



National Association of Insurance Commissioners

Crop Insurance (C) Working Group

September 21, 2009
Washington, DC



National Association of Insurance Commissioners

**Crop Insurance (C) Working Group
of the Property & Casualty Insurance (C) Committee
September 21, 2009
2:30 – 3:30
Washington, DC
National Harbor 12 - 13**

Roll Call

Merle D. Scheiber/Randy Moses, Chair	South Dakota		
Sarah McNair Grove	Alaska	Angela Nelson	Missouri
Bill Lacy	Arkansas	Beverly Anderson	Nebraska
Cindy Donovan	Indiana	Larry Maslowski	North Dakota
Leroy Brungardt	Kansas	Maureen Motter	Ohio
Randy Parlor	Michigan	Kathie Stepp	Oklahoma
Mike Chaney	Mississippi	Danny Saenz	Texas

Agenda

1. **Update on States Avoiding Federal Preemption for Adjuster Licensing – Joe Bieniek (NAIC)**

2. **Update from the Risk Management Agency (RMA) – Dave Miller**

3. **Update from National Crop Insurance Services (NCIS) - Laurence Crane**

4. **Any Other Matters Brought Before the Working Group**

Update on States Avoiding Federal Preemption for Adjuster Licensing

Summary

In an attempt to avoid any preemption of federally insured multi-peril crop insurance adjuster licensing, two separate letters were sent out this past quarter. The first letter pertained to states that had indicated, on the survey regarding compliance with RMA, that they would not be able to accept RMA's adjuster licensing proposal. Eleven states received the first letter and they were sent out April 7, 2009 and April 9, 2009. Responses were requested by April 30, 2009.

The second letter was sent to states that responded they would not accept the RMA proposal, but have expressed to the Working Group that they are either in the middle of legislation or considering changes in legislation in order to move towards our goal. A current status was requested, but no deadline was placed.

States that could be preempted: 14
States that received the first letter: 11*
States that received the second letter: 3

**West Virginia did not receive a letter as communication between WV and the NAIC was already occurring.*

A follow-up e-mail, which included a short list of steps other states are currently taking to achieve compliance, was sent on May 28, 2009 in an attempt to acquire the most recent status from states that had not responded to the letters.

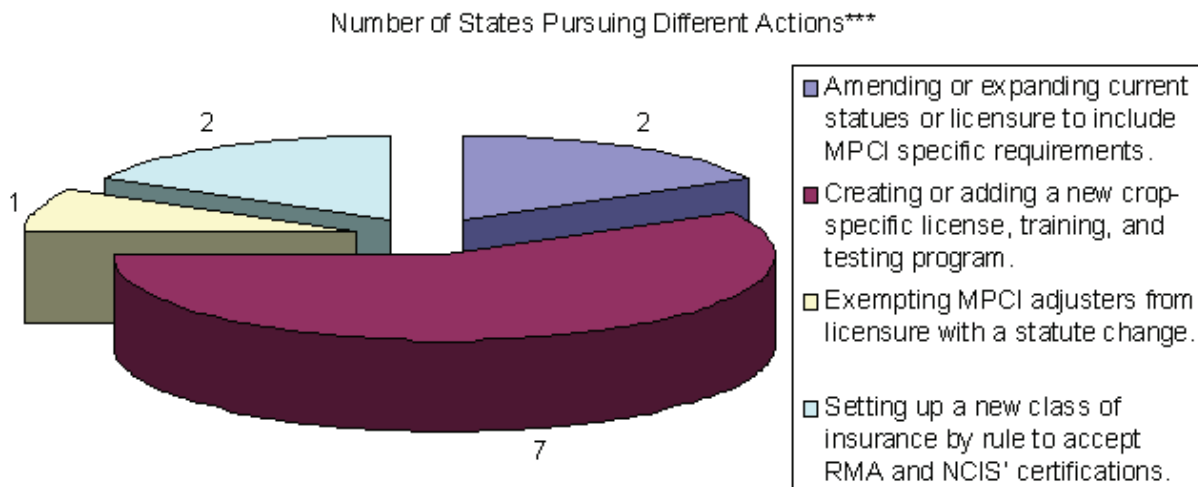
States that received the follow-up e-mail: 6
States that have responded to the follow-up email: 3
States that have not responded to the follow-up email: 3
(Arizona, Delaware, and Vermont**)

***Vermont called the NAIC to request information, and the NAIC returned the call, but no further action or status was provided to the NAIC.*

Currently, 3 states have not responded with information regarding their current status. There are 3 states that have already begun steps towards complying, and 8 states that are reviewing or pursuing a course of action. One state was confirmed by RMA to be sufficient and will not be preempted.

Some of the options being reviewed or pursued by these 11 states are:

- Amending or expanding current statutes or licensure to include MPCl specific requirements. (GA, WV)
- Creating or adding a new crop-specific license, training, and testing program. (GA, HI, ME, MS, NV, NY, WA)
- Exempting MPCl adjusters from licensure with a statute change. (NC)
- Setting up a new class of insurance by rule to accept RMA and NCIS' certifications. (OR, TX)



****Total will not create a sum of 11, as some states may be considering multiple courses of action.*

Update from the Risk Management Agency

Update from National Crop Insurance Services

Any Other Matters Brought Before the Working Group