

**LIFE—GENERAL KNOWLEDGE  
CONTENT OUTLINE**  
**Product Knowledge, Terms, and Concepts**

*(50 scoreable questions plus 10 pretest questions)*

**I. TYPES OF POLICIES ..... 12**

**A. Traditional whole life products**

1. Ordinary whole life
2. Limited-pay and single-premium life

**B. Interest/market-sensitive/adjustable life products**

1. Universal life
2. Variable whole life
3. Variable universal life
4. Interest-sensitive whole life
5. Indexed life

**C. Term life**

1. Types
  - a. Level
  - b. Decreasing
  - c. Return of premium
  - d. Annually renewable
2. Special features
  - a. Renewable
  - b. Convertible

**D. Annuities**

1. Single and flexible premium
2. Immediate and deferred
3. Fixed and variable
4. Indexed

**E. Combination plans and variations**

1. Joint life
2. Survivorship life (second to die)

**II. POLICY RIDERS, PROVISIONS, OPTIONS, AND EXCLUSIONS ..... 18**

**A. Policy riders**

1. Waiver of premium and waiver of monthly deduction
2. Guaranteed insurability
3. Payor benefit
4. Accidental death and/or accidental death and dismemberment
5. Term riders
6. Other insureds
7. Long term care
8. Return of premium

**B. Policy provisions and options**

1. Entire contract
2. Insuring clause
3. Free look
4. Consideration
5. Owner's rights
6. Beneficiary designations
  - a. Primary and contingent
  - b. Revocable and irrevocable

- c. Common disaster
- d. Minor beneficiaries
7. Premium Payment
  - a. Modes
  - b. Grace period
  - c. Automatic premium loan
  - d. Level or flexible
8. Reinstatement
9. Policy loans, withdrawals, partial surrenders
10. Non-forfeiture options
11. Dividends and dividend options (eg. participating, non-participating)
12. Incontestability
13. Assignments
14. Suicide
15. Misstatement of age and gender
16. Settlement options
17. Accelerated death benefits

**C. Policy exclusions**

**III. COMPLETING THE APPLICATION, UNDERWRITING, AND DELIVERING THE POLICES..... 12**

**A. Completing the application**

1. Required signatures
2. Changes in the application
3. Consequences of incomplete applications
4. Warranties and representations
5. Collecting the initial premium and issuing the receipt
6. Replacement
7. Disclosures at point of sale (e.g., HIPAA, HIV consent)
8. USA PATRIOT Act/anti-money laundering

**B. Underwriting**

1. Insurable interest
2. Medical information and consumer reports
3. Fair Credit Reporting Act
4. Risk classification
5. Stranger/Investor-owned life insurance (STOLI/IOLI)

**C. Delivering the policy**

1. When coverage begins
2. Explaining the policy and its provisions, riders, exclusions, and ratings to the client

**D. Contract law**

1. Elements of a contract
2. Unique aspects of the insurance contract
  - a. Conditional
  - b. Unilateral
  - c. Adhesion
  - d. Aleatory

**IV. TAXES, RETIREMENT, AND OTHER INSURANCE CONCEPTS ..... 8**

**A. Third-party ownership**

**B. Viatical Settlements**

**C. Life Settlements**

**D. Group life insurance**

1. Conversion privilege

- 2. Contributory vs. noncontributory

**E. Retirement plans**

- 1. Qualified plans
- 2. Nonqualified plans

**F. Life insurance needs analysis/suitability**

- 1. Personal insurance needs
- 2. Business insurance needs
  - a. Key person
  - b. Buy sell

**G. Social Security benefits**

**H. Tax treatment of insurance premiums, proceeds, and dividends**

- 1. Individual life
- 2. Group life
- 3. Modified Endowment Contracts (MECs)

*Ref: 33-12-37; Title 114-2A-7*

3. Termination of license

- a. Expiration and cancellation  
*Ref: 33-12-17*
- b. Revocation and suspension  
*Ref: 33-11-6, 33-12-24*

c. Nonrenewal

*Ref: 33-12-24*

4. Limitation of license

*Ref: 33-12-18, 33-12-19, 33-12-20, 33-12-21*

5. Appointment

*Ref: 33-12-3(d), 33-12-17, 33-12-18(a), 33-12-24*

6. Education requirements

a. Continuing education

*Ref: 33-12-8; Rule 114-42-1, 2, 3, 4, 7*

7. Mandatory reporting requirements

a. Criminal prosecution and administrative action

*Ref: 33-12-34*

b. Fraud

*Ref: 33-41-5, 114-71-3*

**D. Unfair Trade Practices ..... 6**

1. Unfair claims methods and practices

*Ref: 33-11-4(9); 33-43-2, Rule 114-14-5, 6*

2. Excessive charges

*Ref: Information letter No. 6*

3. Rebating

*Ref: 33-11-4(8), Rule 114-70*

4. Coercion

*Ref: 33-11-5, 33-11-4(4)*

5. Misrepresentation

*Ref: 33-11-4(1)*

6. Defamation

*Ref: 33-11-4(3)*

7. Advertising

*Ref: 33-11-4(2); Rule 114-11-4*

8. Penalties

*Ref: 33-11-6, 33-11-8*

**E. Mass Marketed Life and Sickness Insurance..... 1**

*Ref: 33-6-35, 33-6-8(e)*

**F. West Virginia Life and Health Guaranty Association..... 1**

*Ref: 33-26A-2 through 33-26A-8*

**II. WEST VIRGINIA LAWS AND RULES PERTINENT TO LIFE INSURANCE ONLY ..... 7**

**A. Replacement ..... 3**

1. Definitions

*Ref: Rule 114-8-1, 2*

2. Duties of producers

*Ref: Rule 114-8-4.2(d)*

3. Duties of insurance companies

*Ref: Rule 114-8-5*

4. Exemptions

*Ref: Rule 114-8-3*

**B. Disclosure ..... 0-1**

*Ref: Rule 114-11A-5*

**C. Policy Clauses and Provisions ..... 1**

1. Protection, beneficiaries, and creditors

*Ref: 33-6-20, 33-6-27, 33-6-28*

2. Policy loan interest rate

**LIFE—WEST VIRGINIA SPECIFIC  
CONTENT OUTLINE  
State Laws and Rules**

*(28 scoreable questions plus 6 pretest questions)*

**I. WEST VIRGINIA LAWS AND RULES COMMON TO LIFE, ACCIDENT AND SICKNESS INSURANCE..... 21**

*Ref: All statutory references are taken from Chapter 33 of the West Virginia Code and West Virginia Code of State Rules Series 14, 15, and 25, unless otherwise noted.*

**A. Insurance Commissioner..... 2**

1. Broad powers

*Ref: 33-2-1, 33-2-3, 33-2-4, 33-12-6*

2. Examination of records

*Ref: 33-2-4, 33-2-9*

3. Notice and conduct of hearing

*Ref: 33-2-12, 33-2-13*

4. Penalties

*Ref: 33-2-9, 33-2-11, 33-3-11, 33-11-6, 33-11-8, 33-12-24, 33-44-7*

5. Filing and approval of forms

*Ref: 33-6-8, 33-6-9*

**B. Definitions..... 4**

1. Domestic, foreign, alien, nonadmitted, and unauthorized companies

*Ref: 33-1-6, 33-1-7, 33-1-8, 33-44-3*

2. Stock and mutual

*Ref: 33-1-18, 33-1-19*

3. Transacting insurance

*Ref: 33-3-1, 33-12-2(m), (o), (p), 33-12-21*

4. Producer

*Ref: 33-1-12, 33-12-22*

**C. Licensing ..... 7**

1. Purpose/Requirements

*Ref: 33-12-2, 33-12-6*

2. Qualifications

a. Producer

*Ref: 33-12-2, 33-12-6, 33-12-9*

b. Direct response

*Ref: 33-6-35(a)(1), 33-28-3(c), 33-28-3(e)*

c. Nonresident Life/A&H producer

*Ref: 33-12-12*

d. Fingerprinting

Ref: 33-13-8, 33-13-8(a)

