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OAHU Members: This past week the Ohio Department of Insurance issued the following two Bulletins which are attached. Both Bulletins were effective April 15, 2020.

Bulletin 2020-08 - ODI Superintendent Jillian Froment has determined that it is in the public interest to **issue temporary resident agent licenses during Ohio's Stay at Home Order** which was issued by the Director of the Ohio Department of Health. Temporary licenses will only be issued to major lines resident agent license applicants without requiring examination or criminal background checks. This process will remain in effect until the end of the Director of Health's Stay at Home Order that has been extended until May 1, 2020. The Bulletin also applies to any further extension of the Director of Health's Stay at Home Order that may occur.

Bulletin 2020-09 – The Bulletin is being issued in accordance with Ohio Revised Code Section 3905.09(A)(4). The Bulletin provides a 30-day extension for insurers to meet numerous filing deadlines. Attachment A to the Bulletin lists all the filings that are eligible for the 30-day extension.

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BULLETIN 2020-08

TEMPORARY LICENSES DURING STATE OF EMERGENCY

Effective April 15, 2020

The purpose of this Bulletin is to notify the insurance industry, including applicants, agents, and insurers, that the Superintendent has determined that it is in the public interest to issue temporary resident agent licenses during the Stay at Home Order issued by the Director of the Ohio Department of Health. This Bulletin will establish the process to apply for, and the criteria for issuance of, a temporary resident agent license.

On March 9, 2020, Governor Mike DeWine declared a state of emergency in Ohio to protect the well-being of Ohioans from the dangerous effects of COVID-19, and directed state agencies to develop and implement procedures consistent with recommendations from the Department of Health designed to prevent or alleviate the public health threat. (See Executive Order 2020-01D.)

To slow the spread of COVID-19 and increase social distancing, the Director of the Ohio Department of Health ("Health Director") issued a Public Health Order on March 22, 2020, that required all individuals currently living in Ohio to stay at home from March 23 to April 6 (except as allowed in certain circumstances, such as for essential activities, essential governmental functions, or to participate in essential businesses and operations). On April 2, 2020, the Health Director modified the March 22 order to extend the stay at home requirement until May 1, 2020. (Throughout the remainder of this Bulletin "Stay at Home Order" refers to both the March 22, 2020 and April 2, 2020 orders, as well as any subsequent similar order issued by the Health Director.)

The Superintendent recognizes the general requirement to stay at home and the limited availability of examination locations during the Stay at Home Order has created a barrier for otherwise eligible individuals to obtain a resident agent license. Therefore, having determined the public interest will be best served by issuing licenses to individuals who meet certain criteria, and in accordance with R.C. 3905.09(A)(4), the Superintendent will issue temporary major line resident agent licenses ("temporary licenses") to qualifying individuals.

Issuance of Temporary Licenses

Effective immediately and continuing until the end of the Stay at Home Order and only under the following conditions, temporary licenses will be issued to major line resident agent license applicants without requiring examination or criminal records checks:

1. The individual requesting the temporary license has submitted a major line resident agent license application using the National Insurance Producer Registration (NIPR) website at <https://nipr.com/> and paid the appropriate fee upon submission.
2. The individual requesting the temporary license is not eligible for a non-resident license in another state.
3. The individual requesting the temporary license meets all other requirements for licensure. The Superintendent will not issue a temporary license if the individual has previously failed an Ohio insurance licensing examination or been denied a major line resident agent license by the State of Ohio due to the results of a criminal records check in a prior application.
4. The individual requesting the temporary license must be sponsored by an insurer. The insurer sponsor:
 - a. Must complete and submit the "Insurer Sponsor Acknowledgement" to the Ohio Department of Insurance.
 - b. Assumes responsibility for all acts and omissions of the temporary license holder.
 - c. Must maintain a record of all sponsored temporary license holders and the business transacted by each.
 - d. Must assure each temporary license holder is employed by an agency, broker or insurer and is directly and properly supervised by a licensed agent in good standing with the State of Ohio, or where applicable, a registered principal licensed by the Financial Industry Regulatory Authority (FINRA).
 - e. Must notify the Ohio Department of Insurance in writing if the sponsored temporary license holder is no longer employed or under the direct supervision of the insurer sponsor, and shall disclose all details as to circumstances causing termination.
 - f. Must ensure that the scope of the temporary license holder's duties do not exceed the authority granted under the temporary license.
 - g. Should assist temporary license holders in their efforts to obtain a (non-temporary) resident agent license by helping them through examination and criminal background check processes, particularly after the Stay at Home Order restrictions have been lifted.
 - h. Will be deemed to have appointed the temporary license holder and the appointment will be for the duration of the temporary license.
5. A temporary license expires when the temporary license holder has been issued or denied a major line resident agent license in accordance with R.C. 3905.06 and OAC 3901-5-09, or 60 calendar days after the expiration or termination of the Stay at Home Order, whichever comes first. In no event shall a temporary license be in effect for longer than 180 days.
6. The temporary license is only intended to provide relief during the Stay at Home Order and

does not guarantee the issuance of a major line resident agent license. The temporary license holder must successfully complete the examination and submit the required criminal record check prior to expiration of the temporary license in order to make application for a (nontemporary) resident agent license.

