-19
4. Selling, soliciting, and negotiating insurance
Ref: 33-3-1, 33-12-2, 33-12-21
5. Producer
Ref: 33-1-12, 33-12-23
6. Surplus lines /Nonadmitted Insurance Act
Ref: 33-12C
7. Valued policy law
Ref: 33-17-9
8. Comparative negligence
Ref: 55-7-13a through 13d

C. Licensing 6

1. Purpose/Requirements
Ref: 33-12-2, 33-12-6
2. Qualifications
 - a. Producer
Ref: 33-12-6
 - b. Nonresident licensing
Ref: 33-12-12
 - c. Company requirements
Ref: 33-12-3(d)
 - d. Fingerprinting
Ref: 33-12-37; Title 114-2A-7
3. Termination of license
 - a. Expiration
Ref: 33-12-17
 - b. Revocation and suspension
Ref: 33-12-24
 - c. Nonrenewal
Ref: 33-12-24

4. Limitation of license
Ref: 33-12-6(a)(7), 33-12-18, 33-12-19, 33-44-4(b)
5. Appointment
Ref: 33-12-3(d), 33-12-18(a)
6. Educational requirements
 - a. Continuing education
Ref: 33-12-8; Rule 114- 42-1, 2, 3, 4, 7
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

D. Unfair Trade Practices 5

1. Unfair claims methods and practices
Ref: 33-11-4(9); Rule 114-14-5, 6
2. Excessive charges
Ref: Information Letter No. 6
3. Rebating
Ref: 33-11-4(8), Rule 114-70
4. Coercion
Ref: 33-11-4(4), 33-11-5
5. Misrepresentation
Ref: 33-11-4(1)
6. Defamation
Ref: 33-11-4(3)
7. Advertising
Ref: 33-11-4(2)
8. Unfair discrimination
Ref: 33-11-4(7)
9. Penalties
Ref: 33-11-6, 33-11-8

E. Insurable Interest in Property..... 1

Ref: 33-6-3

F. Binders 1

Ref: 33-6-18

G. Approval of Rates and Forms 1

Ref: 33-6-8, 33-17-8, 33-20-4

H. Compensation of Licensees..... 2

1. Payment of commissions
Ref: 33-12-23, 33-12-27; 114-2-1 et. seq.

I. West Virginia Essential Insurance Coverage Act (FAIR) Plan 1

Ref: 33-20A-1 through 33-20A-3; Series 21: Sec. 8, 9, 11, 13, 14

J. Mine Subsidence..... 0-1

Ref: 33-30-3, 33-30-4, 33-30-6, 33-30-7, 33-30-10

K. Homeowner's Insurance 1

1. Declination, termination, and disclosure
Ref: 33-17a

L. West Virginia Insurance Guaranty Association .. 1

Ref: 33-26-1 to 33-26-19; 114-20-4

M. Risk Retention Act of West Virginia..... 0-1

Ref: 33-32-1, 33-32-2, 33-32-21

**CASUALTY—GENERAL KNOWLEDGE
CONTENT OUTLINE**

Product Knowledge, Terms, and Concepts

(50 scoreable questions plus 10 pretest questions)

I. TYPES OF POLICIES, BONDS, AND

RELATED TERMS 25

A. Commercial general liability

1. Exposures
 - a. Premises and Operations
 - b. Products and Completed Operations
2. Coverage
 - a. Coverage A: Bodily Injury and Property Damage Liability
 - (1) Occurrence
 - (2) Claims made
 - (a) Retroactive Date
 - b. Coverage B: Personal Injury and Advertising Injury
 - c. Coverage C: Medical Payments
 - d. Supplemental Payments
 - e. Who is an insured
 - f. Limits
 - (1) Per occurrence
 - (2) Annual Aggregate
 - g. Damage to Property of Others

B. Automobile: personal auto and business auto

1. Liability
 - a. Bodily Injury
 - b. Property Damage
 - c. Split Limits
 - d. Combined Single Limit
2. Medical Payments
3. Physical Damage (collision; other than collision; specified perils)
4. Uninsured motorists
5. Underinsured motorists
6. Who is an insured
7. Types of Auto
 - a. Owned
 - b. Non-owned
 - c. Hired
 - d. Temporary Substitute
 - e. Newly Acquired Autos
 - f. Transportation Expense and Rental Reimbursement Expense
8. Garage Coverage Form, including Garagekeepers Insurance
9. Exclusions
10. Individual Insured and Drive Other Car (DOC)

C. Workers Compensation Insurance, Employers Liability Insurance, and Related Issues

(This section does not deal with specifics of state law, which are addressed elsewhere in this outline.)