**D. Group Life ..... 2**

- 1. Assignment of proceeds

Ref: 33-14-28

- 2. Employee and debtor groups

Ref: 33-14-2, 33-14-3

- 3. Labor union and trustee groups

Ref: 33-14-4, 33-14-5

- 4. Conversion on termination of policy

Ref: 33-14-17

- 5. Conversion on termination of employment

Ref: 33-14-16

**E. Suitability in Annuity Transactions.....0-1**

Ref: Rule 114-11B-1 through 114-11B-7

**F. Insurable Interest.....0-1**

Ref: 33-6-2

- 3. Grace period
- 4. Reinstatement
- 5. Notice of claim
- 6. Claim forms
- 7. Proof of loss
- 8. Time of payment of claims
- 9. Payment of claims
- 10. Physical examination and autopsy
- 11. Legal actions
- 12. Change of beneficiary
- 13. Misstatement of age or sex
- 14. Change of occupation
- 15. Illegal occupation
- 16. Relation of earnings to insurance

**B. Other provisions and clauses**

- 1. Insuring clause
- 2. Free look
- 3. Consideration clause
- 4. Probationary period
- 5. Elimination period
- 6. Waiver of premium
- 7. Exclusions and limitations
- 8. Preexisting conditions
- 9. Coinsurance
- 10. Deductibles
- 11. Eligible expenses
- 12. Copayments
- 13. Pre-authorizations and prior approval requirements
- 14. Usual, reasonable, and customary (URC) charges
- 15. Lifetime, annual, or per cause maximum benefit limits

**C. Riders**

- 1. Impairment/exclusions
- 2. Guaranteed insurability

**D. Rights of renewability**

- 1. Noncancelable
- 2. Cancelable
- 3. Guaranteed renewable

**III. SOCIAL INSURANCE..... 3**

**A. Medicare (Parts A, B, C, D)**

**B. Medicaid**

**C. Social Security benefits**

**IV. OTHER INSURANCE CONCEPTS..... 4**

**A. Total, partial, recurrent and residual disability**

**B. Owner's rights**

**C. Dependent children benefits**

**D. Primary and contingent beneficiaries**

**E. Modes of premium payments**

**F. Nonduplication and coordination of benefits (e.g., primary vs. excess)**

**G. Occupational vs. non-occupational**

**H. Tax treatment of premiums and proceeds of insurance contracts (e.g., disability income and medical expenses, etc.)**

**I. Managed care**

**J. Workers Compensation**

**K. Subrogation**

**V. FIELD UNDERWRITING PROCEDURES ..... 9**

**A. Completing the application**

**ACCIDENT & HEALTH—GENERAL  
KNOWLEDGE  
CONTENT OUTLINE**

**Product Knowledge, Terms, and Concepts**

(50 scoreable questions plus 10 pretest questions)

**I. TYPES OF POLICIES ..... 14**

**A. Disability income**

- 1. Individual disability income policy
- 2. Business overhead expense policy
- 3. Business disability buyout policy
- 4. Group disability income policy
- 5. Key employee policy

**B. Accidental death and dismemberment**

**C. Medical expense insurance**

- 1. Basic hospital, medical, and surgical policies
- 2. Major medical policies
- 3. Health Maintenance Organizations (HMOs)
- 4. Preferred Provider Organizations (PPOs)
- 5. Point of Service (POS) plans
- 6. Flexible Spending Accounts (FSAs)
- 7. High Deductible Health Plans (HDHPs) and related Health Savings Accounts (HSAs)

**D. Medicare supplement policies**

**E. Group insurance**

- 1. Differences between individual and group contracts
- 2. General characteristics
- 3. COBRA

**F. Individual/Group Long Term Care (LTC)**

**G. Other policies**

- 1. Dental
- 2. Vision
- 3. Cancer
- 4. Critical illness or specified disease
- 5. Worksite (employer-sponsored)
- 6. Hospital indemnity
- 7. Short-term medical
- 8. Accident

**II. POLICY PROVISIONS, CLAUSES, AND RIDERS ..... 20**

**A. Mandatory and optional provisions**

- 1. Entire contract
- 2. Time limit on certain defenses (incontestable)

- B. Explaining sources of insurability and HIPAA privacy information (e.g., MIB Report, Fair Credit Reporting Act, etc.)**
- C. Initial premium payment and receipt and consequences of the receipt (e.g., medical examination, etc.)**
- D. Submitting application (and initial premium if collected) to company for underwriting**
- E. Policy delivery**
- F. Explaining policy and its provisions, riders, exclusions, and ratings to clients**
- G. Replacement**
- H. Contract law**
  - 1. Elements of a contract
  - 2. Insurable interest
  - 3. Warranties and representations
  - 4. Unique aspects of the insurance contract
    - a. Conditional
    - b. Unilateral
    - c. Adhesion
    - d. Aleatory

- Ref: 33-6-35(a)(1), 33-28-3(c), 33-28-3(e)*
- c. Nonresident Life/A&H producer  
*Ref: 33-12-12*
- d. Fingerprinting  
*Ref: 33-12-37; Title 114-2A-7*

- 3. Termination of license
  - a. Expiration and cancellation  
*Ref: 33-12-17*
  - b. Revocation and suspension  
*Ref: 33-11-6, 33-12-24*
  - c. Nonrenewal  
*Ref: 33-12-24*
- 4. Limitation of license  
*Ref: 33-12-18, 33-12-19, 33-12-20, 33-12-21*
- 5. Appointment  
*Ref: 33-12-3(d), 33-12-17, 33-12-18(a), 33-12-24*
- 6. Education requirements
  - a. Continuing education  
*Ref: 33-12-8; Series 42: 1,2,3,4,7*
- 7. Mandatory reporting requirements
  - a. Criminal prosecution and administrative action  
*Ref: 33-12-34*
  - b. Fraud  
*Ref: 33-41-5; 114-71-3*

**ACCIDENT AND HEALTH OR SICKNESS  
WEST VIRGINIA SPECIFIC  
CONTENT OUTLINE  
State Laws and Rules**

*(30 scoreable questions plus 6 pretest questions)*

- I. WEST VIRGINIA LAWS AND RULES COMMON TO LIFE AND ACCIDENT AND SICKNESS INSURANCE ..... 21**  
*Ref: All statutory references are taken from Chapter 33 of the West Virginia Code and West Virginia Code of State Rules Series 14, 15, and 25, unless otherwise noted.*
  - A. Insurance Commissioner..... 2**
    - 1. Broad powers  
*Ref: 33-2-1, 33-2-3, 33-2-4, 33-12-6*
    - 2. Examination of records  
*Ref: 33-2-4, 33-2-9*
    - 3. Notice and conduct of hearing  
*Ref: 33-2-12, 33-2-13*
    - 4. Penalties  
*Ref: 33-2-9, 33-2-11, 33-3-11, 33-11-6, 33-11-8, 33-12-24, 33-44-7*
    - 5. Filing and approval of forms  
*Ref: 33-6-8, 33-6-9*
  - B. Definitions..... 4**
    - 1. Domestic, foreign, and alien companies  
*Ref: 33-1-6, 33-1-7, 33-1-8*
    - 2. Stock and mutual  
*Ref: 33-1-18, 33-1-19*
    - 3. Transacting insurance  
*Ref: 33-3-1, 33-12-2(m), (o), (p), 33-12-21*
    - 4. Producer  
*Ref: 33-1-12, 33-12-23*
  - C. Licensing ..... 7**
    - 1. Purpose/Requirements  
*Ref: 33-12-2, 33-12-6*
    - 2. Qualifications
      - a. Producer  
*Ref: 33-12-2, 33-12-6, 33-12-9*
      - b. Direct response

- D. Unfair Trade Practices..... 6**
  - 1. Unfair claims methods and practices  
*Ref: 33-11-4(9), Rule. 114-14-5, 6*
  - 2. Excessive charges  
*Ref: Information Letter No. 6*
  - 3. Rebating  
*Ref: 33-11-4(8), Rule 114-70*
  - 4. Coercion  
*Ref: 33-11-5, 33-11-4(4)*
  - 5. Misrepresentation  
*Ref: 33-11-4(1)*
  - 6. Defamation  
*Ref: 33-11-4(3)*
  - 7. Advertising  
*Ref: 33-11-4(2); Rule 114-11-4*
  - 8. Penalties  
*Ref: 33-11-6, 33-11-8*

- E. Mass Marketed Life & Sickness Insurance ..... 1**  
*Ref: 33-6-35, 33-6-8(e)*
- F. West Virginia Life and Health Guaranty Association..... 1**  
*Ref: 33-26A-2, 33-26A-9 (a), 33-26A-3(c)(2)(A)*

