

R590. Insurance Administration.

R590-246. Professional Employer Organization (PEO) License Application Rule.

R590-246-4. Initial and Renewal Licensing Process.

(1) All professional employer organization types must comply with the appropriate statutory requirements and complete and submit the appropriate initial or renewal license application form and any supporting documents to the commissioner.

(2) The initial or renewal application form, and all attachments must be submitted electronically via:

(a) a PDF attachment to an email - the preferred method; ~~[or]~~

(b) an electronic facsimile~~[-]~~; or

(c) Renewal applications are due September 30th of each year.

~~(3) [A professional employer organization applicant that was registered with the Division of Professional Licensing, Utah Department of Commerce prior to May 4, 2008, will be considered as a renewing licensee by the Department and will:~~

~~— (a) submit a renewal application prior to September 30, 2008; and~~

~~— (b) will pay the annual renewal fee in accordance with the instructions issued with the renewal invoice.]~~

(a) Pay the initial license fee by check submitted to the address shown at the bottom of the last page of the application found at www.insurance.utah.gov/insurers/ProfessionalEmployerOrganization.html. Checks not drawn on the professional employer organization must be referenced to the organization.

(b) Pay renewal fees in accordance with the instructions issued with the renewal invoice.

(4) A professional employer organization applicant that was not registered with the Division of Professional Licensing, Utah Department of Commerce prior to May 4, 2008, is a new applicant and must:

(a) submit a new application;

(b) pay the license fee by check submitted to the address on the Department's webpage at www.insurance.gov. Checks not drawn on the Professional Employer Organization must be referenced to the organization.

([4]5) Professional employer types for initial and renewal licenses:

(a) PROFESSIONAL EMPLOYER ORGANIZATION - NOT CERTIFIED THROUGH AN ASSURANCE ORGANIZATION.

(i) Comply with the requirements in Sections 31A-40-205, 31A-40-302 and 31A-40-305.

(ii) Complete the Professional Employer Organization - Not Certified Through An Assurance Organization license application form posted on the Department's webpage at www.insurance.utah.gov/insurers/ProfessionalEmployerOrganization.html.

(iii) The requirement in 31A-40-302(2)(g) will be satisfied by completing and submitting the UCAA Biographical Affidavit form posted on the Department's webpage at www.insurance.utah.gov/insurers/ProfessionalEmployerOrganization.html.

(b) PROFESSIONAL EMPLOYER ORGANIZATION - CERTIFIED THROUGH AN ASSURANCE

ORGANIZATION.

- (i) Comply with the requirements in Section 31A-40-303.
 - (ii) Complete the Professional Employer Organization - Certified Through An Assurance Organization license application form posted on the Department's webpage at www.insurance.utah.gov/insurers/ProfessionalEmployerOrganization.html.
- (c) PROFESSIONAL EMPLOYER ORGANIZATION - SMALL OPERATION LICENSE.
- (i) Comply with the requirements in Section 31A-40-304.
 - (ii) Complete the Professional Employer Organization - Small Operation License application form posted on the Department's webpage at www.insurance.utah.gov/insurers/ProfessionalEmployerOrganization.html.
- (d) PROFESSIONAL EMPLOYER ORGANIZATION GROUP.
- (i) Comply with the requirements in Section 31A-4-306.
 - (ii) Complete the appropriate Professional Employer Organization license application:
 - (A) Professional Employer Organization - Not Certified Through An Assurance Organization;
 - (B) Professional Employer Organization - Certified Through An Assurance Organization; or
 - (C) Professional Employer Organization - Small Operation License.

KEY: professional employer organization licensing

Date of Enactment or Last Substantive Amendment: [~~September 11,~~ 2011
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31A-40-103; 31A-40-302; 31A-40-304