1. Standard policy concepts
 - a. Who is an employee/employer
 - b. Compensation
2. Work-related vs. non-work-related
3. Other states' insurance
4. Employers Liability
5. Exclusive remedy

6. Premium Determination

D. Crime

1. Employee Dishonesty
2. Theft
3. Robbery
4. Burglary
5. Forgery and Alteration
6. Mysterious disappearance

E. Bonds

1. Surety
2. Fidelity

F. Professional liability

1. Errors and Omissions
2. Medical Malpractice
3. Directors and Officers (D&O)
4. Employment Practices Liability (EPLI)
5. Cyber liability and data breach

G. Umbrella/Excess Liability

II. INSURANCE TERMS AND RELATED CONCEPTS 14

A. Risk

B. Hazards

1. Moral
2. Morale
3. Physical

C. Indemnity

D. Insurable interest

E. Loss valuation

1. Actual cash value
2. Replacement cost
3. Market value
4. Stated/agreed value
5. Salvage value

F. Negligence

G. Liability

H. Occurrence

I. Binders

J. Warranties

K. Representations

L. Concealment

M. Deposit Premium/Audit

N. Certificate of Insurance

O. Law of Large Numbers

P. Pure vs. Speculative Risk

Q. Endorsements

R. Damages

1. Compensatory
 - a. General
 - b. Special
2. Punitive

S. Compliance with provisions of Fair Credit Reporting Act

III. POLICY PROVISIONS..... 11

A. Declarations

B. Insuring agreement

C. Conditions

D. Exclusions and Limitations

E. Definition of the insured

F. Duties of the insured after a loss

G. Cancellation and nonrenewal provisions

H. Supplementary payments

- I. Proof of loss
- J. Notice of claim
- K. Arbitration
- L. Other insurance
- M. Subrogation
- N. Loss settlement provisions including consent to settle a loss
- O. Terrorism Risk Insurance Act (TRIA)

**CASUALTY—WEST VIRGINIA SPECIFIC
CONTENT OUTLINE
State Laws and Rules**

(30 scoreable questions plus 5 pretest questions)

I. WEST VIRGINIA LAWS AND RULES PERTINENT TO CASUALTY INSURANCE..... 30

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. Insurance Commissioner Act 2

- 1. Broad powers
Ref: 33-2-1, 33-2-3, 33-2-4, 33-12-6
- 2. Examination of records
Ref: 33-2-4, 33-2-9
- 3. Notice and Conduct of hearing
Ref: 33-2-12, 33-2-13
- 4. Penalties
Ref: 33-2-9, 33-2-11, 33-3-11, 33-11-6, 33-11-8, 33-12-24, 33-44-7

B. Definitions, Restrictions, and Responsibilities..... 7

- 1. Licensed and unlicensed companies
Ref: 33-3-1, 33-12C-3, 33-44-3
- 2. Domestic, foreign, alien, nonadmitted and unauthorized companies
Ref: 33-1-6, 33-1-7, 33-1-8, 33-12C-3, 33-44-3
- 3. Stock and mutual companies
Ref: 33-1-18, 33-1-19
- 4. Selling, soliciting, and negotiating insurance
Ref: 33-3-1, 33-12-2, 33-12-21
- 5. Producer
Ref: 33-1-12, 33-12-23
- 6. Surplus lines / Nonadmitted Insurance Act
Ref: 33-12C
- 7. Valued policy law
Ref: 33-17-9
- 8. Comparative negligence
Ref: 55-7-13a through 13d

C. Licensing 6

- 1. Purpose/Requirements
Ref: 33-12-2, 33-12-6
- 2. Qualifications
 - a. Producer
Ref: 33-12-6
 - b. Nonresident licensing
Ref: 33-12-12
 - c. Company requirements
Ref: 33-12-3(d)
 - d. Fingerprinting
Ref: 33-12-37; Title 114-2A-7