- II. WEST VIRGINIA LAWS AND RULES PERTINENT TO ACCIDENT AND HEALTH OR SICKNESS INSURANCE ONLY..... 9**
  - A. Required Disclosure Provisions; Individual Minimum A&S Standards ..... 1**  
*Ref: Informational Letter 186A*
  - B. Requirements for Replacement; Individual Minimum A&S Standards ..... 1**  
*Ref: Informational Letter 186A*
  - C. Medicare Supplement Insurance ..... 2**  
*Ref: 33-6-11(a), 33-16-3(d), 33-28-5(b); Rule 114-17, 24*
  - D. Health Maintenance Organization Act.....1**  
*Ref: 33-25A-2, 33-25A-14*
    - 1. Definitions
    - 2. Deceptive practice

**E. Corporations ..... 1**  
*Ref: 33-24-2, 33-24-4*  
 1. Hospital service corporations  
 2. Medical service corporations  
 3. Dental service corporations  
 4. Health service corporations

**F. Coverage for Newborn Children..... 1**  
*Ref: 33-6-32*

**G. Long-Term Care..... 1-2**  
*Ref: 33-15A, Rule 114-32-12.2; 114-32-32*

**H. Small Employer Group..... 0-1**  
*Ref: 33-16D-2*

3. Physical

**E. Peril**

**F. Loss**  
 1. Direct  
 2. Indirect

**G. Loss Valuation**  
 1. Actual cash value  
 2. Replacement cost  
 3. Market value  
 4. Stated/agreed value  
 5. Salvage value

**PROPERTY—GENERAL KNOWLEDGE  
 CONTENT OUTLINE**  
**Product Knowledge, Terms, and Concepts**

*(50 scoreable questions plus 10 pretest questions)*

**I. TYPES OF POLICIES ..... 25**

**A. Homeowners**  
 1. HO-2  
 2. HO-3  
 3. HO-4  
 4. HO-5  
 5. HO-6  
 6. HO-8

**B. Dwelling policies**  
 1. DP-1  
 2. DP-2  
 3. DP-3

**C. Commercial lines**  
 1. Commercial Package Policy (CPP)  
 2. Commercial property  
 a. Commercial building and business personal property form  
 b. Causes of loss forms  
 c. Business income  
 d. Extra expense  
 e. Equipment breakdown  
 3. Business Owners Policy (BOP)  
 4. Builders Risk

**D. Inland marine**  
 1. Personal Articles floaters  
 2. Commercial Property floaters

**E. National Flood Insurance Program**

**F. Others**  
 1. Earthquake  
 2. Mobile Homes  
 3. Watercraft  
 4. Farm Owners  
 5. Windstorm

**H. Proximate cause**  
**I. Deductible**  
**J. Indemnity**  
**K. Limits of liability**  
**L. Coinsurance/Insurance to value**  
**M. Occurrence**  
**N. Cancellation**  
**O. Nonrenewal**  
**P. Vacancy and unoccupancy**  
**Q. Liability**  
 1. Absolute  
 2. Strict  
 3. Vicarious

**R. Negligence**  
**S. Binder**  
**T. Endorsements**  
**U. Blanket vs. Specific**

**III. POLICY PROVISIONS AND CONTRACT LAW..... 11**

**A. Declarations**  
**B. Insuring agreement**  
**C. Conditions**  
**D. Exclusions**  
**E. Definition of the insured**  
**F. Duties of the insured**  
**G. Obligations of the insurance company**  
**H. Mortgagee rights**  
**I. Proof of loss**  
**J. Notice of claim**  
**K. Appraisal**  
**L. Other Insurance Provision**  
**M. Subrogation**  
**N. Elements of a contract**  
**O. Warranties, representations, and concealment**  
**P. Sources of underwriting information**  
**Q. Fair Credit Reporting Act**  
**R. Privacy Protection (Gramm Leach Bliley)**  
**S. Policy Application**  
**T. Terrorism Risk Insurance Act (TRIA)**

**II. INSURANCE TERMS AND RELATED CONCEPTS ..... 14**

**A. Insurance**  
 1. Law of Large Numbers

**B. Insurable interest**

**C. Risk**  
 1. Pure vs. Speculative Risk

**D. Hazard**  
 1. Moral  
 2. Morale

**PROPERTY—WEST VIRGINIA SPECIFIC  
CONTENT OUTLINE  
State Laws and Rules**

*(30 scoreable questions plus 5 pretest questions)*

**I. WEST VIRGINIA LAWS AND RULES PERTINENT TO  
PROPERTY INSURANCE..... 30**

*Ref: All statutory references are taken from §114-25 and Section 33-12B of the West Virginia Code of State Rules, which are available at [www.wvinsurance.gov/PolicyLegislation.aspx](http://www.wvinsurance.gov/PolicyLegislation.aspx).*

**A. Insurance Commissioner..... 2**

1. Broad powers  
*Ref: 33-2-1, 33-2-3, 33-2-4, 33-12-6*
2. Examination of records  
*Ref: 33-2-4, 33-2-9*
3. Notice and Conduct of hearing  
*Ref: 33-2-12, 33-2-13*
4. Penalties  
*Ref: 33-2-9, 33-2-11, 33-3-11, 33-11-6, 33-11-8, 33-12-24, 33-44-7*

**B. Definitions, Restrictions, and  
Responsibilities..... 7**

1. Licensed and unlicensed companies  
*Ref: 33-3-1, 33-12C-3, 33-44-3*
2. Domestic, foreign, alien, nonadmitted and unauthorized companies  
*Ref: 33-1-6, 33-1-7, 33-1-8, 33-12C-3, 33-44-3*
3. Stock and mutual companies  
*Ref: 33-1-18, 33-1-19*
4. Selling, soliciting, and negotiating insurance  
*Ref: 33-3-1, 33-12-2, 33-12-21*
5. Producer  
*Ref: 33-1-12, 33-12-23*
6. Surplus lines /Nonadmitted Insurance Act  
*Ref: 33-12C*
7. Valued policy law  
*Ref: 33-17-9*
8. Comparative negligence  
*Ref: West Virginia Supreme Court ruling, Bradley v. Appalachian Power Co., 163 WV 332, 256 SE2d 879 (1979)*

**C. Licensing ..... 6**

1. Purpose/Requirements  
*Ref: 33-12-2, 33-12-6*
2. Qualifications
  - a. Producer  
*Ref: 33-12-6*
  - b. Nonresident licensing  
*Ref: 33-12-12*
  - c. Company requirements  
*Ref: 33-12-3(d)*
  - d. Fingerprinting  
*Ref: 33-12-37; Title 114-2A-7*
3. Termination of license
  - a. Expiration  
*Ref: 33-12-17*
  - b. Revocation and suspension  
*Ref: 33-12-24*

c. Nonrenewal

*Ref: 33-12-24*

4. Limitation of license

*Ref: 33-12-6(a)(7), 33-12-18, 33-12-19, 33-44-4(b)*

5. Appointment

*Ref: 33-12-3(d), 33-12-18(a)*

6. Educational requirements

a. Continuing education

*Ref: 33-12-8; Rule 114- 42-1, 2, 3, 4, 7*

7. Mandatory reporting requirements

a. Criminal prosecution and administrative action

*Ref: 33-12-34*

b. Fraud

*Ref: 33-41-5, 114-71-3*

**D. Unfair Trade Practices ..... 5**

1. Unfair claims methods and practices

*Ref: 33-11-4(9); Rule 114-14-5, 6*

2. Excessive charges

*Ref: Information Letter No. 6*

3. Rebating

*Ref: 33-11-4(8), Rule 114-70*

4. Coercion

*Ref: 33-11-4(4), 33-11-5*

5. Misrepresentation

*Ref: 33-11-4(1)*

6. Defamation

*Ref: 33-11-4(3)*

7. Advertising

*Ref: 33-11-4(2)*

8. Unfair discrimination

*Ref: 33-11-4(7)*

9. Penalties

*Ref: 33-11-6, 33-11-8*

**E. Insurable Interest in Property..... 1**

*Ref: 33-6-3*

**F. Binders ..... 1**

*Ref: 33-6-18*

**G. Approval of Rates and Forms ..... 1**

*Ref: 33-6-8, 33-17-8, 33-20-4*

**H. Compensation of Licensees..... 2**

1. Payment of commissions

*Ref: 33-12-23, 33-12-27; 114-2-1 et. seq.*

**I. West Virginia Essential Insurance Coverage Act (FAIR) Plan..... 1**

*Ref: 33-20A-1 through 33-20A-3; Series 21: Sec. 8, 9, 11, 13, 14*

**J. Mine Subsidence ..... 0-1**

*Ref: 33-30-3, 33-30-4, 33-30-6, 33-30-7, 33-30-10*

**K. Homeowner's Insurance..... 1**

1. Declination, termination, and disclosure

*Ref: 33-17a*

**L. West Virginia Insurance Guaranty Association .. 1**

*Ref: 33-26-1 to 33-26-19; 114-20-4*

**M. Risk Retention Act of West Virginia ..... 0-1**

*Ref: 33-32-1, 33-32-2, 33-32-21*

**CASUALTY—GENERAL KNOWLEDGE  
CONTENT OUTLINE  
Product Knowledge, Terms, and Concepts**

*(50 scoreable questions plus 10 pretest questions)*

**I. TYPES OF POLICIES, BONDS, AND**

**RELATED TERMS ..... 25**

**A. Commercial general liability**

1. Exposures
  - a. Premises and Operations
  - b. Products and Completed Operations
2. Coverage
  - a. Coverage A: Bodily Injury and Property Damage Liability
    - (1) Occurrence
    - (2) Claims made
      - (a) Retroactive Date
  - b. Coverage B: Personal Injury and Advertising Injury
  - c. Coverage C: Medical Payments
  - d. Supplemental Payments
  - e. Who is an insured
  - f. Limits
    - (1) Per occurrence
    - (2) Annual Aggregate
  - g. Damage to Property of Others

