

Chapter 2 Licensing Requirements

Definitions

As used here, “**adjuster**” means a public adjuster as defined in s. 626.854, a public adjuster apprentice as defined in s. 626.8541, or an all-lines adjuster as defined in s. 626.8548. In 2018, the public adjuster apprentice license was eliminated. However, the definition remains as follows:

626.8541 states: (1) A Public adjuster apprentice is any person who is not a licensed public adjuster, who is employed by or has a contract with a licensed and appointed public adjuster in good standing with the department or a public adjusting firm that employs at least one licensed and appointed public adjuster in good standing with the department to assist a public adjuster in conducting business under the license and who satisfies the requirements of s. 626.8651.

Having eliminated the apprentice position under adjusters, effective January 1, 2018, the public adjuster apprentice license (T31-20) no longer exists. Individuals seeking to become apprentices under a licensed public adjuster are now licensed as an all lines adjuster (6-20) and appointed as a public adjuster apprentice. Public adjuster apprentices are now required to be licensed and appointed for a minimum of six months before they are eligible to apply for a public adjuster license as a 3-20, which is a change from the previous requirement of a one-year apprenticeship.

As of 2018, anyone wishing to become a public adjuster apprentice must apply for an all lines adjuster license, and file an original \$50,000 bond with the Department and then obtain a public adjuster apprentice appointment (31-20). A public adjuster apprentice appointment may not be effectuated for the all lines adjuster license unless there is an active bond associated with the license. The appointment will be cancelled if the licensee fails to maintain an active bond for more than 30 days.

Public adjuster apprentice licenses were automatically converted to all lines adjuster licenses in January of 2018. At the same time, appointments were converted to the new public adjuster apprentice appointment type, 31-20. These appointments were valid from the date of appointment, plus two years forward to the last day of the licensee’s birth month. Subsequent renewals are due every two years.

Florida posted the following:

RESIDENT PUBLIC ADJUSTER APPRENTICE APPOINTMENT

This license is no longer available. The Public Adjuster Apprentice is now offered as an appointment under a 6-20 All Lines Adjuster license.

TYPE AND CLASS:

31-20 Public Adjuster Apprentice

“Public Adjuster Apprentice” defined:

A person who is licensed as an all-lines adjuster, who is appointed and employed by, or has a contract with, a licensed and appointed public adjuster in good standing with the department or a public adjusting firm that employs at least one licensed and appointed public adjuster in good standing with the department to assist in ascertaining and determining the amount of any claim, loss, or damage payable under an insurance contract, or who undertakes to effect settlement of such claim, loss, or damage.

STEPS TO OBTAIN A 31-20 PUBLIC ADJUSTER APPRENTICE APPOINTMENT:

Step 1 – Hold a Resident 6-20 All-Lines Adjuster license.

Please view the license qualifications and steps to obtain a 6-20 All Lines Adjuster license for more information on obtaining this license.

Step 2 – Must have the following prerequisite:

File an original fifty thousand-dollar (\$50,000) surety bond, using the bond form provided by the Department.

Mail the original bond to:

Department of Financial Services
Bureau of Licensing, Room 419
200 East Gaines Street
Tallahassee, FL 32399-0319

Step 3 – Obtain Appointment:

Have the Supervising Public Adjuster or Public Adjusting Firm submit a 31-20 Public Adjuster Apprenticeship appointment in eAppoint.

Public Adjusting Firms will log in directly to eAppoint to submit the appointment.

Supervising Public Adjusters can access eAppoint by logging into their MyProfile account.

Special Note:

A person cannot hold more than one adjuster appointment at a time.

A supervising public adjuster may not be responsible for more than one public adjuster apprenticeship simultaneously and shall be accountable for the acts of the public adjuster apprenticeship which are related to transacting business as a public adjuster apprenticeship. Also, a public adjusting firm may not maintain more than four public adjuster apprenticeships simultaneously.

A public adjuster apprenticeship has the same authority as the licensed public adjuster or public adjusting firm that employs the apprenticeship, except an apprenticeship may not execute contracts for the services of a public adjuster or public adjusting firm.