- 3. Termination of license
 - a. Expiration
Ref: 33-12-17
 - b. Revocation and suspension
Ref: 33-12-24
 - c. Nonrenewal
Ref: 33-12-24
- 4. Limitation of license
Ref: 33-12-6(a)(7), 33-12-18, 33-12-19, 33-44-4(b)
- 5. Appointment
Ref: 33-12-3(d), 33-12-18(a)
- 6. Educational requirements
 - a. Continuing education
Ref: 33-12-8; Rule.114- 42-1, 2, 3, 4, 7
- 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

D. Unfair Trade Practices 6

- 1. Unfair claims methods and practices
Ref: 33-11-4(9); Rule 114-14-5, 6
- 2. Excessive charges
Ref: Information Letter No. 6
- 3. Rebating
Ref: 33-11-4(8), Rule 114-70
- 4. Coercion
Ref: 33-11-4(4), 33-11-5
- 5. Misrepresentation
Ref: 33-11-4(1)
- 6. Defamation
Ref: 33-11-4(3)
- 7. Advertising
Ref: 33-11-4(2)
- 8. Unfair discrimination
Ref: 33-11-4(7)
- 9. Penalties
Ref: 33-11-6, 33-11-8

E. Binders 0-1
Ref: 33-6-18

F. Approval of Rates and Forms 0-1
Ref: 33-6-8, 33-17-8, 33-20-4

G. Compensation of Licensees..... 0-1

- 1. Payment of commissions

H. Automobile Insurance..... 5

- 1. Provisions
Ref: 33-6-31
 - a. Coverage
 - b. Uninsured motorists
Ref: 17D-4-2
 - c. Underinsured motorists
- 2. Financial responsibility and required minimum liability limits
Ref: Ch. 17A-3-3 and 17D Motor Vehicle laws
- 3. Renewal, nonrenewal, and cancellation
Ref: 33-6A-1 through 33-6A-4; 17D
- 4. West Virginia Automobile Insurance Plan (Assigned Risk)
Ref: Auto manual

I. Malpractice Policies..... 0-1

Ref: 33-20C

J. Workers' Compensation 0-1

Ref: 23-2-1(a), 23-2-1(b), 23-2-1(i), 33-1-10(e)(14)

K. West Virginia Insurance Guaranty Association... 0-1

Ref: 33-26-1 to 33-26-19

- 1. Actual cash value
- 2. Replacement cost
- 3. Market value
- 4. Stated/agreed value
- 5. Salvage value

**PROPERTY & CASUALTY CONTENT OUTLINE—
PROPERTY GENERAL KNOWLEDGE
Product Knowledge, Terms, and Concepts**

(50 scoreable questions plus 10 pretest questions)

IV. TYPES OF POLICIES 25

A. Homeowners

- 1. HO-2
- 2. HO-3
- 3. HO-4
- 4. HO-5
- 5. HO-6
- 6. HO-8

B. Dwelling policies

- 1. DP-1
- 2. DP-2
- 3. DP-3

C. Commercial lines

- 1. Commercial Package Policy (CPP)
- 2. Commercial property
 - a. Commercial building and business personal property form
 - b. Causes of loss forms
 - c. Business income
 - d. Extra expense
 - e. Equipment breakdown
- 3. Business Owners Policy (BOP)
- 4. Builders Risk

D. Inland marine

- 1. Personal Articles floaters
- 2. Commercial Property floaters

E. National Flood Insurance Program

F. Others

- 1. Earthquake
- 2. Mobile Homes
- 3. Watercraft
- 4. Farm Owners
- 5. Windstorm

