

STATE OF CONNECTICUT
INSURANCE DEPARTMENT

July 2, 2012

Legislative Regulation Review Committee
Room 011
Capitol Building
Hartford, CT 06106

Attention: Pamela Booth, Administrator

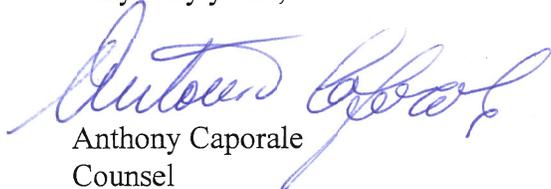
Re: Proposed Regulation Concerning Requirements Applicable to Public Adjusters

Dear Senator Roraback, Representative Davis and Committee Members:

In accordance with a conversation of July 3, 2012, and agreement in this regard between Susan Giacalone of the Insurance Association of Connecticut and Representative Davis, the Insurance Department hereby submits a substitute page 1 relating to the above-referenced proposed regulation, which had been submitted originally to the Legislative Regulations Review Committee on May 30, 2012.

Your review and approval of this regulation is respectfully requested. If you have any questions concerning the submittal of this substitute page, please do not hesitate to call me at (860) 297-3981.

Very truly yours,



Anthony Caporale
Counsel

IMPORTANT: Read instructions on back of last page (Certification Page) before completing this form. Failure to comply with instructions may cause disapproval of proposed Regulations

State of Connecticut
REGULATION
of

NAME OF AGENCY

INSURANCE DEPARTMENT

Concerning

SUBJECT MATTER OF REGULATION

REQUIREMENTS APPLICABLE TO PUBLIC ADJUSTERS

Section 1. Section 38a-788-5 of the Regulations of Connecticut State Agencies is amended to read as follows:

§ 38a-788-5. Settlement offers

(a) Any [written] offer to settle a loss received by a public adjuster shall be transmitted to the client IN WRITING NOT LATER THAN TEN (10) DAYS AFTER RECEIPT OF THE OFFER FROM THE INSURER and, if rejected by the client, such [offer] REJECTION AND ANY COUNTEROFFER THEREOF shall be TRANSMITTED, WITHIN FORTY-FIVE (45) DAYS FROM THE RECEIPT OF THE OFFER, BY THE PUBLIC ADJUSTER TO THE INSURER IN WRITTEN FORM, acknowledged by an appropriate endorsement [thereto] SIGNED BY THE CLIENT.

(b) IF THE INSURER AND THE CLAIMANT FAIL TO REACH AN AGREEMENT ABOUT THE VALUE OF THE PROPERTY OR THE AMOUNT OF THE LOSS WITHIN ONE HUNDRED AND TWENTY (120) DAYS FROM THE DATE OF EXECUTION OF THE CONTRACT BETWEEN THE CLAIMANT AND THE PUBLIC ADJUSTER, THE PUBLIC ADJUSTER SHALL ADVISE THE CLAIMANT IN WRITING THAT THE CLAIMANT HAS THE RIGHT TO REQUEST AN APPRAISAL IN ACCORDANCE WITH THE PERTINENT PROVISION OF THE INSURANCE CONTRACT AND, AT THE CLAIMANT DIRECTION, SUCH PUBLIC ADJUSTER SHALL REQUEST IN WRITING THAT THE MATTER BE REFERRED FOR APPRAISAL IN ACCORDANCE WITH THE PROVISIONS OF THE INSURANCE CONTRACT UNDER WHICH PAYMENTS ARE CLAIMED, UNLESS THE CLAIMANT AGREES IN WRITING TO EXTEND SUCH TIME PERIOD TO GIVE TO THE PUBLIC ADJUSTER TIME TO RESOLVE THE CLAIM.

(c) AN AGREEMENT TO WAIVE THE TIME PERIOD REQUIRED BY SUBSECTION (b) OF THIS SECTION MUST BE EXECUTED BY THE CLAIMANT NOT EARLIER THAN FOURTEEN (14) DAYS PRIOR TO THE EXPIRATION OF SUCH TIME PERIOD.

(d) THE PROVISIONS OF SUBSECTION (b) OF THIS SECTION DO NOT APPLY TO CLAIMS IN WHICH THERE IS A COVERAGE DISPUTE BETWEEN THE INSURER AND THE CLAIMANT.

Section 2. Section 38a-788-6 of the Regulations of Connecticut State Agencies is amended to read as follows:

§ 38a-788-6. Form of contract

No public adjuster shall enter into an employment contract except in conformity with this regulation. There shall be a true copy of the employment contract which shall be given to the client at the time