Related Florida Statutes: 626.8541, 626.8651, 626.876(2)

These changes are not the first to take place in the adjuster field. In 2012, new Florida law brought about changes to public adjuster licensing requirements and laws. Some provisions became effective in 2012 but others did not become effective until 2014.

Major changes included the consolidation of laws relating to examination and continuing education of all licensees of DFS and merging various types of licenses for agents and adjusters. This reduced the types of licenses that were available. This new law consolidated licenses into one license, the all-lines public adjuster license. Resident and non-resident public adjusters holding one of the limited lines licenses, remained licensed as such and the license could be renewed but Florida did not issue any new limited lines licenses after October of 2012. In 2018, no more public adjuster apprenticeship licenses will be issued, so that is one more license type that has been eliminated.

Florida removed the requirement that public adjusters and public adjuster apprentices must be Florida residents. Although non-resident people may apply for public adjuster licenses, that is no longer available for apprentices, since public adjuster apprenticeship positions are no longer available in the state of Florida.

Florida's statutes have not necessarily changed to reflect the removal of public adjuster apprenticeship designations. For example, the definition of public adjuster apprenticeship remains unchanged at this time. People in the middle of their apprenticeship when the new law took effect were able to apply for their public adjuster license once they had been actively licensed and continuously appointed for at least the previous six months.

The revised 2018 law also changed the number of apprentices who could be supervised by an individual adjuster or firm. As of 2018, the appointing public adjusting firm could not employ more than four public adjuster apprentices and a supervising public adjuster could not be responsible for more than one public adjuster apprenticeship. Each supervising public adjuster is accountable for the acts of their public adjuster apprenticeship. This relates to transacting business as a public adjuster apprenticeship.

Previously, two qualifications for resident public adjusters included:

1. Applicants had to first be licensed as a public adjuster apprenticeship and be compliant with the apprenticeship licensing requirements during this apprenticeship.

2. Secondly, resident company adjusters or independent adjusters that had been licensed and employed in Florida for a year qualified for a public adjuster license. Today, public adjuster apprentices are required to be licensed and appointed for a minimum of six months before they become eligible for a public adjuster 3-20 license.

A public adjuster not living in Florida and licensed in his or her resident state (meaning other than Florida) for one continuous year may qualify for a Florida nonresident public adjuster license. This previously required three years of continuous licensing to qualify in Florida. The continuous year requirement must be the year prior to the public adjuster's application for licensing in Florida. Insurance agents, brokers, or other insurance representatives licensed in another state do not qualify for public adjuster licensure.

If the nonresident state does not license public adjusters, as Florida does, then the company adjuster or independent adjuster may still qualify as long as he or she was licensed continually for one year immediately before applying.

Previously, public adjusting firms adjusting claims primarily for certain commercial entities could have more than 12 apprentices working for the firm under a public adjuster and a public adjuster working for these firms could supervise more than three apprentices simultaneously. This was a change from the previous requirement that said no more than 12 public adjuster apprentices could work under a public adjuster at one time and a public adjuster could not previously supervise more than three apprentices simultaneously.

Under the revised 2018 requirements, the number of apprentices who can be supervised by an individual adjuster or firm is limited to four apprentices. No longer may a dozen or more apprentices be under one individual adjuster or firm. A supervising public adjuster may not be personally responsible for more than one public adjuster apprentice.

There were probably some firms that became out of compliance as soon as 2018 arrived, but Florida recognized this possibility. Florida's Insurance Insights publication (volume 6, No. 10-October 2017) recommended supervising public adjusters or adjusting firms contact the Department at adjusters@myfloridacfo.com so the state could help public adjusters and firms determine the best course of action for them to once again become compliant.

Elimination of Policyholder Signature

Under an earlier law, public adjusting firms adjusting claims primarily for certain commercial entities could submit an affidavit containing specified information about the public adjuster, the policyholder, the claim and the public adjuster's compensation to the insurer instead of the public adjuster's contract, as previously required. The affidavit must be signed by the public adjuster or their apprentice, but the policyholder is no longer required to sign the affidavit.