V. INSURANCE TERMS AND RELATED CONCEPTS 14

A. Insurance

- 1. Law of Large Numbers

B. Insurable interest

C. Risk

- 1. Pure vs. Speculative Risk

D. Hazard

- 1. Moral
- 2. Morale
- 3. Physical

E. Peril

F. Loss

- 1. Direct
- 2. Indirect

G. Loss Valuation

H. Proximate cause

I. Deductible

J. Indemnity

K. Limits of liability

L. Coinsurance/Insurance to value

M. Occurrence

N. Cancellation

O. Nonrenewal

P. Vacancy and unoccupancy

Q. Liability

- 1. Absolute
- 2. Strict
- 3. Vicarious

R. Negligence

S. Binder

T. Endorsements

U. Blanket vs. Specific

VI. POLICY PROVISIONS AND CONTRACT LAW 11

A. Declarations

B. Insuring agreement

C. Conditions

D. Exclusions

E. Definition of the insured

F. Duties of the insured

G. Obligations of the insurance company

H. Mortgagee rights

I. Proof of loss

J. Notice of claim

K. Appraisal

L. Other Insurance Provision

M. Subrogation

N. Elements of a contract

O. Warranties, representations, and concealment

P. Sources of underwriting information

Q. Fair Credit Reporting Act

R. Privacy Protection (Gramm Leach Bliley)

S. Policy Application

T. Terrorism Risk Insurance Act (TRIA)

**PROPERTY & CASUALTY CONTENT OUTLINE—
CASUALTY GENERAL KNOWLEDGE
Product Knowledge, Terms, and Concepts**

(50 scoreable questions plus 10 pretest questions)

I. TYPES OF POLICIES, BONDS, AND RELATED TERMS 25

A. Commercial general liability

- 1. Exposures
 - a. Premises and Operations
 - b. Products and Completed Operations
- 2. Coverage
 - a. Coverage A: Bodily Injury and Property Damage Liability
 - (1) Occurrence
 - (2) Claims made

- (a) Retroactive Date
- b. Coverage B: Personal Injury and Advertising Injury
- c. Coverage C: Medical Payments
- d. Supplemental Payments
- e. Who is an insured
- f. Limits
 - (1) Per occurrence
 - (2) Annual Aggregate
- g. Damage to Property of Others

B. Automobile: personal auto and business auto

- 1. Liability
 - a. Bodily Injury
 - b. Property Damage
 - c. Split Limits
 - d. Combined Single Limit
- 2. Medical Payments
- 3. Physical Damage (collision; other than collision; specified perils)
- 4. Uninsured motorists
- 5. Underinsured motorists
- 6. Who is an insured
- 7. Types of Auto
 - a. Owned
 - b. Non-owned
 - c. Hired
 - d. Temporary Substitute
 - e. Newly Acquired Autos
 - f. Transportation Expense and Rental Reimbursement Expense
- 8. Garage Coverage Form, including Garagekeepers Insurance
- 9. Exclusions
- 10. Individual Insured and Drive Other Car (DOC)

C. Workers Compensation Insurance, Employers Liability Insurance, and Related Issues

(This section does not deal with specifics of state law, which are addressed elsewhere in this outline.)

- 1. Standard policy concepts
 - a. Who is an employee/employer
 - b. Compensation
- 2. Work-related vs. non-work-related
- 3. Other states' insurance
- 4. Employers Liability
- 5. Exclusive remedy
- 6. Premium Determination

D. Crime

- 1. Employee Dishonesty
- 2. Theft
- 3. Robbery
- 4. Burglary
- 5. Forgery and Alteration
- 6. Mysterious disappearance

E. Bonds

- 1. Surety
- 2. Fidelity

F. Professional liability

- 1. Errors and Omissions
- 2. Medical Malpractice
- 3. Directors and Officers (D&O)
- 4. Employment Practices Liability (EPLI)
- 5. Cyber liability and data breach

G. Umbrella/Excess Liability

II. INSURANCE TERMS AND RELATED CONCEPTS..... 14

A. Risk

B. Hazards

- 1. Moral
- 2. Morale
- 3. Physical

C. Indemnity

D. Insurable interest

E. Loss valuation

- 1. Actual cash value
- 2. Replacement cost
- 3. Market value
- 4. Stated/agreed value
- 5. Salvage value