**B. Automobile: personal auto and business auto**

1. Liability
  - a. Bodily Injury
  - b. Property Damage
  - c. Split Limits
  - d. Combined Single Limit
2. Medical Payments
3. Physical Damage (collision; other than collision; specified perils)
4. Uninsured motorists
5. Underinsured motorists
6. Who is an insured
7. Types of Auto
  - a. Owned
  - b. Non-owned
  - c. Hired
  - d. Temporary Substitute
  - e. Newly Acquired Autos
  - f. Transportation Expense and Rental Reimbursement Expense
8. Garage Coverage Form, including Garagekeepers Insurance
9. Exclusions
10. Individual Insured and Drive Other Car (DOC)

**C. Workers Compensation Insurance, Employers Liability Insurance, and Related Issues**

(This section does not deal with specifics of state law, which are addressed elsewhere in this outline.)

1. Standard policy concepts
  - a. Who is an employee/employer
  - b. Compensation
2. Work-related vs. non-work-related
3. Other states' insurance
4. Employers Liability
5. Exclusive remedy

6. Premium Determination

**D. Crime**

1. Employee Dishonesty
2. Theft
3. Robbery
4. Burglary
5. Forgery and Alteration
6. Mysterious disappearance

**E. Bonds**

1. Surety
2. Fidelity

**F. Professional liability**

1. Errors and Omissions
2. Medical Malpractice
3. Directors and Officers (D&O)
4. Employment Practices Liability (EPLI)
5. Cyber liability and data breach

**G. Umbrella/Excess Liability**

**II. INSURANCE TERMS AND RELATED CONCEPTS ..... 14**

**A. Risk**

**B. Hazards**

1. Moral
2. Morale
3. Physical

**C. Indemnity**

**D. Insurable interest**

**E. Loss valuation**

1. Actual cash value
2. Replacement cost
3. Market value
4. Stated/agreed value
5. Salvage value

**F. Negligence**

**G. Liability**

**H. Occurrence**

**I. Binders**

**J. Warranties**

**K. Representations**

**L. Concealment**

**M. Deposit Premium/Audit**

**N. Certificate of Insurance**

**O. Law of Large Numbers**

**P. Pure vs. Speculative Risk**

**Q. Endorsements**

**R. Damages**

1. Compensatory
  - a. General
  - b. Special
2. Punitive

**S. Compliance with provisions of Fair Credit Reporting Act**

**III. POLICY PROVISIONS ..... 11**

**A. Declarations**

**B. Insuring agreement**

**C. Conditions**

**D. Exclusions and Limitations**

**E. Definition of the insured**

**F. Duties of the insured after a loss**

**G. Cancellation and nonrenewal provisions**

**H. Supplementary payments**

- I. Proof of loss
- J. Notice of claim
- K. Arbitration
- L. Other insurance
- M. Subrogation
- N. Loss settlement provisions including consent to settle a loss
- O. Terrorism Risk Insurance Act (TRIA)

**CASUALTY—WEST VIRGINIA SPECIFIC  
CONTENT OUTLINE  
State Laws and Rules**

*(30 scoreable questions plus 5 pretest questions)*

**I. WEST VIRGINIA LAWS AND RULES PERTINENT TO CASUALTY INSURANCE ..... 30**

*Ref: All statutory references are taken from §114-25 and Section 33-12B of the West Virginia Code of State Rules, which are available at [www.wvinsurance.gov/PolicyLegislation.aspx](http://www.wvinsurance.gov/PolicyLegislation.aspx).*

**A. Insurance Commissioner Act ..... 2**

- 1. Broad powers  
*Ref: 33-2-1, 33-2-3, 33-2-4, 33-12-6*
- 2. Examination of records  
*Ref: 33-2-4, 33-2-9*
- 3. Notice and Conduct of hearing  
*Ref: 33-2-12, 33-2-13*
- 4. Penalties  
*Ref: 33-2-9, 33-2-11, 33-3-11, 33-11-6, 33-11-8, 33-12-24, 33-44-7*

**B. Definitions, Restrictions, and Responsibilities..... 7**

- 1. Licensed and unlicensed companies  
*Ref: 33-3-1, 33-12C-3, 33-44-3*
- 2. Domestic, foreign, alien, nonadmitted and unauthorized companies  
*Ref: 33-1-6, 33-1-7, 33-1-8, 33-12C-3, 33-44-3*
- 3. Stock and mutual companies  
*Ref: 33-1-18, 33-1-19*
- 4. Selling, solicitina. and neoating insurance  
*Ref: 33-3-1,33-12-2, 33-12-21*
- 5. Producer  
*Ref: 33-1-12, 33-12-23*
- 6. Surplus lines / Nonadmitted Insurance Act  
*Ref: 33-12C*
- 7. Valued policy law  
*Ref: 33-17-9*
- 8. Comparative negligence  
*Ref: West Virginia Supreme Court ruling, Bradley v. Appalachian Power Co., 163 WV 332, 256 SE2d 879 (1979)*

**C. Licensing ..... 6**

- 1. Purpose/Requirements  
*Ref: 33-12-2, 33-12-6*
- 2. Qualifications
  - a. Producer  
*Ref: 33-12-6*
  - b. Nonresident licensing  
*Ref: 33-12-12*
  - c. Company requirements  
*Ref: 33-12-3(d)*

- d. Fingerprinting  
*Ref: 33-12-37; Title 114-2A-7*
- 3. Termination of license
  - a. Expiration  
*Ref: 33-12-17*
  - b. Revocation and suspension  
*Ref: 33-12-24*
  - c. Nonrenewal  
*Ref: 33-12-24*
- 4. Limitation of license  
*Ref: 33-12-6(a)(7), 33-12-18, 33-12-19, 33-44-4(b)*
- 5. Appointment  
*Ref: 33-12-3(d), 33-12-18(a)*
- 6. Educational requirements
  - a. Continuing education  
*Ref: 33-12-8; Rule.114- 42-1, 2, 3, 4, 7*
- 7. Mandatory reporting requirements
  - a. Criminal prosecution and administrative action  
*Ref: 33-12-34*
  - b. Fraud  
*Ref: 33-41-5, 114-71-3*

**D. Unfair Trade Practices ..... 6**

- 1. Unfair claims methods and practices  
*Ref: 33-11-4(9); Rule 114-14-5, 6*
- 2. Excessive charges  
*Ref: Information Letter No. 6*
- 3. Rebating  
*Ref: 33-11-4(8), Rule 114-70*
- 4. Coercion  
*Ref: 33-11-4(4), 33-11-5*
- 5. Misrepresentation  
*Ref: 33-11-4(1)*
- 6. Defamation  
*Ref: 33-11-4(3)*
- 7. Advertising  
*Ref: 33-11-4(2)*
- 8. Unfair discrimination  
*Ref: 33-11-4(7)*
- 9. Penalties  
*Ref: 33-11-6, 33-11-8*

