

**LIFE—GENERAL KNOWLEDGE  
CONTENT OUTLINE**

**Product Knowledge, Terms, and Concepts**

(50 scoreable questions plus 10 pretest questions)

**I. TYPES OF POLICIES..... 9**

**A. Traditional Whole Life Products**

1. Ordinary (straight) life
2. Limited-pay and single-premium life
3. Adjustable life

**B. Interest-sensitive Life Products**

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

**C. Term Life**

1. Level, decreasing, and increasing term
2. Special features
  - a. Renewable
  - b. Convertible

**D. Annuities**

1. Single, level, and flexible premium
2. Immediate and deferred
3. Fixed and variable
4. Equity index

**E. Combination Plans and Variations**

1. Joint life
2. Survivorship life

**II. POLICY RIDERS, PROVISIONS, OPTIONS, AND EXCLUSIONS..... 21**

**A. Policy Riders**

1. Waiver of premium and waiver of premium with disability income
2. Guaranteed insurability
3. Payor benefit
4. Accidental death and/or accidental death and dismemberment
5. Term riders
6. Other insureds (e.g., spouse, children, nonfamily)
7. Cost of living

**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. Changes
  - d. Common disaster
  - e. 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. Nonforfeiture options
11. Dividends and dividend options
12. Incontestability
13. Assignments
14. Suicide
15. Misstatement of age and gender
16. Settlement options

**C. Policy Exclusions**

**III. COMPLETING THE APPLICATION, UNDERWRITING, AND DELIVERING THE POLICY ..... 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)

**B. Underwriting**

1. Insurable interest
2. Medical information and consumer reports
3. Fair Credit Reporting Act
4. Risk classification

**C. Delivering the Policy**

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

**D. Do Not Call List**

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

**A. Third-Party Ownership**

**B. Group Life Insurance**

1. Conversion privilege
2. Contributory vs. noncontributory

**C. Retirement Plans**

1. Tax-qualified plans
2. Nonqualified plans

**D. Business Insurance**

**E. Social Security Benefits and Taxes**

**F. Tax Treatment of Insurance Premiums, Proceeds, Dividends**

1. Individual life
2. Group life
3. Modified endowment contracts (MECs)

**G. Accelerated Death Benefits—Living Benefits**

**H. Endowments**

**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, 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*
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: 33-12-37*
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: 33-23-3(d), 33-12-17, 33-12-18(a), 33-12-24*
6. Education requirements
  - a. Continuing education  
*Ref: 33-12-8; Rule 114-25-1, 2, 3, 4, 7*

7. Mandatory reporting requirements

- a. Criminal prosecution and administrative action  
*Ref: 33-12-34*
- b. Fraud  
*Ref: 33-41-5*

**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 ..... 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  
*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**

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

**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/partner policies

**B. Accidental Death and Dismemberment**

**C. Medical Expense Insurance**

1. Basic hospital, medical, and surgical policies
2. Major medical policies
3. Comprehensive major medical policies
4. Health maintenance organizations (HMOs)
5. Preferred provider organizations (PPOs)
6. Service organizations (Blue Plans)
7. Point of service (POS) plans
8. Medical savings accounts (MSAs)
9. Flexible spending accounts (FSAs)
10. Health reimbursement accounts (HRAs)
11. High deductible health plans (HDHPs) and related health savings accounts (HSAs)
12. Consumer driven health plans (CDHPs)

**D. Medicare Supplement Policies**

**E. Group Insurance**

1. Group conversion
2. Differences between individual and group contracts
3. General concepts
4. COBRA
5. HIPAA

**F. Long-Term Care (LTC)**

1. Individual LTC contracts
2. Group/voluntary LTC contracts
3. Service days vs. calendar days

**G. Cancer (for specified diseases) Plans**

**H. Critical Illness Plans**

**I. Worksite (employer-sponsored) Plans**

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

**A. Mandatory Provisions**

1. Entire contract
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

**B. Optional Provisions**

1. Change of occupation
2. Misstatement of age
3. Illegal occupation

**C. Other Provisions and Clauses**

1. Insuring clause
2. Free look (10-day, 20-day, etc.)
3. Consideration clause
4. Probationary period
5. Elimination period
6. Waiver of premium
7. Exclusions
8. Preexisting conditions
9. Recurrent disability
10. Coinsurance
11. Deductibles
12. Eligible expenses
13. Copayments
14. Pre-authorizations and prior approval requirements
15. Usual, reasonable, and customary (URC) charges
16. Lifetime, annual or per cause maximum benefit limits