All public adjusters must be appointed after they are licensed. Public adjusters are either appointed by a public adjusting firm or the individuals appoint themselves as an "independent" public adjuster. Either way, there must be an appointment. An appointment gives the licensed public adjuster the authority to adjust claims on behalf of the appointing firm or an independent adjuster.

Under Florida law, adjusters are licensed as an all-lines adjuster and appointed as public adjusting firms or independent public adjusters. Prior to 2012, public adjusters were both licensed and appointed as either company or independent adjusters.

DFS may refuse, deny, suspend, or revoke the license of a public adjusting firm if anyone involved in the operation of the firm violates an order or rule of the Office of Insurance Regulations, the Financial Services Commission, or the Department of Financial Services. Public adjusters licensed and in good standing in another state may transfer their public adjuster license to a Florida all-lines public adjuster license. Prior to 2012, only resident agents could transfer their license to a Florida all-lines adjuster. This change allowed license transfers for both agents and adjusters.

Completing a license examination is restricted to no more than five times within a 12-month time period.

Licensure of Emergency Adjusters

There are Department policies and procedures for licensure of emergency adjusters during emergency situations. Each emergency is unique and the terms, conditions, and other provisions of emergency licensure for particular emergencies must often be tailored by emergency rule to the scope and nature of the particular situation. This rule essentially defines default licensure provisions that are effective for emergency adjuster licensure unless and to the extent the Department issues emergency rules modifying, supplementing, or replacing this rule. Where not expressly modified or replaced by emergency rule regarding a particular emergency, the provisions of this rule apply.

Definitions

Definitions always play an important role since they assist in determining the meaning of laws. For our purposes under this rule, the following definitions apply:

“Department” means the Department of Financial Services.

“Licensed adjuster” means individuals currently licensed in good standing by the Department as a company employee adjuster or independent adjuster, whether the licensure is permanent resident licensure, permanent nonresident licensure or emergency licensure pursuant to this rule, and whether limited licensure or unlimited licensure. The term does not include persons licensed as public adjusters or public adjuster apprentices by the Department or persons licensed as any type of adjuster or public adjuster by states other than the State of Florida.

“Emergency” and “Catastrophe” are synonymous terms, and no separate treatment is afforded catastrophe over emergency adjusters.

“Emergency adjuster” means a person who is not a licensed adjuster with the Department but who has been designated and certified to the Department by an insurer, an independent resident adjuster, or a licensed general lines agent as qualified to adjust claims, losses, or damages under policies or contracts of insurance issued by such insurer in the event of a catastrophe or emergency.

General Provisions Applicable to All Emergency Adjusters

Determination that an Emergency Exists

An emergency or catastrophe exists when, due to a specific, infrequent and sudden natural or man-made disaster or phenomenon, that has already occurred or is imminent, there are losses or anticipated losses to insured Florida property and the losses are, or likely will be, so numerous and severe that resolution of claims related to it may not occur expeditiously without the licensing of emergency adjusters.

When the Department determines that an emergency or catastrophe exists or is likely to occur, it will make available on its website the online emergency adjuster license application. Online applications for emergency adjuster licensure must be accompanied by a statement from an insurer, an independent adjusting firm, a licensed independent resident adjuster, or a licensed general lines agent certifying that the emergency adjuster applicant is qualified to act as an adjuster.