**E. Binders ..... 0-1**  
*Ref: 33-6-18*

**F. Approval of Rates and Forms ..... 0-1**  
*Ref: 33-6-8, 33-17-8, 33-20-4*

**G. Compensation of Licensees..... 0-1**

**1. Payment of commissions**

**H. Automobile Insurance ..... 5**

- 1. Provisions  
*Ref: 33-6-31*
  - a. Coverage
  - b. Uninsured motorists  
*Ref: 17D-4-2*
  - c. Underinsured motorists
- 2. Financial responsibility and required minimum liability limits  
*Ref: Ch. 17A-3-3 and 17D Motor Vehicle laws*
- 3. Renewal, nonrenewal, and cancellation  
*Ref: 33-6A-1 through 33-6A-4; 17D*
- 4. West Virginia Automobile Insurance Plan (Assigned Risk)

Ref: Auto manual

- I. Malpractice Policies ..... 0-1**  
Ref: 33-20C
- J. Workers' Compensation ..... 0-1**  
Ref: 23-2-1(a), 23-2-1(b), 23-2-1(i), 33-1-10(e)(14)
- K. West Virginia Insurance Guaranty Association... 0-1**  
Ref: 33-26-1 to 33-26-19

**PROPERTY & CASUALTY CONTENT OUTLINE—  
PROPERTY GENERAL KNOWLEDGE  
Product Knowledge, Terms, and Concepts**

(50 scoreable questions plus 10 pretest questions)

**IV. TYPES OF POLICIES..... 25**

- A. Homeowners**
  - 1. HO-2
  - 2. HO-3
  - 3. HO-4
  - 4. HO-5
  - 5. HO-6
  - 6. HO-8
- B. Dwelling policies**
  - 1. DP-1
  - 2. DP-2
  - 3. DP-3
- C. Commercial lines**
  - 1. Commercial Package Policy (CPP)
  - 2. Commercial property
    - a. Commercial building and business personal property form
    - b. Causes of loss forms
    - c. Business income
    - d. Extra expense
    - e. Equipment breakdown
  - 3. Business Owners Policy (BOP)
  - 4. Builders Risk
- D. Inland marine**
  - 1. Personal Articles floaters
  - 2. Commercial Property floaters
- E. National Flood Insurance Program**
- F. Others**
  - 1. Earthquake
  - 2. Mobile Homes
  - 3. Watercraft
  - 4. Farm Owners
  - 5. Windstorm

**V. INSURANCE TERMS AND RELATED CONCEPTS ..... 14**

- A. Insurance**
  - 1. Law of Large Numbers
- B. Insurable interest**
- C. Risk**
  - 1. Pure vs. Speculative Risk
- D. Hazard**
  - 1. Moral
  - 2. Morale
  - 3. Physical
- E. Peril**
- F. Loss**
  - 1. Direct

- 2. Indirect
- G. Loss Valuation**
  - 1. Actual cash value
  - 2. Replacement cost
  - 3. Market value
  - 4. Stated/agreed value
  - 5. Salvage value

- H. Proximate cause**
  - I. Deductible**
  - J. Indemnity**
  - K. Limits of liability**
  - L. Coinsurance/Insurance to value**
  - M. Occurrence**
  - N. Cancellation**
  - O. Nonrenewal**
  - P. Vacancy and unoccupancy**
  - Q. Liability**
    - 1. Absolute
    - 2. Strict
    - 3. Vicarious
  - R. Negligence**
  - S. Binder**
  - T. Endorsements**
  - U. Blanket vs. Specific**

**VI. POLICY PROVISIONS AND CONTRACT LAW ..... 11**

- A. Declarations**
- B. Insuring agreement**
- C. Conditions**
- D. Exclusions**
- E. Definition of the insured**
- F. Duties of the insured**
- G. Obligations of the insurance company**
- H. Mortgagee rights**
  - I. Proof of loss**
  - J. Notice of claim**
- K. Appraisal**
- L. Other Insurance Provision**
- M. Subrogation**
- N. Elements of a contract**
- O. Warranties, representations, and concealment**
- P. Sources of underwriting information**
- Q. Fair Credit Reporting Act**
- R. Privacy Protection (Gramm Leach Bliley)**
- S. Policy Application**
- T. Terrorism Risk Insurance Act (TRIA)**

**PROPERTY & CASUALTY CONTENT OUTLINE—  
CASUALTY GENERAL KNOWLEDGE  
Product Knowledge, Terms, and Concepts**

(50 scoreable questions plus 10 pretest questions)

**I. TYPES OF POLICIES, BONDS, AND RELATED TERMS ..... 25**

- A. Commercial general liability**
  - 1. Exposures
    - a. Premises and Operations
    - b. Products and Completed Operations
  - 2. Coverage
    - a. Coverage A: Bodily Injury and Property Damage Liability

- (1) Occurrence
- (2) Claims made
  - (a) Retroactive Date
- b. Coverage B: Personal Injury and Advertising Injury
- c. Coverage C: Medical Payments
- d. Supplemental Payments
- e. Who is an insured
- f. Limits
  - (1) Per occurrence
  - (2) Annual Aggregate
- g. Damage to Property of Others

**B. Automobile: personal auto and business auto**

- 1. Liability
  - a. Bodily Injury
  - b. Property Damage
  - c. Split Limits
  - d. Combined Single Limit
- 2. Medical Payments
- 3. Physical Damage (collision; other than collision; specified perils)
- 4. Uninsured motorists
- 5. Underinsured motorists
- 6. Who is an insured
- 7. Types of Auto
  - a. Owned
  - b. Non-owned
  - c. Hired
  - d. Temporary Substitute
  - e. Newly Acquired Autos
  - f. Transportation Expense and Rental Reimbursement Expense
- 8. Garage Coverage Form, including Garagekeepers Insurance
- 9. Exclusions
- 10. Individual Insured and Drive Other Car (DOC)

**C. Workers Compensation Insurance, Employers Liability Insurance, and Related Issues**

(This section does not deal with specifics of state law, which are addressed elsewhere in this outline.)

- 1. Standard policy concepts
  - a. Who is an employee/employer
  - b. Compensation
- 2. Work-related vs. non-work-related
- 3. Other states' insurance
- 4. Employers Liability
- 5. Exclusive remedy
- 6. Premium Determination

**D. Crime**

- 1. Employee Dishonesty
- 2. Theft
- 3. Robbery
- 4. Burglary
- 5. Forgery and Alteration
- 6. Mysterious disappearance

**E. Bonds**

- 1. Surety
- 2. Fidelity

**F. Professional liability**

- 1. Errors and Omissions
- 2. Medical Malpractice
- 3. Directors and Officers (D&O)

- 4. Employment Practices Liability (EPLI)
- 5. Cyber liability and data breach

**G. Umbrella/Excess Liability**

**II. INSURANCE TERMS AND RELATED CONCEPTS ..... 14**

**A. Risk**

**B. Hazards**

- 1. Moral
- 2. Morale
- 3. Physical

**C. Indemnity**

**D. Insurable interest**

**E. Loss valuation**

- 1. Actual cash value
- 2. Replacement cost
- 3. Market value
- 4. Stated/agreed value
- 5. Salvage value

**F. Negligence**

**G. Liability**

**H. Occurrence**

**I. Binders**

**J. Warranties**

**K. Representations**

**L. Concealment**

**M. Deposit Premium/Audit**

**N. Certificate of Insurance**

**O. Law of Large Numbers**

**P. Pure vs. Speculative Risk**

**Q. Endorsements**

**R. Damages**

- 1. Compensatory
  - a. General
  - b. Special
- 2. Punitive

**S. Compliance with provisions of Fair Credit Reporting Act**

**III. POLICY PROVISIONS ..... 11**

**A. Declarations**

**B. Insuring agreement**

**C. Conditions**

**D. Exclusions and Limitations**

**E. Definition of the insured**

**F. Duties of the insured after a loss**

**G. Cancellation and nonrenewal provisions**

**H. Supplementary payments**

**I. Proof of loss**

**J. Notice of claim**

**K. Arbitration**

**L. Other insurance**

**M. Subrogation**

**N. Loss settlement provisions including consent to settle a loss**

**O. Terrorism Risk Insurance Act (TRIA)**

**PROPERTY & CASUALTY  
WEST VIRGINIA SPECIFIC  
CONTENT OUTLINE  
State Laws and Rules**

*(40 scoreable questions plus 8 pretest questions)*

**I. WEST VIRGINIA LAWS AND RULES PERTINENT TO  
PROPERTY AND CASUALTY INSURANCE ..... 40**

*Ref: All statutory references are taken from Chapter 33 of the West Virginia Code and West Virginia Code of State Rules Series 14, 15, and 25, unless otherwise noted.*