**D. Riders**

1. Impairment rider
2. Guaranteed insurability rider
3. Multiple indemnity rider (double, triple)

**E. Rights of Renewability**

1. Noncancelable
2. Cancelable
3. Guaranteed renewable
4. Conditionally renewable
5. Optionally renewable
6. Period of time for renewal

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

**A. Medicare**

1. Primary, secondary payor
2. Medicare Parts A, B, C, D

**B. Medicaid**

**C. Social Security Benefits**

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

**A. Total, Partial, and Residual Disability**

**B. Owner's Rights**

**C. Dependent Children Benefits**

**D. Primary and Contingent Beneficiaries**

**E. Modes of Premium Payments (annual, semiannual, etc.)**

**F. Nonduplication and Coordination of Benefits (e.g., primary vs. excess)**

**G. Occupational vs. Nonoccupational**

**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 Application and Obtaining Necessary Signatures**

**B. Explaining Sources of Insurability 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. Assuring Delivery of Policy and Related Documents to Client
- F. Explaining Policy and its Provisions, Riders, Exclusions, and Ratings to Clients
- G. Replacement
- H. Contract Law
  - 1. Requirements of forming a contract
  - 2. Insurable interest
  - 3. Warranties and representations
  - 4. Unique aspects of the health contract
    - a. Conditional
    - b. Unilateral
    - c. Adhesion

- 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: 33-23-3(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*

**ACCIDENT & 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**

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- 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  
*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*

**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 & 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 SICKNESS INSURANCE ONLY ..... 9**

**A. Required Disclosure Provisions; Individual Minimum A&S Standards ..... 1**

*Ref: Rule 114-12-5, 6*

**B. Requirements for Replacement; Individual Minimum A&S Standards ..... 1**

*Ref: Rule 114-12-7*

**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 practices

**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**  
*Ref: 33-15A, Rule 114-32-4.2*
- H. Small Employer Group ..... 1**  
*Ref: 33-16D-2*
- I. Model Health Plan for Uninsurable Individuals**  
*Ref: 33-48*

**PROPERTY–GENERAL KNOWLEDGE  
CONTENT OUTLINE**

**Product Knowledge, Terms, and Concepts**

*(50 scoreable questions plus 10 pretest questions)*

**Note:** To the extent that the specific contracts, forms, and endorsements dealt with in this outline are available in standardized versions, outline references are to items developed by (1) Insurance Services Office; (2) National Council on Compensation Insurance; (3) Surety Association of America.

- I. TYPES OF POLICIES..... 25**
  - A. Personal Lines**
    - 1. Dwelling and contents (DP forms)
    - 2. Homeowners (HO forms)
    - 3. Mobile homes
  - B. Commercial Lines**
    - 1. Commercial property
      - a. Commercial building and personal property form
      - b. Causes of loss forms
      - c. Business income
      - d. Extra expense
    - 2. Commercial package policy (CPP)
    - 3. Equipment breakdown coverage
    - 4. Business owner's policy (BOP)
  - C. Inland Marine**
    - 1. Personal floaters
    - 2. Commercial floaters
    - 3. Nationwide definition
  - D. Others**
    - 1. Flood
    - 2. Earthquake
- II. INSURANCE TERMS AND RELATED CONCEPTS..... 14**
  - A. Insurance**
  - B. Insurable Interest**
  - C. Risk**
  - D. Hazard**
  - E. Peril**
  - F. Loss**
    - 1. Direct
    - 2. Indirect
  - G. Proximate Cause**
  - H. Deductible**
  - I. Indemnity**
  - J. Actual Cash Value**
  - K. Replacement Cost**
  - L. Limits of Liability**
  - M. Coinsurance/Insurance to Value**
  - N. Accident**
  - O. Occurrence**
  - P. Cancellation**
  - Q. Nonrenewal**

