

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

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1. Single and flexible premium
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2. Guaranteed insurability
3. Payor benefit
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6. Other insureds
7. Long term care
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5. Owner's rights
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 - a. Primary and contingent
 - b. Revocable and irrevocable

- c. Common disaster
- d. Minor beneficiaries
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 - 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)
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3. Consequences of incomplete applications
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5. Collecting the initial premium and issuing the receipt
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7. Disclosures at point of sale (e.g., HIPAA, HIV consent)
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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

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

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C. Life Settlements

D. Group life insurance

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- 2. Contributory vs. noncontributory

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- 1. Qualified plans
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F. Life insurance needs analysis/suitability

- 1. Personal insurance needs
- 2. Business insurance needs
 - a. Key person
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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

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D. Unfair Trade Practices 6

1. Unfair claims methods and practices

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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

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

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

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2. Duties of producers

Ref: Rule 114-8-4.2(d)

3. Duties of insurance companies

Ref: Rule 114-8-5

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Ref: Rule 114-8-3

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**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 §114-25 and Section 33-12B of the West Virginia Code of State Rules, which are available at www.wvinsurance.gov/Legal-Authority.

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

2. Policy loan interest rate

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

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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

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2. Time limit on certain defenses (incontestable)
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
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A. Medicare (Parts A, B, C, D)

B. Medicaid

C. Social Security benefits

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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

**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)
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7. Short-term medical
8. Accident

II. POLICY PROVISIONS, CLAUSES, AND RIDERS 20

A. Mandatory and optional provisions

- A. Completing the application
- 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

- 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: 33-12-37; 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 §114-25 and Section 33-12B of the West Virginia Code of State Rules, which are available at www.wvinsurance.gov/Legal-Authority.
 - 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

- 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)
- G. Unauthorized Insurers
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- 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

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G. Long-Term Care..... 1-2

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H. Small Employer Group..... 0-1

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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

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)

<p>PROPERTY—GENERAL KNOWLEDGE CONTENT OUTLINE</p>
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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

II. INSURANCE TERMS AND RELATED CONCEPTS 14

A. Insurance

- 1. Law of Large Numbers

B. Insurable interest

C. Risk

- 1. Pure vs. Speculative Risk

**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/Legal-Authority.

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: 55-7-13a through 13d

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/Legal-Authority.

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, 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: 55-7-13a through 13d

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

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

**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

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 §114-25 and Section 33-12B of the West Virginia Code of State Rules, which are available at www.wvinsurance.gov/Legal-Authority.

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: 55-7-13a through 13d

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
<i>Ref: 33-30-3, 33-30-4, 33-30-6, 33-30-7, 33-30-10</i>	
M. Malpractice Policies	1
<i>Ref: 33-20C</i>	
N. Risk Retention Act of West Virginia	0-1
<i>Ref: 33-32-1, 33-32-2, 33-32-21</i>	
O. Homeowner's Insurance	1
1. Declination, termination, and disclosure	
<i>Ref: 33-17a</i>	
P. Workers' Compensation	0-1
<i>Ref: 23-2-1(a), 23-2-1(b), 23-2-1(i), 33-1-10(e)(14)</i>	

**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
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

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

- 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

**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 §114-25 and Section 33-12B of the West Virginia Code of State Rules, which are available at www.wvinsurance.gov/Legal-Authority.

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: 55-7-13a through 13d

C. Licensing 6

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

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

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: 55-7-13a through 13d

E. Workers' Compensation

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

H. Deductible

I. Depreciation

J. Direct Loss

K. Fraud

L. Hazard

**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 §114-25 and Section 33-12B of the West Virginia Code of State Rules, which are available at www.wvinsurance.gov/Legal-Authority.

A. General Adjusting

1. State licensing and regulation of adjusters
Ref: 33-12B(1); Rule 114-25-2.10, 3, 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
Ref: 33-30-1 through 33-30-3; 33-30-6; 33-30-7; 33-30-10; 33-30-12; 33-30-13

- 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

- 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

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/Legal-Authority.

- 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
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

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

**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 §114-25 and Section 33-12B of the West Virginia Code of State Rules, which are available at www.wvinsurance.gov/Legal-Authority.

- 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

- 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**

**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 §114-25 and Section 33-12B of the West Virginia Code of State Rules, which are available at www.wvinsurance.gov/Legal-Authority.

- A. Alien Insurer**
- B. Rebates**
- C. Definitions**
- D. Surplus Lines Insurance**
- E. Withdrawal of Eligibility As A Surplus Lines Insurer**
- 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**