



## State of Utah

SPENCER J. COX  
Governor

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Lieutenant Governor

## Insurance Department

JONATHAN T. PIKE  
Insurance Commissioner

# BULLETIN 2022-5

To: Producers and Adjusters Holding Utah Insurance Department Licenses  
From: Jonathan T. Pike, Insurance Commissioner  
Date: September 15, 2022  
Subject: **Required Appointments and Designations**

The Utah Insurance Department regularly learns that insurers, agency producers, individual producers, and adjusters have failed to inform the commissioner of their insurance business affiliations. Those omissions hamper insurance regulation and can result in forfeitures. Please remember to review and comply with the following appointment and designation requirements:

### Insurer

- An insurer shall appoint an individual or agency with whom it has a contract as an insurance producer, limited line producer, or managing general agent to act on the insurer's behalf in order for the licensee to do business for the insurer in this state. Utah Code § 31A-23a-115(1)(a); Utah Admin. Code R590-244-11.
- An insurer is required to report a new appointment or the termination of an appointment. Utah Code § 31A-23a-115(1).

### Agency Producer

- An agency producer is required to designate a licensed individual who will sell, solicit, or negotiate insurance on an agency producer's behalf. Utah Code § 31A-23a-302(1); Utah Admin. Code R590-244-12.
- An agency producer is required to report "the name of the designated responsible licensed individual who has authority to act on behalf of the agency in the matters pertaining to compliance with this title and orders of the commissioner." Utah Code § 31A-23a-302(6).
- To sell, solicit, or negotiate insurance on an insurer's behalf, an agency producer with a reinstated license must first be reappointed by the insurer. Utah Admin. Code R590-244-5.
- An agency producer with a reinstated license must re-designate a licensed individual who will sell, solicit, or negotiate insurance on the agency's behalf. Utah Admin. Code R590-244-5.

- An agency producer with a reinstated license must re-designate the designated responsible licensed individual with authority to act on the agency's behalf concerning regulatory compliance. Utah Admin. Code R590-244-5.

#### Individual Producer

- To sell, solicit, or negotiate insurance, an individual producer must have an appointment from an insurer or a designation from an agency. Utah Code § 31A-23a-302(1).
- To sell, solicit, or negotiate insurance on an agency's or insurer's behalf, an individual producer with a reinstated license must be re-designated by the agency or reappointed by the insurer after reinstatement. Utah Admin. Code R590-244-5.

#### Adjuster

- An organization licensed as an adjuster shall designate "an individual who has an individual adjuster license [and is authorized] to act on the organization's behalf[.]" Utah Code § 31A-26-210(1).
- An organization licensed as an adjuster must designate "the name of the designated responsible licensed individual who has authority to act on behalf of the organization in all matters pertaining to compliance with this title and orders of the commissioner." Utah Code § 31A-26-210(6).
- To do insurance adjusting on an organization's behalf, an individual licensed as an adjuster must be designated by the organization. Utah Code § 31A-26-210(1).
- To do insurance adjusting, an organization with a reinstated adjuster license must re-designate the designated responsible licensed individual who has authority to act on behalf of the organization concerning regulatory compliance. Utah Code § 31A-26-210(6).

For more information, please review Bulletin 2012-3, which is on the Department's website at <https://insurance.utah.gov/wp-content/uploads/2012-3Signed.pdf>.

If you have questions, please contact the Department.

DATED this 15th day of September 2022.



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Jonathan T. Pike  
Insurance Commissioner