- R. Vacancy and Unoccupancy**
- S. Liability**
- T. Negligence**
- 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. Assignment**
  - N. Subrogation**
  - O. Elements of a Contract**
  - P. Warranties, Representations, and Concealment**
  - Q. Binders**
  - R. Sources of Insurability Information**
  - S. Fair Credit Reporting Act**

**CASUALTY–GENERAL KNOWLEDGE  
CONTENT OUTLINE**

**Product Knowledge, Terms, and Concepts**

*(50 scoreable questions plus 10 pretest questions)*

**Note:** To the extent that the specific contracts, forms and endorsements dealt with in this outline are available in standardized versions, outline references are to items developed by (1) Insurance Services Office; (2) National Council on Compensation Insurance; (3) Surety Association of America.

- I. TYPES OF POLICIES, BONDS, AND RELATED TERMS..... 23**
  - A. Commercial General Liability**
    - 1. Basic hazards
      - a. Premises and operations
      - b. Products and completed operations
      - c. Independent contractors
      - d. Insured contracts
    - 2. Commercial general liability coverage forms
      - a. Coverage A: Bodily Injury and Property Damage Liability
        - (1) Occurrence
        - (2) Claims made
          - (a) Extended reporting periods: basic and supplemental
          - (b) 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
      - g. Conditions (The candidate should also be familiar with ISO's common policy conditions.)
      - h. Definitions
  - B. Automotive: Personal Auto and Business Auto**

1. Liability
2. Medical payments
3. Physical damage (collision and other than collision/comprehensive)
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
8. Garage coverage form, including garage keepers insurance

**C. Workers' Compensation Insurance, Employer's 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
2. Work-related vs. non-work-related
3. Other states' insurance

**D. Crime**

1. Employee theft
2. Inside the premises—theft of money and securities
3. Inside the premises—robbery or safe burglary of other property
4. Inside the premises—robbery or burglary of other property

**E. Surety Bonding**

1. Definitions
  - a. Obligee
  - b. Principal
  - c. Surety

**F. Professional Liability**

1. Errors and omissions

**G. Umbrella/Excess liability**

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

- A. Risk**
- B. Hazard**
- C. Indemnity**
- D. Insurable Interest**
- E. Actual Cash Value**
- F. Negligence**
- G. Liability**
- H. Accident**
- I. Occurrence**
- J. Burglary**
- K. Robbery**
- L. Theft**
- M. Mysterious Disappearance**
- N. Binders**
- O. Warranties**
- P. Representations**
- Q. Concealment**
- R. Bodily Injury Liability**
- S. Property Damage Liability**
- T. Personal Injury Liability**
- U. Limits of Liability**
- V. Deductibles**
- W. Insured Contract**
- X. Deposit Premium/Audit**

**Y. Certificate of Insurance**

**III. POLICY PROVISIONS..... 12**

- 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. Additional (supplementary) Payments**
- I. Proof of Loss**
- J. Notice of Claim**
- K. Arbitration**
- L. Other Insurance**
- M. Subrogation**
- N. Compliance with Provisions of Fair Credit Reporting Act**
- O. Claims Made Policy Form**
- P. Salvage**
- Q. Loss Settlement Provisions Including Consent to Settle a Loss**