**A. Insurance Commissioner..... 2**

1. Broad powers  
*Ref: 33-2-1, 33-2-3, 33-2-4, 33-12-6, 9*
2. Examination of records  
*Ref: 33-2-4, 33-2-9*
3. Notice and Conduct of hearing  
*Ref: 33-2-12, 33-2-13*
4. Penalties  
*Ref: 33-2-9, 33-2-11, 33-3-11, 33-11-6, 33-11-8, 33-12-24, 33-44-7*

**B. Definitions, Restrictions, and  
Responsibilities..... 7**

1. Licensed and unlicensed companies  
*Ref: 33-3-1, 33-12C-3, 33-44-3*
2. Domestic, foreign, alien, nonadmitted and unauthorized companies  
*Ref: 33-1-6, 33-1-7, 33-1-8, 33-12C-3, 33-44-3*
3. Stock and mutual companies  
*Ref: 33-1-18, 33-1-19*
4. Selling, soliciting, and negotiating insurance  
*Ref: 33-3-1, 33-12-2, 33-12-21*
5. Producer  
*Ref: 33-1-12, 33-12-23*
6. Surplus lines / Nonadmitted Insurance Act  
*Ref: 33-12C*
7. Valued policy law  
*Ref: 33-17-9*
8. Comparative negligence  
*Ref: West Virginia Supreme Court ruling, Bradley v. Appalachian Power Co., 163 WV 332, 256 SE2d 879 (1979)*

**C. Licensing ..... 6**

1. Purpose/Requirements  
*Ref: 33-12-2, 33-12-6*
2. Qualifications
  - a. Producer  
*Ref: 33-12-6*
  - b. Nonresident licensing  
*Ref: 33-12-12*
  - c. Company requirements  
*Ref: 33-12-3(d)*
  - d. Fingerprinting  
*Ref: 33-12-37; Title 114-2A-7*
3. Termination of license
  - a. Expiration  
*Ref: 33-12-17*
  - b. Revocation and suspension  
*Ref: 33-12-24*

c. Nonrenewal

*Ref: 33-12-24*

4. Limitation of license

*Ref: 33-12-6(a)(7), 33-12-18, 33-12-19, 33-44-4(b)*

5. Appointment

*Ref: 33-12-3(d), 33-12-18(a)*

6. Educational requirements

a. Continuing education

*Ref: 33-12-8; Rule.114- 42-1, 2, 3, 4, 7*

7. Mandatory reporting requirements

a. Criminal prosecution and administrative action

*Ref: 33-12-34*

b. Fraud

*Ref: 33-41-5, 114-71-3*

**D. Unfair Trade Practices ..... 6**

1. Unfair claims methods and practices

*Ref: 33-11-4(9); Rule 114-14-5, 6*

2. Excessive charges

*Ref: Information Letter No. 6*

3. Rebating

*Ref: 33-11-4(8), Rule 114-70*

4. Coercion

*Ref: 33-11-4(4), 33-11-5*

5. Misrepresentation

*Ref: 33-11-4(1)*

6. Defamation

*Ref: 33-11-4(3)*

7. Advertising

*Ref: 33-11-4(2)*

8. Unfair discrimination

*Ref: 33-11-4(7)*

9. Penalties

*Ref: 33-11-6, 33-11-8*

**E. Insurable Interest in Property..... 1**

*Ref: 33-6-3*

**F. Binders ..... 1**

*Ref: 33-6-18*

**G. Approval of Rates and Forms ..... 1**

*Ref: 33-6-8, 33-17-8, 33-20-4*

**H. Compensation of Licensees..... 2**

1. Payment of commissions

*Ref: 33-12-23, 33-12-27; 114-2-1 et. seq*

**I. West Virginia Essential Insurance Coverage Act (FAIR) Plan..... 1**

*Ref: 33-20A-1 through 33-20A-3; Series 21: Sec. 8, 9, 11, 13, 14*

**J. Automobile Insurance ..... 8**

1. Provisions

*Ref: 33-6-31*

a. Coverage

b. Uninsured motorists

*Ref: 17D-4-2*

c. Underinsured motorists

2. Financial responsibility and required minimum liability limits

*Ref: Ch. 17A-3-3 and 17D Motor Vehicle laws*

3. Renewal, nonrenewal, and cancellation

*Ref: 33-6A-1 through 33-6A-4; 17D*

4. West Virginia Automobile Insurance Plan (Assigned Risk)

*Ref: Auto manual*

**K. West Virginia Insurance Guaranty Association...1**  
*Ref: 33-26-1 to 33-26-19*

**L. Mine Subsidence ..... 1**  
*Ref: 33-30-3, 33-30-4, 33-30-6, 33-30-7, 33-30-10*

**M. Malpractice Policies ..... 1**  
*Ref: 33-20C*

**N. Risk Retention Act of West Virginia ..... 0-1**  
*Ref: 33-32-1, 33-32-2, 33-32-21*

**O. Homeowner's Insurance ..... 1**  
 1. Declination, termination, and disclosure  
*Ref: 33-17a*

**P. Workers' Compensation.....0-1**  
*Ref: 23-2-1(a), 23-2-1(b), 23-2-1(i), 33-1-10(e)(14)*

8. Exclusions

**B. Umbrella/Excess liability**

**III. PROPERTY AND CASUALTY INSURANCE TERMS AND RELATED CONCEPTS..... 28**

**A. Insurance**  
 1. Law of Large Numbers

**B. Insurable interest**

**C. Risk**  
 1. Pure vs. Speculative Risk

**D. Hazard**  
 1. Moral  
 2. Morale  
 3. Physical

**E. Peril**

**F. Loss**  
 1. Direct  
 2. Indirect

**G. Loss Valuation**  
 1. Actual cash value  
 2. Replacement cost  
 3. Market value  
 4. Stated value  
 5. Salvage value

**H. Proximate cause**

**I. Deductible**

**J. Indemnity**

**K. Limits of liability**

**L. Coinsurance/Insurance to value**

**M. Occurrence**

**N. Cancellation**

**O. Nonrenewal**

**P. Vacancy and unoccupancy**

**Q. Liability**  
 1. Absolute  
 2. Strict  
 3. Vicarious

**R. Negligence**

**S. Binder**

**T. Endorsements**

**U. Blanket vs. Specific**

**V. Burglary, Robbery, Theft, and Mysterious Disappearance**

**W. Warranties**

**X. Representations**

**Y. Concealment**

**Z. Deposit Premium/Audit**

**AA. Certificate of Insurance**

**BB. Damages**  
 1. Compensatory  
     a. General  
     b. Special  
 2. Punitive

**CC. Compliance with Provisions of Fair Credit Reporting Act**

**IV. PROPERTY AND CASUALTY POLICY PROVISIONS AND CONTRACT LAW ..... 24**

**A. Declarations**

**B. Insuring agreement**

**C. Conditions**

**D. Exclusions**

**PERSONAL LINES—GENERAL KNOWLEDGE  
 CONTENT OUTLINE**

**Product Knowledge, Terms, and Concepts**

*(75 questions plus 11 pretest questions)*

**I. TYPES OF PROPERTY POLICIES..... 10**

**A. Homeowners**  
 1. HO-2  
 2. HO-3  
 3. HO-4  
 4. HO-5  
 5. HO-6  
 6. HO-8

**B. Dwelling policies**  
 1. DP-1  
 2. DP-2  
 3. DP-3

**C. Inland marine**  
 1. Personal Articles floaters

**D. National Flood Insurance Program**

**E. Others**  
 1. Earthquake  
 2. Mobile Homes  
 3. Watercraft  
 4. Windstorm

**II. TYPES OF CASUALTY POLICIES ..... 13**

**A. Automobile: personal auto**  
 1. Liability  
     a. Bodily Injury  
     b. Property Damage  
     c. Split Limits  
     d. Combined Single Limit  
 2. Medical Payments  
 3. Physical Damage (collision; other than collision; specified perils)  
 4. Uninsured motorists  
 5. Underinsured motorists  
 6. Who is an insured  
 7. Types of Auto  
     a. Owned  
     b. Non-owned  
     c. Hired  
     d. Temporary Substitute  
     e. Newly Acquired Autos  
     f. Transportation Expense and Rental Reimbursement Expense

- E. Definition of the insured
- F. Duties of the insured after a loss
- G. Obligations of the insurance company
- H. Mortgagee rights
- I. Proof of loss
- J. Notice of claim
- K. Appraisal
- L. Other Insurance Provision
- M. Subrogation
- N. Elements of a contract
- O. Sources of underwriting information
- P. Fair Credit Reporting Act
- Q. Privacy Protection (Gramm Leach Bliley)
- R. Policy Application
- S. Terrorism Risk Insurance Act (TRIA)
- T. Cancellation and nonrenewal provisions
- U. Supplementary payments
- V. Arbitration
- W. Loss settlement provisions including consent to settle a loss

