



OKLAHOMA INSURANCE DEPARTMENT

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Workers Compensation --- CE Requirement for Adjusters

Effective November 1, 2010*Oklahoma Statute 36 § 608 (B) states that all claims adjusters who adjust workers' compensation claims in Oklahoma must be licensed in Oklahoma prior to adjusting workers compensation claims.**

B. A Claims Adjuster for an insurer duly authorized to transact workers' compensation insurance in Oklahoma shall be licensed pursuant to the Insurance Adjusters Licensing Act.

Effective November 1, 2010*Oklahoma Statute 36 § 6217 (D) provides a NEW Continuing Education requirement for ALL Adjusters that adjudicate Workers' Compensation Claims in the State of Oklahoma.**

D. A Claims Adjuster for any insurer duly authorized to transact workers' compensation insurance shall complete six (6) hours of continuing education relating to the Workers' Compensation Act as part of the twenty-four (24) clock hours of continuing education.

Proposed Oklahoma Administrative Code 365:25-3-14 (d)(1)(A) (If approved by the Governor, Effective November 1, 2010)

(A) All adjusters who adjudicate workers compensation claims shall complete six (6) hours of continuing education relating to the Workers' Compensation Act as part of the twenty-four (24) clock hours of continuing insurance education as set forth in Section 6217(D) of Title 36 of the Oklahoma Statutes.

(B) Insurers who utilize either a resident or non-resident adjuster for the adjudication of workers compensation claims occurring in this state shall verify that the adjuster has completed the workers compensation biennial continuing education requirement set forth in subparagraph (A) of this paragraph. An insurer may satisfy its responsibility under this subsection by:

(i) Obtaining certificates of completion of the continuing education course,

(ii) *Obtaining reports provided by Commissioner-sponsored database systems or vendors, or*

(iii) *Obtaining reports from a reasonably reliable commercial database vendor that has a reporting arrangement with approved insurance education providers.*

(C) Insurers subject to the provisions of this subsection shall maintain records with respect to the continuing education requirement of its adjusters as set forth in subparagraph (A) of this paragraph. These records shall be maintained in accordance with the state's record retention requirements and shall be made available to the Commissioner upon request

Self Insured organizations are exempt from the *New* requirement because self insurance does not involve a contract between an insurance company and an employer, it is **not** subject to state insurance regulation; therefore, an adjuster employed by a self-insured corporation is not required to be licensed by the Oklahoma Insurance Department.

Please Note: The Oklahoma Insurance Department recognizes that compliance with the new law's CE requirement may be unachievable for licensees renewing licenses in November or December of this year. The Department will take no administrative action against such licensees if full compliance is met no later than February 1, 2011.

Workers' Compensation Continuing Education Course topics may include but are not limited to:

- General Overview of the Provisions of the Workers' Compensation Act
- Compensation for Injuries
 - General Provisions
 - Basis, Schedules and Claims for Compensation
 - Payment and Miscellaneous Provisions
- Overview of Employer's Insurance
- Overview of Workers' Compensation Court Rules
- Subsequent Injury to Physically Impaired Persons
- Abusive Practices
- Records
- Legislative Update involving Worker's Compensation Act
 - Examples:
 - 2009 Legislation
 - House Bill 1003-family business' organized as a corporation would allow exemption from workers' compensation coverage.
 - 2010 Legislation
 - Senate Bill 1973-Effective 11/1/2010-Adds new specific authorities of Supreme Court in workers' compensation cases.
 - House Bill 1611-Effective 11/1/2010-Requires workers' compensation adjusters to be licensed and, complete six hours

of continuing education relating to the Oklahoma Workers' Compensation Act as part of the required twenty four hours of continuing education.

- House Bill 2650-Effective 11/1/2010-Reduces the number of W/C Court Judges from ten to eight.
- House Bill 2652-Effective 11/1/2010-Senate confirmation of judicial appointments to the Workers' Compensation Court.
- House Bill 2911 – Effective 5/10/10-Prohibits creation of a new business entity for the purpose of avoiding payment of a workers' compensation judgment.
- House Bill 3169 – Effective 11/1/10-Expands the exemption from the Workers' Compensation Act for an employer with five or less total employees, all of whom are related by blood or marriage, to include the spouse of the exempt employer.
- Senate Bill 2054 – Effective 11/1/10-Eliminates the Insurance Commissioner's duty to mail a form Affidavit of Exempt Status to requesters since posted on the Insurance Departments web site.