**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  
*Ref: 33-12C*
7. Valued policy law  
*Ref: 33-17-9*

8. Comparative negligence <i>Ref: West Virginia Supreme Court ruling, Bradley v. Appalachian Power Co., 163 WV 332, 256 SE2d 879 (1979)</i>	
<b>C. Licensing.....</b>	<b>6</b>
1. Purpose/Requirements <i>Ref: 33-12-2, 33-12-6</i>	
2. Qualifications	
a. Producer <i>Ref: 33-12-6</i>	
b. Nonresident licensing <i>Ref: 33-12-12</i>	
c. Company requirements <i>Ref: 33-12-3(d)</i>	
d. Fingerprinting <i>Ref: 33-12-37</i>	
3. Termination of license	
a. Expiration <i>Ref: 33-12-17</i>	
b. Revocation and suspension <i>Ref: 33-12-24</i>	
c. Nonrenewal <i>Ref: 33-12-24</i>	
4. Limitation of license <i>Ref: 33-12-6(a)(7), 33-12-18, 33-12-19, 33-44-4(b)</i>	
5. Appointment <i>Ref: 33-12-3(d), 33-12-18(a)</i>	
6. Educational requirements	
a. Continuing education <i>Ref: 33-12-8; Rule.114- 42-1, 2, 3, 4, 7</i>	
7. Mandatory reporting requirements	
a. Criminal prosecution and administrative action <i>Ref: 33-12-34</i>	
b. Fraud <i>Ref: 33-41-5</i>	
<b>D. Unfair Trade Practices.....</b>	<b>6</b>
1. Unfair claims methods and practices <i>Ref: 33-11-4(9); Rule 114-14-5, 6</i>	
2. Excessive charges <i>Ref: Information Letter No. 6</i>	
3. Rebating <i>Ref: 33-11-4(8), Rule 114-70</i>	
4. Coercion <i>Ref: 33-11-4(4), 33-11-5</i>	
5. Misrepresentation <i>Ref: 33-11-4(1)</i>	
6. Defamation <i>Ref: 33-11-4(3)</i>	
7. Advertising <i>Ref: 33-11-4(2)</i>	
8. Unfair discrimination <i>Ref: 33-11-4(7)</i>	
9. Penalties <i>Ref: 33-11-6, 33-11-8</i>	
<b>E. Insurable Interest in Property.....</b>	<b>1</b>
<i>Ref: 33-6-3</i>	
<b>F. Binders.....</b>	<b>1</b>
<i>Ref: 33-6-18</i>	
<b>G. Approval of Rates and Forms.....</b>	<b>1</b>
<i>Ref: 33-6-8, 33-17-8, 33-20-4</i>	

<b>H. Compensation of Licensees.....</b>	<b>2</b>
1. Payment of commissions <i>Ref: 33-12-23, 33-12-27</i>	
<b>I. West Virginia Essential Insurance Coverage Act (FAIR) Plan.....</b>	<b>1</b>
<i>Ref: 33-20A-1 through 33-20A-3; Series 21: Sec. 8, 9, 11, 13, 14</i>	
<b>J. Automobile Insurance.....</b>	<b>8</b>
1. Provisions <i>Ref: 33-6-31</i>	
a. Coverage	
b. Uninsured motorists <i>Ref: 17D-4-2</i>	
c. Underinsured motorists	
2. Financial responsibility and required minimum liability limits <i>Ref: Ch. 17A-3-3 and 17D Motor Vehicle laws</i>	
3. Renewal, nonrenewal, and cancellation <i>Ref: 33-6A-1 through 33-6A-4; 17D</i>	
4. West Virginia Automobile Insurance Plan (Assigned Risk) <i>Ref: Auto manual</i>	
<b>K. West Virginia Insurance Guaranty Association...1</b>	
<i>Ref: 33-26A-2 through 33-26A-8</i>	
<b>L. Mine Subsidence.....</b>	<b>1</b>
<i>Ref: 33-30-3, 33-30-4, 33-30-6, 33-30-7, 33-30-10</i>	
<b>M. Malpractice Policies.....</b>	<b>1</b>
<i>Ref: 33-20C</i>	
<b>N. Risk Retention Act of West Virginia.....</b>	<b>1</b>
<i>Ref: 33-32-1, 33-32-2, 33-32-21</i>	
<b>O. Homeowner's Insurance.....</b>	<b>1</b>
1. Declination, termination, and disclosure <i>Ref: 33-17a</i>	
<b>P. Workers' Compensation</b>	
<i>Ref: 23-2-1(a), 23-2-1(b), 23-2-1(i), 33-1-10(e)(14)</i>	