*Ref: West Virginia Supreme Court ruling  
Bradley v. Appalachian Power Co.,  
163 WV 332, 256 SE2d 879 (1979)*

- C. Licensing ..... 6
  - 1. Purpose/Requirements  
*Ref: 33-12-2, 33-12-6*
  - 2. Qualifications
    - a. Producer  
*Ref: 33-12-6*
    - b. Nonresident licensing  
*Ref: 33-12-12*
    - c. Company requirements  
*Ref: 33-3-14(d)*
    - d. Fingerprinting  
*Ref: 33-12-37; Title 114-2A-7*
  - 3. Termination of license
    - a. Expiration  
*Ref: 33-12-17*
    - b. Revocation and suspension  
*Ref: 33-12-24*
    - c. Nonrenewal  
*Ref: 33-12-24*
  - 4. Limitation of license  
*Ref: 33-12-6(a)(7), 33-12-18, 33-12-19, 33-44-4(b)*
  - 5. Appointment  
*Ref: 33-12-3(d), 33-12-18(a)*
  - 6. Educational requirements
    - a. Continuing education  
*Ref: 33-12-8; Rule 114-42-1, 2, 3, 4, 7*
  - 7. Mandatory reporting requirements
    - a. Criminal prosecution and administrative action  
*Ref: 33-12-34*
    - b. Fraud  
*Ref: 33-41-5, 114-71-3*
- D. Unfair Trade Practices ..... 6
  - 1. Unfair claims methods and practices  
*Ref: 33-11-4(9); Rule 114-14-5, 6*
  - 2. Excessive charges  
*Ref: Information Letter No. 6*
  - 3. Rebating  
*Ref: 33-11-4(8), Rule 114-70*
  - 4. Coercion  
*Ref: 33-11-4(4), 33-11-5*
  - 5. Misrepresentation  
*Ref: 33-11-4(1)*
  - 6. Defamation  
*Ref: 33-11-4(3)*
  - 7. Advertising  
*Ref: 33-11-4(2)*
  - 8. Unfair discrimination  
*Ref: 33-11-4(7)*
  - 9. Penalties  
*Ref: 33-11-6, 33-11-8*
  - 10. Undefined acts  
*Ref: 33-11-7*
- E. Insurable Interest in Property..... 1  
*Ref: 33-6-3*
- F. Binders ..... 1  
*Ref: 33-6-18*
- G. Approval of Rates and Forms ..... 1  
*Ref: 33-6-8, 33-17-8, 33-20-4*

**PERSONAL LINES—WEST VIRGINIA SPECIFIC  
CONTENT OUTLINE  
State Laws and Rules**

*(38 scoreable questions)*

- I. WEST VIRGINIA LAWS AND RULES PERTINENT TO PERSONAL LINES INSURANCE ..... 38  
*Ref: All statutory references are taken from Chapter 33 of the West Virginia Code and West Virginia Code of State Rules Series 14, 15, and 25, unless otherwise noted.*
  - A. Insurance Commissioner..... 2
    - 1. Broad powers  
*Ref: 33-2-1, 33-2-3, 33-2-4, 33-12-6*
    - 2. Examination of records  
*Ref: 33-2-4, 33-2-9*
    - 3. Notice and conduct of hearing  
*Ref: 33-2-12, 33-2-13*
    - 4. Penalties  
*Ref: 33-2-9, 33-2-11, 33-3-11, 33-11-6, 33-11-8, 33-12-24, 33-44-7*
  - B. Definitions, Restrictions, and Responsibilities...7
    - 1. Licensed and unlicensed companies  
*Ref: 33-3-1, 33-12C-3, 33-44-3*
    - 2. Domestic, foreign, alien, nonadmitted, and unauthorized companies  
*Ref: 33-1-6, 33-1-7, 33-1-8, 33-12C-3, 33-44-3*
    - 3. Stock and mutual companies  
*Ref: 33-1-18, 33-1-19*
    - 4. Selling, soliciting, and negotiating insurance  
*Ref: 33-3-1, 33-12-2, 33-12-21*
    - 5. Producer  
*Ref: 33-1-12, 33-12-23*
    - 6. Surplus lines / Nonadmitted Insurance Act  
*Ref: 33-12C*
    - 7. Valued policy law  
*Ref: 33-17-9*
    - 8. Comparative negligence

**H. Compensation of Licensees ..... 2**  
 1. Payment of commissions  
*Ref: 33-12-23, 33-12-27*

**I. West Virginia Essential Insurance Coverage Act (FAIR) Plan ..... 1**  
*Ref: 33-20A-1 through 33-20A-3; Series 21: Sec. 8, 9, 11, 13, 14*

**J. Automobile Insurance ..... 8**  
 1. Provisions  
*Ref: 33-6-31*  
 a. Coverage  
 b. Uninsured motorists  
*Ref: 17D-4-2*  
 c. Underinsured motorists  
 2. Financial responsibility and required minimum liability limits  
*Ref: Ch. 17A-3-3 and 17D Motor Vehicle laws*  
 3. Renewal, nonrenewal, and cancellation  
*Ref: 33-6A-1 through 33-6A-4; 17D*  
 4. West Virginia Automobile Insurance Plan (Assigned Risk)  
*Ref: Auto manual*

**K. West Virginia Property and Casualty Insurance Guaranty Association ..... 1**  
*Ref: 33-26A-2 through 33-26A-8*

**L. Mine Subsidence ..... 1**  
*Ref: 33-30-3, 33-30-4, 33-30-6, 33-30-7, 33-30-10*

**M. Homeowner's Insurance ..... 1**  
 1. Declination, termination, and disclosure  
*Ref: 33-17a*

*Ref: 33-30-1 through 33-30-3; 33-30-6; 33-30-7; 33-30-10; 33-30-12; 33-30-13*

4. West Virginia Essential Property Insurance Association (FAIR plan)  
*Ref: 33-20A-1 through 33-20A-3; Rule 114-21-1, 2, 8, 9, 13*

**C. Automobile Adjusting**  
 1. Required liability coverage. Uninsured and underinsured motorists coverage. Named driver exclusion.  
*Ref: 33-6-31; 17D-4-2 (Motor Vehicle Safety Responsibility Law)*  
 2. Guest passenger law  
*Ref: 33-6-29*  
 3. Standards for settling auto claims  
*Ref: 33-6-33; Rule 114-14-7; 33-6F-2*

**D. Comparative negligence doctrine**  
*Ref: West Virginia Supreme Court ruling, Bradley v. Appalachian Power Co. 163 WV 332, 256 SE2d 879 (1979); 55-7-13a through 13d*

**E. Workers' Compensation ..... 15**  
 1. Benefits  
*Ref: 23-4-1d(a), 1e(a), 5, 6, 9, 10, 15, 18; Rules 85-1-5.1, 10.1, 10.2, 10.3, 10.5, 10.6, 10.7, 16*  
 a. Indemnity  
 b. Medical  
 2. Administrative  
*Ref: 23-5-1(b)(1); Rules 85-1-7.2, 10.7, 16*

**II. COMMERCIAL LINES COVERAGE ..... 0-3**  
*Ref: Standard insurance textbooks and policies*  
**A. Commercial Property Forms**  
**B. Commercial General Liability Policy**  
**C. Businessowners Policy**  
**D. Commercial Auto Forms**  
**E. Commercial Crime Forms**  
**F. Surety Bonds**

**III. PERSONAL LINES COVERAGE ..... 0-3**  
*Ref: Standard insurance textbooks and policies*  
**A. Dwelling Forms/Standard Fire Policy**  
**B. Homeowner's Forms**  
**C. Personal Property Floaters**  
**D. Personal Excess Liability Coverage**  
**E. Personal Auto Policy**  
**F. Mobile Home Coverage**

**IV. MISCELLANEOUS COVERAGE ..... 0-1**  
*Ref: Standard insurance textbooks and policies*  
**A. Watercraft Coverage**  
**B. Flood Insurance**

**V. INSURANCE TERMS AND CONCEPTS ..... 5-15**  
*Ref: Standard insurance textbooks and policies*  
**A. Abandonment**  
**B. Accident**  
**C. Actual Cash Value**  
**D. Appraisal Clause**  
**E. Arbitration / Mediation**  
**F. Co-insurance**  
**G. Concealment**

