

304.9-432 Apprentice adjuster -- License -- Rights and limitations -- Application -- Qualifications -- Terms and conditions.

- (1) In the event that an applicant for an adjuster's license meets the qualification requirements of KRS 304.9-430 except that he or she has not had experience or special education or training as to the handling of loss claims under insurance contracts of sufficient duration and extent to make him or her reasonably confident to fulfill the responsibilities as an adjuster, he or she shall not be required to take and successfully complete the prescribed written examination and may be issued a temporary license as an apprentice adjuster for a period not to exceed twelve (12) months.
- (2) A temporary license as an apprentice adjuster shall be subject to the following terms and conditions:
 - (a) An individual holding a temporary license as apprentice adjuster shall have all of the privileges and obligations of an adjuster licensed under the insurance code;
 - (b) An individual holding a temporary license as an apprentice adjuster shall at all times be a full-time salaried employee of an insurer or an adjuster and subject to training, direction, and control by a licensed adjuster acting in the same capacity as that for which the applicant applied;
 - (c) A temporary license as apprentice adjuster shall be subject to suspension, revocation, or conditions in accordance with KRS 304.9-440; and
 - (d) An individual may hold only one (1) temporary license as an apprentice adjuster.
- (3) An individual applying for a resident apprentice adjuster license shall make application to the commissioner on the appropriate uniform individual application, in a format prescribed by the commissioner, and declare under penalty of suspension, revocation, or refusal of the license that the statements made in the application are true, correct, and complete to the best of the individual's knowledge and belief. Before approving the application, the commissioner shall determine whether the applicant:
 - (a) Is at least eighteen (18) years of age;
 - (b) Is a resident of Kentucky and has designated Kentucky as his or her home state;
 - (c) Has a business or mailing address in the state for acceptance of service of process;
 - (d) Has not committed any act that is a ground for probation or suspension, revocation, or denial of licensure as set forth in KRS 304.9-440;
 - (e) Is trustworthy, reliable, and of good reputation, evidence of which may be determined by the commissioner;
 - (f) Has paid the fees prescribed by administrative regulation promulgated pursuant to KRS 304.4-010; and
 - (g) Has provided an attestation from a licensed independent, staff, or public adjuster with the same line of authority for which the apprentice has applied, attesting that the apprentice adjuster shall be subject to training,

direction, and control by the licensed adjuster, and further certifying that the licensed adjuster assumes responsibility for the actions of the apprentice in the apprentice's capacity as an adjuster.

- (4) The apprentice adjuster license shall be subject to the following terms and conditions:
 - (a) The apprentice adjuster shall only be authorized to adjust claims in the state that has issued the apprentice adjuster license;
 - (b) The apprentice adjuster shall be restricted to participation in the investigation, settlement, and negotiation of claims subject to the review and final determination of the claim by the supervising licensed adjuster;
 - (c) Compensation of an apprentice adjuster shall be on a salaried or hourly basis only;
 - (d) The apprentice adjuster shall not be required to pass the independent or public adjuster examination, as required by KRS 304.9-430(2), to adjust claims as an apprentice adjuster. At any time during the apprenticeship, the apprentice adjuster may choose to take the examination required by KRS 304.9-430(2) and, if he or she passes the examination, the apprentice adjuster license shall automatically terminate and an adjuster license shall be issued to that individual in place thereof; and
 - (e) The apprentice adjuster license shall be for a time period not to exceed twelve (12) months and is nonrenewable.
- (5) The licensed independent, staff, or public adjuster responsible for the apprentice adjuster shall only supervise the activities of the apprentice adjuster as set forth in this subtitle.

Effective: July 15, 2010

History: Amended 2010 Ky. Acts ch. 83, sec. 14, effective July 15, 2010. -- Amended 2002 Ky. Acts ch. 273, sec. 35, effective July 15, 2002. -- Amended 2000 Ky. Acts ch. 393, sec. 33, effective July 14, 2000. -- Created 1984 Ky. Acts ch. 262, sec. 4, effective April 1, 1985.

Legislative Research Commission Note (7/15/2010). References to the "executive director" of insurance in subsection (3) of this section, as amended by 2010 Ky. Acts ch. 83, sec. 14, have been changed in codification to the "commissioner" of insurance to reflect the reorganization of certain parts of the Executive Branch, as set forth in Executive Order 2009-535 and confirmed by the General Assembly in 2010 Ky. Acts ch. 24. These changes were made by the Reviser of Statutes pursuant to 2010 Ky. Acts ch. 24, sec. 1938.