

LICENSING PUBLIC ACTUARIES IN INDIANA

December 5, 1967

Senate Bill 220, enacted by the 1967 Indiana General Assembly (which will become Indiana Professions and Occupations Code, 25-3-1-1) provides for the examination and certification of actuaries in Indiana. It authorizes the Insurance Commissioner to appoint three (3) actuaries to serve as a board and it provides that the "Board of Certified Actuaries" shall be "in the Department of Insurance" of the State of Indiana.

Questions have arisen as to the construction of certain phases of the Act, and the Department, after conferences with persons familiar with the Act and the intent of the proponents of the Act, has construed the portions of the Act in question, as follows:

1. The Act does not apply to actuaries employed full time and regularly by the State or Federal governments.
2. The Act does not require any property or casualty insurance company, rating organization or life insurance company to employ or engage an actuary.
3. The Act shall not be construed as limiting or lessening the Indiana Code now in force applicable to the valuations of life insurance policies and the fixing and calculation of life insurance reserves.
4. Any person certifying as an actuary to a life insurance company's annual report or other official life insurance report filed with the Insurance Department shall be certified under the Act whether such person is regularly employed by such life insurance company or engaged on a fee basis or other compensatory basis. Provided that an employee of any life insurance company who performs actuarial functions may certify to any such report in his true capacity so long as he does not so certify as an actuary.
5. This Act shall not be construed as requiring that a filing of rates, rating plans, classifications, rules, or programs by a representative of a rating organization or property or casualty company nor any certification to financial data of any such rating organization or property or casualty company be made by a person certified under this Act, provided such representative (even though he performs actuarial functions) discloses his true capacity and does not make such filing or certification as an "actuary," unless he is certified under this Act.

Joseph G. Wood
Insurance Commissioner