F. Negligence

G. Liability

H. Occurrence

I. Binders

J. Warranties

K. Representations

L. Concealment

M. Deposit Premium/Audit

N. Certificate of Insurance

O. Law of Large Numbers

P. Pure vs. Speculative Risk

Q. Endorsements

R. Damages

- 1. Compensatory
 - a. General
 - b. Special
- 2. Punitive

S. Compliance with provisions of Fair Credit Reporting Act

III. POLICY PROVISIONS..... 11

A. Declarations

B. Insuring agreement

C. Conditions

D. Exclusions and Limitations

E. Definition of the insured

F. Duties of the insured after a loss

G. Cancellation and nonrenewal provisions

H. Supplementary payments

I. Proof of loss

J. Notice of claim

K. Arbitration

L. Other insurance

M. Subrogation

N. Loss settlement provisions including consent to settle a loss

O. Terrorism Risk Insurance Act (TRIA)

**PROPERTY & CASUALTY
WEST VIRGINIA SPECIFIC
CONTENT OUTLINE
State Laws and Rules**

(40 scoreable questions plus 8 pretest questions)

I. WEST VIRGINIA LAWS AND RULES PERTINENT TO PROPERTY AND CASUALTY INSURANCE 40

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. Insurance Commissioner 2

1. Broad powers
Ref: 33-2-1, 33-2-3, 33-2-4, 33-12-6, 9
2. Examination of records
Ref: 33-2-4, 33-2-9
3. Notice and Conduct of hearing
Ref: 33-2-12, 33-2-13
4. Penalties
Ref: 33-2-9, 33-2-11, 33-3-11, 33-11-6, 33-11-8, 33-12-24, 33-44-7

B. Definitions, Restrictions, and Responsibilities 7

1. Licensed and unlicensed companies
Ref: 33-3-1, 33-12C-3, 33-44-3
2. Domestic, foreign, alien, nonadmitted and unauthorized companies
Ref: 33-1-6, 33-1-7, 33-1-8, 33-12C-3, 33-44-3
3. Stock and mutual companies
Ref: 33-1-18, 33-1-19
4. Selling, soliciting, and negotiating insurance
Ref: 33-3-1, 33-12-2, 33-12-21
5. Producer
Ref: 33-1-12, 33-12-23
6. Surplus lines / Nonadmitted Insurance Act
Ref: 33-12C
7. Valued policy law
Ref: 33-17-9
8. Comparative negligence
Ref: 55-7-13a through 13d

C. Licensing 6

1. Purpose/Requirements
Ref: 33-12-2, 33-12-6
2. Qualifications
 - a. Producer
Ref: 33-12-6
 - b. Nonresident licensing
Ref: 33-12-12
 - c. Company requirements
Ref: 33-12-3(d)
 - d. Fingerprinting
Ref: 33-12-37; Title 114-2A-7
3. Termination of license
 - a. Expiration
Ref: 33-12-17
 - b. Revocation and suspension
Ref: 33-12-24
 - c. Nonrenewal
Ref: 33-12-24

4. Limitation of license
Ref: 33-12-6(a)(7), 33-12-18, 33-12-19, 33-44-4(b)
5. Appointment
Ref: 33-12-3(d), 33-12-18(a)
6. Educational requirements
 - a. Continuing education
Ref: 33-12-8; Rule.114- 42-1, 2, 3, 4, 7
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

D. Unfair Trade Practices 6

1. Unfair claims methods and practices
Ref: 33-11-4(9); Rule 114-14-5, 6
2. Excessive charges
Ref: Information Letter No. 6
3. Rebating
Ref: 33-11-4(8), Rule 114-70
4. Coercion
Ref: 33-11-4(4), 33-11-5
5. Misrepresentation
Ref: 33-11-4(1)
6. Defamation
Ref: 33-11-4(3)
7. Advertising
Ref: 33-11-4(2)
8. Unfair discrimination
Ref: 33-11-4(7)
9. Penalties
Ref: 33-11-6, 33-11-8

E. Insurable Interest in Property 1

Ref: 33-6-3

F. Binders 1

Ref: 33-6-18

G. Approval of Rates and Forms 1

Ref: 33-6-8, 33-17-8, 33-20-4

H. Compensation of Licensees 2

1. Payment of commissions
Ref: 33-12-23, 33-12-27; 114-2-1 et. seq

I. West Virginia Essential Insurance Coverage Act (FAIR) Plan 1

Ref: 33-20A-1 through 33-20A-3; Series 21: Sec. 8, 9, 11, 13, 14

J. Automobile Insurance 8

1. Provisions
Ref: 33-6-31
 - a. Coverage
 - b. Uninsured motorists
Ref: 17D-4-2
 - c. Underinsured motorists
2. Financial responsibility and required minimum liability limits
Ref: Ch. 17A-3-3 and 17D Motor Vehicle laws
3. Renewal, nonrenewal, and cancellation
Ref: 33-6A-1 through 33-6A-4; 17D
4. West Virginia Automobile Insurance Plan (Assigned Risk)
Ref: Auto manual

