

BILL ANALYSIS

C.S.H.B. 3334
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Insurance
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been suggested that it would be beneficial to have greater uniformity across states with regard to insurance adjuster continuing education requirements. C.S.H.B. 3334 seeks to contribute to this uniformity by providing for the acceptance of certain claims certifications as satisfaction of continuing education requirements.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 3334 amends the Insurance Code to require the Texas Department of Insurance (TDI) to accept as satisfaction of any continuing education requirement imposed on a licensed insurance adjuster a claims certification that the adjuster receives during a license period for which the continuing education is required if:

- the claims certification is issued by a national or state claims association with a certification program;
- the number of hours required to complete the program is not less than the number of continuing education hours required to be completed during the license period;
- the program content includes the content required for licensed adjuster continuing education and is made available through an electronic portal maintained by the association for review and audit by TDI;
- the association is approved by TDI as a continuing education provider;
- the association reports the adjuster's completion of the program to TDI through the electronic portal; and
- the association, through an electronic portal maintained by the association, provides TDI access to the adjuster's transcript showing the adjuster's completion of the program.

The bill applies to continuing education requirements for an adjuster's license period beginning on or after January 1, 2020.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3334 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute does not provide for a TDI waiver of continuing education requirements for an adjuster who receives a certificate of completion of a continuing education program issued by a professional organization of adjusters but the substitute requires TDI instead to accept as satisfaction of continuing education requirements a claims certification that the adjuster receives and is issued by a national or state claims association that has a certification program and that is approved by TDI as a continuing education provider. The substitute includes requirements relating to:

- the availability of the certification program content through an electronic portal;
- the association's duty to report the adjuster's program completion to TDI; and
- the association's duty to provide TDI access to the adjuster's transcript.

The substitute does not include a provision requiring the commissioner of insurance to adopt rules necessary to implement the bill's provisions.