**ADJUSTER—WEST VIRGINIA SPECIFIC  
 CONTENT OUTLINE  
 State Laws and Rules**

*(75 scoreable questions plus 5 pretest questions)*

**I. WEST VIRGINIA LAWS AND RULES PERTINENT TO ADJUSTERS ..... 55**  
*Ref: All statutory references are taken from Chapter 33 of the West Virginia Code and West Virginia Code of State Rules Series 14, 15, and 25, unless otherwise noted.*

**A. General Adjusting**  
 1. State licensing and regulation of adjusters  
*Ref: 33-12B(1); Rule 114-25-2.10, 7, 9*  
 2. Unfair claim settlement practices  
*Ref: 33-11-4(9); Rule 114-14-1 through 10*  
 3. Insurable interest in property  
*Ref: 33-6-3*  
 4. Binders  
*Ref: 33-6-18*  
 5. West Virginia Property and Casualty Insurance Guaranty Association  
*Ref: 33-26-10 through 33-26-19*

**B. Property Adjusting**  
 1. Valued policy law  
*Ref: 33-17-9*  
 2. Cooperation with fire marshal in fire loss investigation  
*Ref: 29-3-12a (Fire Prevention and Control Act)*  
 3. Mine subsidence coverage

- H. Deductible
- I. Depreciation
- J. Direct Loss
- K. Fraud
- L. Hazard
- M. Indemnity
- N. Indirect Loss
- O. Liability
- P. Loss of Use
- Q. Market Value
- R. Misrepresentation
- S. Mortgagee Rights
- T. Named Perils Coverage
- U. Negligence
- V. Occurrence
- W. Open Perils (all-risk) Coverage
- X. Other Insurance Provision
- Y. Overinsurance
- Z. Pair and Set Clause
- AA. Peril
- BB. Proximate Cause
- CC. Replacement Cost
- DD. Representations
- EE. Subrogation
- FF. Warranties
- GG. Surplus Lines

- Ref: §114-25-10.1.h*
- b. Obligation  
*Ref: §114-25-11*
- c. Ownership
- d. Referrals  
*Ref: §114-25-10.1.f*
- 4. Record keeping
  - a. Reporting changes to the Commissioner of Insurance  
*Ref: §114-25-17, 33-12B-10a*
  - b. Record retention  
*Ref: §114-25-8.2, §114-25-11.1*
- 5. Contracts
  - a. General requirements  
*Ref: §114-25-10.2 §114-25-10.2.d, §114-25-11, §114-25-11.1, §114-25-11.2, §114-25-11.5, §114-25-11.5c, §114-25-11.6.f, §114-25-11.6.i, §114-25-15.4*
  - b. Rescinding  
*Ref: §114-25-11.6.h*
  - c. Voiding  
*Ref: §114-25-15.4*
- 6. Claims
  - a. Catastrophe fees  
*Ref: §114-25-12.4*
  - b. Disclosure process  
*Ref: §114-25-11.6*
  - c. Settlement  
*Ref: §114-25-11.6, §114-25-13, §114.25-15.3*

**PUBLIC ADJUSTER  
WEST VIRGINIA SPECIFIC  
CONTENT OUTLINE  
State Laws and Rules**

*(45 scoreable questions)*

**I. WEST VIRGINIA LAWS AND RULES PERTINENT TO PUBLIC ADJUSTERS... 30**

*All statutory references are taken from §114-25 and Section 33-12B of the West Virginia Code of State Insurance Rules at <http://www.wvinsurance.gov/PolicyLegislation.aspx>.*

**A. Public Adjusters**

- 1. License requirements
  - a. Administrative actions
  - b. Definition of public adjuster  
*Ref: §114-25-2.10, §114-25-11.6.a.2, §114-25-11.6.g, 33-12B-1, 33-12B-3, 33-12B-4*
  - c. Hearings  
*Ref: 33-12B-14*
  - d. Penalties  
*Ref: 33-12B-14*
- 2. Standards of Conduct  
*Ref: §114-25-10, §114-25-2.10, §114-25-10.2h, §114-25-14*
- 3. Compensation  
*Ref: §114-25-10.1.d, §114-25-10.e, §114-25-11.2.a, §114-25-11.2.b, §114-25-10.2c, §114-25-11.3, §114-25-12.4, §114-25-15.2*
  - a. Disclosure

**II. INSURANCE TERMS AND CONCEPTS ..... 15**

*Ref: Standard insurance textbooks and policies*

- A. Abandonment
- B. Accident
- C. Actual Cash Value
- D. Appraisal Clause
- E. Arbitration / Mediation
- F. Co-insurance
- G. Concealment
- H. Deductible
- I. Depreciation
- J. Direct Loss
- K. Fraud
- L. Hazard
- M. Indemnity
- N. Indirect Loss
- O. Liability
- P. Loss of Use
- Q. Market Value
- R. Misrepresentation
- S. Mortgagee Rights
- T. Named Perils Coverage
- U. Negligence
- V. Occurrence
- W. Open Perils (all-risk) Coverage
- X. Other Insurance Provision
- Y. Overinsurance
- Z. Pair and Set Clause
- AA. Peril
- BB. Proximate Cause
- CC. Replacement Cost

- DD. Representations
- EE. Subrogation
- FF. Warranties
- GG. Surplus Lines

- F. Surplus Lines Tax
- G. Surplus Lines Licenses
- H. Suspension, Revocation or Nonrenewal of Surplus Lines Licensee's License
- I. Duty to File Evidence of Insurance and Affidavits
- J. Evidence of Insurance and Subsequent Changes to the Insurance
- K. Licensee's Duty to Notify Insured
- L. Effect of Payment to Surplus Lines Licensee
- M. Surplus Lines Licensees May Accept Business From Other Producers
- N. Records of Surplus Lines Licensee
- O. Reports-Summary of Exported Business
- P. Violations
- Q. Service of Process
- R. Change of Address
- S. Due Diligence
- T. Placement of Surplus Lines Coverage
- U. Surplus Lines Premium Tax Annual Return and Report by Surplus Lines Licensee
- V. Allocation of Surplus Lines Insurance Premium Tax on Multi-State Risks
- W. Export List
- X. Conditions for Marketing Insurance with Surplus Lines Insurers

**VIATICAL SETTLEMENT BROKER  
WEST VIRGINIA SPECIFIC  
CONTENT OUTLINE  
State Laws and Rules**

(35 scoreable questions)

- I. **WEST VIRGINIA LAWS AND RULES PERTINENT TO VIATICAL SETTLEMENTS ..... 35**  
*Ref: All statutory references are taken from Chapter 33-13C of the West Virginia Code and §114-80 of the State Rules.*
  - A. **Definitions**  
*Ref: §33-13C-2; Rule §114-80-2*
  - B. **Licensing and Renewal Requirements**  
*Ref: §33-13C-3; Rule §114-80-4*
  - C. **Reporting Requirements**  
*Ref: §33-13C-6; Rule §114-80-6*
  - D. **Disclosures**  
*Ref: §33-13C-5, §33-13C-8; Rule §114-80-10*
  - E. **Contracts and Payments of Proceeds**  
*Ref: Rule §114-80-8*
  - F. **Examination or Investigation**  
*Ref: §33-13C-7*
  - G. **Standards for Evaluation of Reasonable Payments to Terminally or Chronically Ill Insureds**  
*Ref: Rule §114-80-5*
  - H. **General Rules**  
*Ref: §33-13C-10; Rule §114-80-7*
  - I. **Prohibited Practices**  
*Ref: §33-13C-11, §33-13C-12; Rule §114-80-118*
  - J. **Advertising and Marketing**  
*Ref: §33-13C-13; Rule §114-80-9*
  - K. **Fraud Prevention and Control**  
*Ref: §33-13C-15*
  - L. **Criminal Penalties**  
*Ref: §33-13C-16*

**WEST VIRGINIA  
SURPLUS LINES EXAMINATION  
CONTENT OUTLINE  
State Laws and Rules**

(50 scoreable questions)

- I. **WEST VIRGINIA LAWS AND RULES PERTINENT TO SURPLUS LINES INSURANCE ..... 50**  
*Ref: All statutory references are taken from Chapter 33 of the West Virginia Code and West Virginia Code of State Rules Series 14, 15, and 20, unless otherwise noted.*
  - A. **Alien Insurer**
  - B. **Rebates**
  - C. **Definitions**
  - D. **Surplus Lines Insurance**
  - E. **Withdrawal of Eligibility As A Surplus Lines Insurer**