K. West Virginia Insurance Guaranty Association... 1

Ref: 33-26-1 to 33-26-19

L. Mine Subsidence 1
Ref: 33-30-3, 33-30-4, 33-30-6, 33-30-7, 33-30-10

M. Malpractice Policies 1
Ref: 33-20C

N. Risk Retention Act of West Virginia 0-1
Ref: 33-32-1, 33-32-2, 33-32-21

O. Homeowner's Insurance 1
 1. Declination, termination, and disclosure
Ref: 33-17a

P. Workers' Compensation.....0-1
Ref: 23-2-1(a), 23-2-1(b), 23-2-1(i), 33-1-10(e)(14)

**PERSONAL LINES—GENERAL KNOWLEDGE
 CONTENT OUTLINE**
Product Knowledge, Terms, and Concepts

(75 questions plus 11 pretest questions)

I. TYPES OF PROPERTY POLICIES 10

A. Homeowners

1. HO-2
2. HO-3
3. HO-4
4. HO-5
5. HO-6
6. HO-8

B. Dwelling policies

1. DP-1
2. DP-2
3. DP-3

C. Inland marine

1. Personal Articles floaters

D. National Flood Insurance Program

E. Others

1. Earthquake
2. Mobile Homes
3. Watercraft
4. Windstorm

II. TYPES OF CASUALTY POLICIES 13

A. Automobile: personal auto

1. Liability
 - a. Bodily Injury
 - b. Property Damage
 - c. Split Limits
 - d. Combined Single Limit
2. Medical Payments
3. Physical Damage (collision; other than collision; specified perils)
4. Uninsured motorists
5. Underinsured motorists
6. Who is an insured
7. Types of Auto
 - a. Owned
 - b. Non-owned
 - c. Hired
 - d. Temporary Substitute
 - e. Newly Acquired Autos
 - f. Transportation Expense and Rental Reimbursement Expense
8. Exclusions

B. Umbrella/Excess liability

III. PROPERTY AND CASUALTY INSURANCE TERMS AND RELATED CONCEPTS..... 28

A. Insurance

1. Law of Large Numbers

B. Insurable interest

C. Risk

1. Pure vs. Speculative Risk

D. Hazard

1. Moral
2. Morale
3. Physical

E. Peril

F. Loss

1. Direct
2. Indirect

G. Loss Valuation

1. Actual cash value
2. Replacement cost
3. Market value
4. Stated value
5. Salvage value

H. Proximate cause

I. Deductible

J. Indemnity

K. Limits of liability

L. Coinsurance/Insurance to value

M. Occurrence

N. Cancellation

O. Nonrenewal

P. Vacancy and unoccupancy

Q. Liability

1. Absolute
2. Strict
3. Vicarious

R. Negligence

S. Binder

T. Endorsements

U. Blanket vs. Specific

V. Burglary, Robbery, Theft, and Mysterious Disappearance

W. Warranties

X. Representations

Y. Concealment

Z. Deposit Premium/Audit

AA. Certificate of Insurance

BB. Damages

1. Compensatory
 - a. General
 - b. Special
2. Punitive

CC. Compliance with Provisions of Fair Credit Reporting Act

IV. PROPERTY AND CASUALTY POLICY PROVISIONS AND CONTRACT LAW 24

A. Declarations

B. Insuring agreement

C. Conditions

D. Exclusions

E. Definition of the insured

F. Duties of the insured after a loss

- G. Obligations of the insurance company
- H. Mortgagee rights
 - I. Proof of loss
 - J. Notice of claim
- K. Appraisal
- L. Other Insurance Provision
- M. Subrogation
- N. Elements of a contract
- O. Sources of underwriting information
- P. Fair Credit Reporting Act
- Q. Privacy Protection (Gramm Leach Bliley)
- R. Policy Application
- S. Terrorism Risk Insurance Act (TRIA)
- T. Cancellation and nonrenewal provisions
- U. Supplementary payments
- V. Arbitration
- W. Loss settlement provisions including consent to settle a loss