7. The temporary license may be rescinded if the Superintendent determines that the interests of insureds or the public are endangered. Requesting and Issuing a Temporary License

In order to be issued a temporary license, an individual must first submit a major line resident agent license application using the NIPR website at www.nipr.com and pay the appropriate fee upon submission. After receiving confirmation of the submission of the application from NIPR, the applicant must submit a written request for a temporary license to the Ohio Department of Insurance by email at licensing@insurance.ohio.gov. The written request must include the transaction number and the National Producer Number received from NIPR. The applicant shall also ensure that his/her sponsor has submitted a completed "Insurer Sponsor Agreement" to the Ohio Department of Insurance by email at licensing@insurance.ohio.gov.

A temporary license will only be issued after the Superintendent is satisfied that the applicant: has submitted a complete application, including an "Insurer Sponsor Acknowledgement" completed by a qualified sponsor; and meets all of the temporary license conditions.

Nothing in this Bulletin should be construed as prohibiting a temporary license holder from completing either the examination or criminal records check prior to the expiration of the temporary license. Temporary license holders are encouraged to do so, so long as completion can be done safely and consistent with any Stay at Home Order.

This Bulletin expires upon the expiration of the state of emergency declared by Governor DeWine on March 9, 2020.

Superintendent of Insurance

Jillian Froment Director



Department
of Insurance

Mike DeWine, Governor

Jon Husted, Lt. Governor

Jillian Froment, Director

BULLETIN 2020-09

**EXTENSION OF FINANCIAL FILING DEADLINES AND PROCEDURAL
REQUIREMENTS AS A RESULT OF COVID-19
RECOMMENDATIONS AND ORDERS**

Effective April 15, 2020

On March 9, 2020, Governor Mike DeWine signed Executive Order 2020-01D, declaring a state of emergency in Ohio to protect the well-being of Ohioans from the dangerous effects of COVID19. In part, the Executive Order directs that “[s]tate agencies shall develop and implement procedures, including suspending or adopting temporary rules within an agency’s authority, consistent with recommendations from the Department of Health designed to prevent or alleviate this public health threat.”

Following Governor DeWine’s Executive Order, the Governor and Ohio Department of Health Director Dr. Amy Acton have issued other recommendations and orders helping protect Ohioans from the spread of COVID-19. These include a recommendation for employers to permit employees to work from home, whenever possible, as well as an order prohibiting mass gatherings in the State of Ohio.

As a result of these necessary actions to keep Ohioans safe, the Superintendent of the Ohio Department of Insurance (“Superintendent”) is aware that, in some cases, compliance with certain financial filing deadlines and procedural insurance requirements may not be possible. The purpose of this Bulletin is to provide individuals, companies, and other entities licensed pursuant to the laws of this state relating to insurance with flexibility during this time.

Timing Modifications Individuals, companies, and other entities licensed pursuant to laws of this state relating to insurance are hereby notified that the Superintendent may, upon written request, modify the effect of legal or procedural requirements related to financial filings, including, but not limited to, deadlines, due dates, times of default, time expirations, periods of time, or other acts or events set forth in the laws of this state relating to insurance; the “laws of this state relating to insurance” has the same meaning as in section 3901.04 of the Revised Code, and includes any associated administrative rules and Department bulletins.

At this time, companies shall continue to submit all required financial filings, including filings with the National Association of Insurance Commissioners (“NAIC”) and the Department. However, the Department is willing to allow companies an additional 30 days to complete most of the financial filings identified in “Attachment A” of this Order (and 60 days for some), but must

receive a written request for late filing from your company, and reserves the right to reject any such individual company requests based upon the financial condition and unique circumstances of that company deemed applicable to that company. If your company believes that it will not be able to meet any of the financial filing deadlines identified in "Attachment A" of this Order required by law or by order, please contact the Office of Risk Assessment and submit your request for extension of the filing deadline. The filings identified in "Attachment A" of this Order may be updated or revised as necessary, at the Superintendent's discretion.

Electronic Filings Requirements to submit information in physical form, including any mailing, wet signature, or notary requirement, are hereby suspended. Companies must maintain a record of all filings made electronically in lieu of physical information filings. Within 60 days after the expiration of this Order, all required physical information withheld pursuant to this Order shall be submitted to the Department.

On-Site Examinations On-site meetings for the purposes of conducting examinations are hereby suspended. The Department will continue to conduct such examinations by electronic means.

This Bulletin expires upon the expiration of the state of emergency declared by Governor DeWine on March 9, 2020.

Superintendent of Insurance

Jillian Froment Director

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