

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

In the Matter of:

**COVID-19 STATE OF EMERGENCY,
DOOR-TO-DOOR/IN-HOME INSURANCE TRANSACTIONS**

Emergency Proceeding: 20-EO-06

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, 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 novel Coronavirus 2019 (COVID-19) pandemic, which State of Emergency remains in full force and effect, and in which the Governor recognized that it was of utmost importance for all Cabinet Secretaries, Commissioners and Directors have the ability to take all measures necessary to ensure the safety of citizens in this state, recognized that agencies can suspend certain rules that prohibit them from operating effectively, and delegated to all state agencies the authority to suspend rules if strict compliance therewith would in any way prevent, hinder or delay necessary action in coping with the emergency;

4. Due to recommendations and guidance by the Centers for Disease Control and the West Virginia Department of Health and Human Resources, and the issuance by the Governor of West Virginia of *Executive Order* No. 09-20, many citizens of West Virginia are self-quarantining, isolating, practicing various forms of social distancing, staying in their homes and otherwise maintaining a six-foot distance, at a minimum, from other individuals to stem the transmission of COVID-19;

5. *Executive Order* No. 09-20, known as the Stay Home Order, requires citizens to remain at their places of residence unless performing an essential activity; however, *Executive Order* No. 09-20 also provides that essential businesses and operations shall remain open and that individuals may leave their residences to provide any services or perform any work necessary to offer, provision, supply, operate, maintain and/or repair essential businesses or operations;

6. Insurance institutions, including insurance companies, underwriters, agents, brokers, and related insurance claims and agency services are included within the designated essential businesses and operations; and

7. The Insurance Commissioner, under the provisions of Chapter 33 of the *West Virginia Code* has broad authority to regulate the insurance industry in West Virginia, specifically including but not limited to, insurance companies, insurance brokers, agents (producers) and/or insurance agencies.

Inasmuch as an insurance emergency and the Governor's declared State of Emergency continue to exist in the State of West Virginia, and inasmuch as it is essential for citizens of West Virginia to be able to be able to self-quarantine, isolate, practice various forms of social distancing, and stay in their homes or places of residence in order to stem the transmission of COVID-19, it is hereby **ORDERED** as follows:

Individuals engaged in the business of insurance in West Virginia may leave their residences to provide any services or perform any work necessary to operate and/or maintain the essential business or

operations of insurance entities; ***provided that***, insurance institutions, including insurance companies, underwriters, agents (producers), brokers, and related insurance claims and agency services, their employees or representatives are prohibited from engaging in door-to-door/in-home solicitation of new insurance business or other door-to-door/in-home insurance activity or transactions during this insurance emergency and/or State of Emergency unless all of the following conditions exist: (1) they are servicing or conducting another essential transaction regarding a current policy or policies, (2) they are engaging in the door-to-door/in-home activity at the request of the policyholder or other insured, (3) such policy servicing or other essential transaction cannot be accomplished electronically or otherwise remotely, and (4) the door-to-door/in-home transaction is to be done only with the use of personal protective equipment and/or appropriate social distancing.

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 3rd day of April, 2020.



James A. Dodrill
Insurance Commissioner