**WEST VIRGINIA  
ADJUSTER EXAMINATION  
CONTENT OUTLINE**

(45 scoreable questions)

<b>I. WEST VIRGINIA LAWS AND RULES PERTINENT TO ADJUSTERS.....</b>	<b>20</b>
<i>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.</i>	
<b>A. General Adjusting.....</b>	<b>9</b>
1. State licensing and regulation of adjusters <i>Ref: 33-12B(1); Rule 114-25-7, 9</i>	
2. Unfair claim settlement practices <i>Ref: 33-11-4(9); Rule 114-14-1, 6, 8, 9</i>	
3. Insurable interest in property <i>Ref: 33-6-3</i>	
4. Binders <i>Ref: 33-6-18</i>	
5. West Virginia Property and Casualty Insurance Guaranty Association <i>Ref: 33-26-10 through 33-26A-13</i>	
<b>B. Property Adjusting.....</b>	<b>5</b>
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
- 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..... 6**

- 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. Comparative negligence doctrine  
Ref: *West Virginia Supreme Court ruling, Bradley v. Appalachian Power Co., 163 WV 332, 256 SE2d 879 (1979)*
- 4. Standards for settling auto claims  
Ref: 33-6-33; Rule 114-14-7

**II. COMMERCIAL LINES COVERAGE ..... 6**

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 ..... 8**

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..... 1**

Ref: *Standard insurance textbooks and policies*

- A. Watercraft Coverage**
- B. Flood Insurance**

**V. INSURANCE TERMS AND CONCEPTS..... 10**

Ref: *Standard insurance textbooks and policies*

- A. Abandonment**
- B. Accident**
- C. Actual Cash Value**
- D. Appraisal Clause**
- E. Arbitration**
- F. Coinsurance**
- 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. Names 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**

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- A. Property: Personal Lines**
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  - 2. Homeowners (HO forms)
- B. Inland Marine**
  - 1. Personal floaters
- C. Other Types of Property Policies**
  - 1. Flood
  - 2. Personal watercraft
  - 3. Earthquake
  - 4. Mobile homes

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

- A. Personal Automobile**
  - 1. Liability
  - 2. Medical payments
  - 3. Physical damage (collision and other than collision)
  - 4. Uninsured motorists
  - 5. Underinsured motorists
  - 6. Who is an insured?
  - 7. Types of auto
    - a. Owned
    - b. Temporary substitute
  - 8. Use and eligibility of auto
- B. Personal Liability**
- C. Umbrella/Excess Liability**
- D. Other Personal Exposures**
  - 1. Errors and omissions

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

- A. Insurable Interest**
- B. Risk**
- C. Hazard**
- D. Peril**
- E. Loss**
  - 1. Direct

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

2. Indirect

F. Proximate Cause

G. Deductible

H. Indemnity

I. Actual Cash Value

J. Replacement Cost

K. Limits of Liability

L. Pair and Set Clause

M. Extensions of Coverage

N. Additional Coverages

O. Accident

P. Occurrence

Q. Vacancy and Unoccupancy

R. Right of Salvage

S. Abandonment

T. Liability

U. Negligence

V. Theft

W. Burglary

X. Robbery

Y. Mysterious Disappearance

Z. Binders

AA. Bodily Injury Liability

BB. Property Damage Liability

CC. Personal Injury Liability

DD. Certificate of Insurance

EE. Risk Management

FF. Professional Designations

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B. Insuring Agreement

C. Conditions

D. Exclusions

E. Definitions

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

M. Assignment

N. Subrogation

O. Elements of a Contract

P. Sources of Underwriting Information

Q. Compliance with Provisions of Fair Credit Reporting Act

R. Cancellation and Nonrenewal Provisions

S. Additional (supplementary) Payments

T. Loss Settlement Provisions Including Consent to Settle a Loss

U. Limitations

V. Representations and Misrepresentations

W. Concealment

X. Arbitration

Y. Coinsurance

Z. Endorsements

AA. Premium Payments

BB. Effective Dates of Coverage

**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  
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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  
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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  
*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: 33-3-14(d)*

