Temporary Emergency Adjuster Licensing

Indiana Code 27-1-28 was created by HEA 1486 (P.L. 11-2011) and governs licensing for independent adjusters. Under the new law, the Department will issue temporary emergency adjuster licenses to unlicensed but qualified individuals to adjust claims arising from a declared catastrophe. The Department intends to issue a bulletin addressing temporary emergency adjuster licensing; however, the new law takes effect July 1, 2011, and this document is intended to provide temporary guidance. Insurers and individuals wishing to receive a temporary emergency adjuster license should regularly check the Department's web site at www.in.gov/idoi for the most recent information.

For purposes of temporary emergency adjuster licensing, "catastrophe" means an event that is declared by the Commissioner and results in a large number of deaths or injuries; causes extensive damage or destruction of facilities used to provide and sustain human needs; produces an overwhelming demand on state and local response resources and mechanisms; causes a severe long term effect on general economic activity; or severely affects state, local, and private sector capabilities to begin and sustain response activities. The Commissioner declares any event determined to be a disaster by the Governor of Indiana or the President of the United States to qualify as a "catastrophe" for purposes of temporary emergency adjuster licensing.

When a catastrophe is declared, an insurer may contract with an individual who is not licensed in Indiana but is otherwise qualified to adjust claims if the insurer obtains a temporary license for the individual. An insurer must obtain the license for the individual to act as a temporary emergency independent adjuster on behalf of the insurer; however, an adjuster holding a temporary emergency adjuster license may adjust claims for additional insurers without obtaining a duplicate temporary emergency adjuster license. The insurer must, not more than five (5) days after the individual begins to adjust claims arising from the declared catastrophe, submit to the Department an application for temporary emergency licensure of the individual. Examples of individuals otherwise qualified to adjust claims include individuals who are licensed in other states and individuals who have worked as independent adjusters for a least five years without being licensed because their resident state did not require a license. An insurer may appoint, in writing, an adjusting firm to apply for licenses on the insurer's behalf. The license fee for temporary emergency adjuster is $20.00.

An application submitted by an insurer must include the following information:

(1) The name of the individual.
(2) The Social Security number of the individual.
(3) The name of the insurer.
(4) The effective date of the contract between the insurer and the individual.
(5) The catastrophe or loss number.
(6) The catastrophe event name.
(7) Home state adjuster license number, if applicable.
(8) Other information the commissioner considers necessary.

As soon as possible, the commissioner will establish procedures for temporary emergency independent adjuster licensure. In the meantime, insurers or adjusting firms are requested to email the required notification to mcanfield@idoi.IN.gov.

A temporary emergency independent adjuster license is effective for not more than ninety days, unless extended by the commissioner. In the event of multiple catastrophes, an individual who holds a temporary emergency independent adjuster license issued with respect to one declared catastrophe may adjust claims arising from any other catastrophe that occurs within the ninety day period during which the license is effective without the insurer applying for an additional temporary emergency independent adjuster license.

For any Indiana catastrophe that occurred before July 1, 2011, the Department will allow an individual adjusting claims in Indiana before July 1, 2011, to continue for up to sixty days without obtaining the temporary emergency license described in this document.

Questions about temporary emergency adjuster licensure should be directed to Chet Pietras, Deputy Commissioner for Agency Services, at 317.234.1138 or cpietras@idoi.IN.gov.