

BEFORE JAMES A. DODRILL, INSURANCE COMMISSIONER  
OF THE STATE OF WEST VIRGINIA

*In the Matter of:*

**COVID-19 STATE OF EMERGENCY,  
EMERGENCY INSURANCE ADJUSTERS**

Emergency Proceeding: 20-EO-04

EMERGENCY ORDER

**NOW COMES JAMES A. DODRILL**, Insurance Commissioner for the State of West Virginia, by virtue of the authority vested in him pursuant to the Proclamation of the Governor of West Virginia issued March 16, 2020, and pursuant to W.Va. Code § 33-12B-11a, who does **FIND** and **DECLARE** as follows:

1. On March 13, 2020, the President of the United States declared a National Emergency in relation to the novel Coronavirus 2019 (COVID-19) pandemic;
2. On March 13, 2020, the Insurance Commissioner entered *Emergency Order 20-01* declaring that an insurance emergency exists in the State of West Virginia, which insurance emergency declaration remains in full force and effect;
3. On March 16, 2020, the Governor of West Virginia issued a Proclamation declaring a State of Emergency for every county in the State of West Virginia with respect to the Coronavirus 2019 (COVID-19) pandemic, which State of Emergency remains in full force and effect;
4. *W.Va. Code* § 33-12B-11a(b) provides that “[w]henver the commissioner determines that a state insurance emergency exists in the State of West Virginia, the commissioner may authorize individuals to be emergency adjusters. The commissioner may authorize such number of additional adjusters as he considers necessary to adequately address the emergency condition existing in the state.”

5. Due to recommendations and guidance by the Centers for Disease Control, the West Virginia Department of Health and Human Resources, Bureau for Public Health, and *Executive Order* No. 09-20 issued by the Governor of West Virginia on March 23, 2020, many citizens of West Virginia are self-quarantining, working remotely, and staying in their homes;

6. Insurers and other regulated entities must assess and review their plans of preparedness and plans for continuity of operations to manage the risk of disruption to their operations arising from COVID-19 and actively seek to mitigate the risk of harm to policyholders and claimants. However, the Commissioner recognizes that insurers and other regulated entities may have a limited or otherwise adversely impacted workforce available as a result of the pandemic and governmental action, or may otherwise request or require that employees limit direct or personal contact with others, including vendors, third-party contractors, claimants or policyholders; and

7. Further, many citizens of West Virginia may be quarantined, isolated, unable to work, working reduced hours or subject to the Governor's stay-at-home order during the State of Emergency and because of the mandates or limitations of *Executive Orders* 2-20, 3-20, 4-20, 5-20, 6-20, 7-20, 8-20 and 9-20. Despite the fact that insurance institutions have been designated as essential businesses during the State of Emergency, many insurers are operating with a limited or reduced workforce.

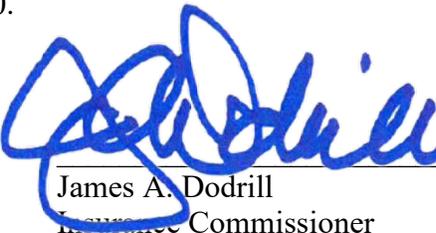
Inasmuch as an insurance emergency and the Governor's declared State of Emergency continue to exist in the State of West Virginia, it is hereby **ORDERED** that any insurance company licensed to do business in West Virginia may submit to the Commissioner an application requesting appointment and authorization of one or more emergency insurance adjusters for the purpose of adjusting claims in West Virginia during the pendency of the current COVID-19 insurance emergency. Each application for an emergency insurance adjuster shall state the names of any individuals that the company wishes to have authorized as an emergency insurance adjuster as well

as any other information the Commissioner requires. Emergency insurance adjusters shall only be authorized to act as such after approval of the application by the Commissioner. An emergency insurance adjuster license is valid only for so long as the Commissioner specifies, but not to exceed a period of one hundred twenty (120) days unless extended for a period of an additional ninety (90) days. An emergency insurance adjuster license granted hereunder is valid only for the COVID-19 insurance emergency. During the time an individual is licensed as an emergency insurance adjuster, he or she has the same power, authority and responsibility as other licensed insurance adjusters in this state.

It is further **ORDERED** that applicants for an emergency adjuster license must complete the emergency insurance adjuster licensing application that can be found on the Commissioner’s website at [www.wvinsurance.gov/Divisions/Licensing](http://www.wvinsurance.gov/Divisions/Licensing) and submit the completed application via email to [OICAgentLicensing@wv.gov](mailto:OICAgentLicensing@wv.gov). A link to the application can also be found under the red “COVID-19” tab on the Commissioner’s website. Due to remote working restrictions, the Commissioner will not accept applications via facsimile or U.S. Mail at this time. Any failure to complete the application fully or to return the completed emergency insurance adjuster application in the correct manner may delay action upon the application by the Commissioner or the Licensing and Education Division of the Offices of the Insurance Commissioner.

This *Emergency Order* shall remain in force and effect until further notice. The Commissioner will continue to review and assess circumstances as they arise or change, and will amend, revise or rescind this *Emergency Order*, in full or in part, as necessary or appropriate.

**ENTERED** this 24<sup>th</sup> day of March, 2020.



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James A. Dodrill  
Insurance Commissioner