

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-06a

FIRST AMENDED 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. Through a series of Executive directives, the Governor of West Virginia has lifted or rescinded certain provisions of Executive Order 09-20, known as the Stay Home Order through a process of reopening dubbed *West Virginia Strong: The Comeback*, which has and is allowing various business and private sectors of the State's economy to resume operations;

2. 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;

3. While the previously declared insurance emergency and the Governor's declared State of Emergency continue to exist in the State of West Virginia (*see, Emergency Order 20-EO-06*), the Governor is allowing, in a phased manner, various business and private sectors of the State's economy to resume operations; and

4. It remains essential, especially during this period of reopening, for citizens of West Virginia to continue to self-quarantine, isolate, practice various forms of social or physical distancing, and utilize personal protective equipment (PPE) in order to stem the transmission of COVID-19.

It is, therefore, **ORDERED** that individuals engaged in the business of insurance in West Virginia may 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 engaging in the door-to-door/in-home activity at the prior telephonic, online, U. S. Mail or electronic mail request by, or authorization of, the customer/client, policyholder or other insured, and such activity is not a no-notice visit or “cold call” at the residence of the customer/client, policyholder or other insured, (2) such policy sale, servicing or other essential transaction cannot be accomplished electronically or otherwise remotely, and (3) the door-to-door/in-home transaction is to be done only with the proper use of personal protective equipment and/or appropriate social/physical distancing.

This *First Amended 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 *First Amended Emergency Order*, in full or in part, as necessary or appropriate.

ENTERED this 30th day of June, 2020.



James A. Dodrill
Insurance Commissioner