d. Fingerprinting  
*Ref: 33-12-37*

3. Termination of license

a. Expiration  
*Ref: 33-12-17*

b. Revocation and suspension  
*Ref: 33-12-24*

c. Nonrenewal <i>Ref: 33-12-24</i>	
4. Limitation of license <i>Ref: 33-12-6(a)(7), 33-12-18, 33-12-19, 33-44-4(b)</i>	
5. Appointment <i>Ref: 33-12-3(d), 33-12-18(a)</i>	
6. Educational requirements	
a. Continuing education <i>Ref: 33-12-8; Rule 114-42-1, 2, 3, 4, 7</i>	
7. Mandatory reporting requirements	
a. Criminal prosecution and administrative action <i>Ref: 33-12-34</i>	
b. Fraud <i>Ref: 33-41-5</i>	
<b>D. Unfair Trade Practices..... 6</b>	
1. Unfair claims methods and practices <i>Ref: 33-11-4(9); Rule 114-14-5, 6</i>	
2. Excessive charges <i>Ref: Information Letter No. 6</i>	
3. Rebating <i>Ref: 33-11-4(8), Rule 114-70</i>	
4. Coercion <i>Ref: 33-11-4(4), 33-11-5</i>	
5. Misrepresentation <i>Ref: 33-11-4(1)</i>	
6. Defamation <i>Ref: 33-11-4(3)</i>	
7. Advertising <i>Ref: 33-11-4(2)</i>	
8. Unfair discrimination <i>Ref: 33-11-4(7)</i>	
9. Penalties <i>Ref: 33-11-6, 33-11-8</i>	
10. Undefined acts <i>Ref: 33-11-7</i>	
<b>E. Insurable Interest in Property..... 1</b>	
<i>Ref: 33-6-3</i>	
<b>F. Binders ..... 1</b>	
<i>Ref: 33-6-18</i>	
<b>G. Approval of Rates and Forms..... 1</b>	
<i>Ref: 33-6-8, 33-17-8, 33-20-4</i>	
<b>H. Compensation of Licensees ..... 2</b>	
1. Payment of commissions <i>Ref: 33-12-23, 33-12-27</i>	
<b>I. West Virginia Essential Insurance Coverage Act (FAIR) Plan..... 1</b>	
<i>Ref: 33-20A-1 through 33-20A-3; Series 21: Sec. 8, 9, 11, 13, 14</i>	
<b>J. Automobile Insurance ..... 8</b>	
1. Provisions <i>Ref: 33-6-31</i>	
a. Coverage	
b. Uninsured motorists <i>Ref: 17D-4-2</i>	
c. Underinsured motorists	
2. Financial responsibility and required minimum liability limits <i>Ref: Ch. 17A-3-3 and 17D Motor Vehicle laws</i>	
3. Renewal, nonrenewal, and cancellation <i>Ref: 33-6A-1 through 33-6A-4; 17D</i>	

4. West Virginia Automobile Insurance Plan (Assigned Risk) <i>Ref: Auto manual</i>	
<b>K. West Virginia Property and Casualty Insurance Guaranty Association ..... 1</b>	
<i>Ref: 33-26A-2 through 33-26A-8</i>	
<b>L. Mine Subsidence..... 1</b>	
<i>Ref: 33-30-3, 33-30-4, 33-30-6, 33-30-7, 33-30-10</i>	
<b>M. Homeowner's Insurance..... 1</b>	
1. Declination, termination, and disclosure <i>Ref: 33-17a</i>	

<p><b>WEST VIRGINIA VIATICAL SETTLEMENT BROKER EXAMINATION CONTENT OUTLINE State Laws and Rules</b></p>
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(35 scoreable questions)

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