- 1. Purpose/Requirements
Ref: 33-12-2, 33-12-6
- 2. Qualifications
 - a. Producer
Ref: 33-12-6
 - b. Nonresident licensing
Ref: 33-12-12
 - c. Company requirements
Ref: 33-3-14(d)
 - d. Fingerprinting
Ref: 33-12-37; Title 114-2A-7
- 3. Termination of license
 - a. Expiration
Ref: 33-12-17
 - b. Revocation and suspension
Ref: 33-12-24
 - c. Nonrenewal
Ref: 33-12-24
- 4. Limitation of license
Ref: 33-12-6(a)(7), 33-12-18, 33-12-19, 33-44-4(b)
- 5. Appointment
Ref: 33-12-3(d), 33-12-18(a)
- 6. Educational requirements
 - a. Continuing education
Ref: 33-12-8; Rule 114-42-1, 2, 3, 4, 7
- 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

**PERSONAL LINES—WEST VIRGINIA SPECIFIC
CONTENT OUTLINE
State Laws and Rules**

(38 scoreable questions)

I. WEST VIRGINIA LAWS AND RULES PERTINENT TO PERSONAL LINES INSURANCE 38

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. Insurance Commissioner 2

- 1. Broad powers
Ref: 33-2-1, 33-2-3, 33-2-4, 33-12-6
- 2. Examination of records
Ref: 33-2-4, 33-2-9
- 3. Notice and conduct of hearing
Ref: 33-2-12, 33-2-13
- 4. Penalties
Ref: 33-2-9, 33-2-11, 33-3-11, 33-11-6, 33-11-8, 33-12-24, 33-44-7

B. Definitions, Restrictions, and Responsibilities...7

- 1. Licensed and unlicensed companies
Ref: 33-3-1, 33-12C-3, 33-44-3
- 2. Domestic, foreign, alien, nonadmitted, and unauthorized companies
Ref: 33-1-6, 33-1-7, 33-1-8, 33-12C-3, 33-44-3
- 3. Stock and mutual companies
Ref: 33-1-18, 33-1-19
- 4. Selling, soliciting, and negotiating insurance
Ref: 33-3-1, 33-12-2, 33-12-21
- 5. Producer
Ref: 33-1-12, 33-12-23
- 6. Surplus lines / Nonadmitted Insurance Act
Ref: 33-12C
- 7. Valued policy law
Ref: 33-17-9
- 8. Comparative negligence
Ref: 55-7-13a through 13d

C. Licensing 6

D. Unfair Trade Practices 6

- 1. Unfair claims methods and practices
Ref: 33-11-4(9); Rule 114-14-5, 6
- 2. Excessive charges
Ref: Information Letter No. 6
- 3. Rebating
Ref: 33-11-4(8), Rule 114-70
- 4. Coercion
Ref: 33-11-4(4), 33-11-5
- 5. Misrepresentation
Ref: 33-11-4(1)
- 6. Defamation
Ref: 33-11-4(3)
- 7. Advertising
Ref: 33-11-4(2)
- 8. Unfair discrimination
Ref: 33-11-4(7)
- 9. Penalties
Ref: 33-11-6, 33-11-8
- 10. Undefined acts
Ref: 33-11-7

E. Insurable Interest in Property 1

Ref: 33-6-3

F. Binders 1

Ref: 33-6-18

G. Approval of Rates and Forms 1

Ref: 33-6-8, 33-17-8, 33-20-4

H. Compensation of Licensees 2

- 1. Payment of commissions
Ref: 33-12-23, 33-12-27

I. West Virginia Essential Insurance Coverage Act (FAIR) Plan..... 1
Ref: 33-20A-1 through 33-20A-3; Series 21: Sec. 8, 9, 11, 13, 14