Procedures for Licensing and Appointment of Emergency Adjusters;

Responsibilities of Appointing Entity

All Florida-licensed insurers, independent adjusting firms, independent adjusters, and general lines agents must use the following procedures when utilizing emergency adjusters. These individuals or entities (without advance paperwork to this Department) may immediately begin

catastrophe adjusting work for themselves using any persons, whether on their staff or hired by them as independent contractors or as employees of a contractor. If an individual is not currently licensed as an adjuster in Florida, they may still be employed by a Florida-licensed insurer, independent adjusting firm, independent adjuster or general lines agent as emergency adjusters as long as they are qualified to do adjusting work and are provided with proof of authority to represent the insurer. These persons must present their proof of authority and a photo ID upon demand by the insured or the insured's representative. A person is not qualified to adjust claims for any entity or person who utilizes computer software programs in the adjusting process, unless the person has received training in and is capable of correctly utilizing the programs. Within 7 calendar days after adjusting work has begun, the appropriate official must electronically complete and submit to the Department the Emergency Adjuster Application, Form DFS-H2-495. All applications must be submitted through the Department's website at: 69BGwww.myfloridacfo.com/Agents.

Applicable fees must be submitted by electronic payment at the time of submission of an online application.

The insurance company, independent adjusting firm, independent adjuster or general lines agent who submits the online application certifies that the emergency adjuster applicant is qualified, thereby appointing the emergency adjuster applicant to represent them. The appointing person or entity is bound by the acts of the emergency adjuster applicant as in the case of any regular (non-temporary or non-catastrophic) adjuster. This responsibility continues until the appointing entity, appointing person or emergency adjuster licensee notifies the Department through the online appointment system, or the emergency adjuster licensee notifies the Department through the online application process, that he or she desires to terminate the appointment.

The insurance company, independent adjusting firm, independent adjuster or general lines agent who certifies to the Department that the emergency adjuster applicant is qualified, is responsible for assuring, by due diligence inquiry, that the emergency adjuster applicant is in fact qualified to adjust claims, has received training in and is capable of correctly utilizing any computer software programs utilized by the appointing entity or person to adjust claims, and is of good and honest character. The company or general lines agent certifying that the emergency adjuster applicant is qualified has a duty to provide continuing and significant supervision of the emergency adjuster.

Emergency adjuster licenses are valid for 180 days from the date of issuance unless a shorter period of time is specified in the license when issued. Because emergency licensure is an extraordinary deviation from regular licensing procedures, it is Department policy to specify the shortest possible licensing period in each emergency.

Procedures for Extension of an Emergency Adjuster License

The Department will grant an extension of an emergency adjuster license if it determines emergency conditions warrant it. Each extension will last for a period of up to an additional 180 days. To apply for an extension of licensure the entity requesting it must electronically complete and submit the Emergency Adjuster Extension Application, Form DFS-H2-2022 to the Department. All extension applications must be submitted through the Florida Department's website at www.myfloridacfo.com/Agents. Any applicable fees will apply. Only the license type and class held at the time of extension application will be extended.

The provisions of Section 626.872 regarding temporary licenses are not applicable when issuing a license temporarily for catastrophe or emergency situations. Licensure as an emergency adjuster may be used only for loss adjustment directly resulting from the emergency for which the license was issued. The Department issues emergency adjuster licenses only to natural persons.

By obtaining a license as an emergency adjuster, the licensee agrees that he or she is subject to all disciplinary provisions and penalties of the Florida Insurance Code and the administrative procedures set forth in the Florida Statutes for the routine processing of such charges. The licensee is subject to the jurisdiction of the courts of Florida concerning civil liability for all acts in

any way related to the licensee's activities under licensure in Florida. Jurisdiction for acts committed prior to or during licensing continues after the emergency licensure expires or is terminated. If after the license expires or terminates, the Department has reason to believe there was a violation of any provision of the Florida Insurance Code or Chapter 69B, F.A.C. by the former licensee while licensed, the Department has the right to file administrative action against the individual.

By the act of obtaining licensure as an emergency adjuster, the nonresident licensee irrevocably designates the Chief Financial Officer, and his or her successors in office, as the licensee's attorney to receive service of all process in any way related to the licensee's activities as an emergency adjuster.