J. Automobile Insurance..... 8

1. Provisions
Ref: 33-6-31

a. Coverage

b. Uninsured motorists
Ref: 17D-4-2

c. Underinsured motorists

2. Financial responsibility and required minimum liability limits
Ref: Ch. 17A-3-3 and 17D Motor Vehicle laws

3. Renewal, nonrenewal, and cancellation
Ref: 33-6A-1 through 33-6A-4; 17D

4. West Virginia Automobile Insurance Plan (Assigned Risk)
Ref: Auto manual

K. West Virginia Property and Casualty Insurance Guaranty Association..... 1
Ref: 33-26A-2 through 33-26A-8

L. Mine Subsidence 1
Ref: 33-30-3, 33-30-4, 33-30-6, 33-30-7, 33-30-10

M. Homeowner's Insurance 1

1. Declination, termination, and disclosure
Ref: 33-17a

Ref: 29-3-12a (Fire Prevention and Control Act)

3. Mine subsidence coverage
Ref: 33-30-1 through 33-30-3; 33-30-6; 33-30-7; 33-30-10; 33-30-12; 33-30-13

4. West Virginia Essential Property Insurance Association (FAIR plan)
Ref: 33-20A-1 through 33-20A-3; Rule 114-21-1, 2, 8, 9, 13

C. Automobile Adjusting

1. Required liability coverage. Uninsured and underinsured motorists coverage. Named driver exclusion.
Ref: 33-6-31; 17D-4-2 (Motor Vehicle Safety Responsibility Law)

2. Guest passenger law
Ref: 33-6-29

3. Standards for settling auto claims
Ref: 33-6-33; Rule 114-14-7; 33-6F-2

D. Comparative negligence doctrine
Ref: 55-7-13a through 13d

E. Workers' Compensation

1. Benefits
Ref: 23-4-1d(a), 1e(a), 5, 6, 9, 10, 15, 18; Rules 85-1-5.1, 10.1, 10.2, 10.3, 10.5, 10.6, 10.7, 16

a. Indemnity

b. Medical

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

**ADJUSTER—WEST VIRGINIA SPECIFIC
 CONTENT OUTLINE
 State Laws and Rules**

(75 scoreable questions plus 5 pretest questions)

I. WEST VIRGINIA LAWS AND RULES PERTINENT TO ADJUSTERS..... 55
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. General Adjusting

1. State licensing and regulation of adjusters
Ref: 33-12B(1); Rule 114-25-2.10, 3, 7, 9

2. Unfair claim settlement practices
Ref: 33-11-4(9); Rule 114-14-1 through 10

3. Insurable interest in property
Ref: 33-6-3

4. Binders
Ref: 33-6-18

5. West Virginia Property and Casualty Insurance Guaranty Association
Ref: 33-26-10 through 33-26-19

6. 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

B. Property Adjusting

1. Valued policy law
Ref: 33-17-9

2. Cooperation with fire marshal in fire loss investigation

II. COMMERCIAL LINES COVERAGE.....0-3
Ref: Standard insurance textbooks and policies

A. Commercial Property Forms

B. Commercial General Liability Policy

C. Businessowners Policy

D. Commercial Auto Forms

E. Commercial Crime Forms

F. Surety Bonds

III. PERSONAL LINES COVERAGE.....0-3
Ref: Standard insurance textbooks and policies

A. Dwelling Forms/Standard Fire Policy

B. Homeowner's Forms

C. Personal Property Floaters

D. Personal Excess Liability Coverage

E. Personal Auto Policy

F. Mobile Home Coverage

IV. MISCELLANEOUS COVERAGE0-1
Ref: Standard insurance textbooks and policies

A. Watercraft Coverage

B. Flood Insurance

V. INSURANCE TERMS AND CONCEPTS 5-15
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

- 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, §114-25-11.6.i, §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

**PUBLIC ADJUSTER
WEST VIRGINIA SPECIFIC
CONTENT OUTLINE
State Laws and Rules**

(45 scoreable questions)

I. WEST VIRGINIA LAWS AND RULES PERTINENT TO PUBLIC ADJUSTERS..... 30

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. 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

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

- 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

**VIATICAL SETTLEMENT BROKER
WEST VIRGINIA SPECIFIC
CONTENT OUTLINE
State Laws and Rules**

(35 scoreable questions)

- I. 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 Ill 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)

- I. 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

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

(45 scoreable questions)

- I. 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**

Ref:

A. Purpose

Ref:

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