Communications Concerning Public Adjuster Services

The solicitation of public adjusting business for compensation is deemed to be a material part of the business and, therefore, requires licensure as a public adjuster. Unlicensed persons may not engage in such activity even under the supervision of a licensed public adjuster. The phrase "solicitation of public adjusting business" and similar phrases means initiating contact with the intent of compensation with any person, whether in person, by mail, telephone, or otherwise, and therein seeking, causing, urging, advising, or attempting to have any person enter into an agreement engaging the services of a public adjuster in any capacity or to have any person subsequently speak or meet with a licensed public adjuster for the purpose of engaging their services in any capacity or for the purpose of being advised by a public adjuster in any regard.

Answering incoming telephone calls by unlicensed persons, at the place of business of a public adjuster, does not violate this rule as long as unlicensed persons engage in purely administrative matters and not in judgments or interpretations with regard to any insurance contract, claim, or potential claim.

Required Contract Terms

Public adjusters must ensure that all contracts for their adjusting services contain the terms required and the following information:

1. The insured's telephone number if available;
2. The address of loss if it is different from the insured's current street address;
3. A brief description of the loss;
4. The insured's insurance company name and policy number if available;
5. All methods of compensation and all fees or other amounts required to be paid by the insured to the public adjuster must be stated in the contract; and
6. Any costs to be reimbursed to the public adjuster out of the proceeds must be specified in either the contract or an addendum to the contract, which must be signed and dated by the parties.

The contract must be signed by the public adjuster that solicited it. A copy of the contract and any addendums, signed by all parties, must be provided to the insured or claimant at the time he or she signs it. A public adjuster may not accept a settlement of a claim unless the terms and conditions of the settlement are approved by the insured or claimant.

Application for Licensure

When applying for a license, certain information is required. The applicant must provide his or her full name, age, social security number, residence address, business address, mailing address, contact telephone numbers, business telephone number if applicable, and e-mail address. A statement should be included indicating the method the applicant used or is currently using to meet any required pre-licensing education, knowledge, experience, or instructional requirements

for the type of license being applied for. Additionally, the applicant must state whether he or she has been refused or has voluntarily surrendered or had a license suspended or revoked to solicit insurance by the Florida Department or by the supervising officials of any state.

Any additional information that the Florida department may deem necessary to enable it to determine the character, experience, ability, or other qualifications of the applicant must be provided. The application must contain a statement that it is not required to disclose his or her race, ethnicity, gender, or native language. The lack of this information will not cause the applicant to be penalized; when provided the department will use the information exclusively for research and statistical purposes and to improve the quality and fairness of the examinations.

Non-resident Public Adjuster's Qualifications and Bond

The department will issue a license to an applicant for a nonresident public adjuster's license upon determining that he or she has paid the applicable license fees and is a natural person at least 18 years of age. The applicant must have passed a written Florida public adjuster's examination applicable to the application that was filed.

The individual must be self-employed as a public adjuster or associated with or employed by a public adjusting firm or other public adjuster. Applicants licensed as nonresident public adjusters must be correctly appointed and all appointment fees paid to the department in advance. The appointment of a nonresident public adjuster continues in force until suspended, revoked, or otherwise terminated, but it is subject to biennial renewal or continuation by the licensee.

The individual must be trustworthy and have a business reputation that would reasonably assure that he or she will conduct his or her business as a nonresident public adjuster fairly and in good faith, without detriment to the public. Individuals would have been licensed and employed as a public adjuster in their home state of residence on a continual basis for the past year, or, if the applicant's state of residence does not issue licenses to individuals who act as public adjusters, the applicant has been licensed and employed by a resident insurance company or independent adjuster in their home state of residence (or any other state) on a continual basis for the past year.

The applicant must furnish the following with their application:

1. A complete set of fingerprints must be submitted. The applicant's fingerprints must be certified by an authorized law enforcement officer. The department may not authorize an applicant to take the required examination or issue a nonresident public adjuster's license to the applicant until the department has received a report from the Florida Department of Law Enforcement and the Federal Bureau of Investigation relative to the existence or nonexistence of a criminal history report based on the applicant's fingerprints.
2. If currently licensed as a resident public adjuster in the applicant's state of residence, a certificate or letter of authorization from the licensing authority of the applicant's state of residence, stating that the applicant holds a current or comparable license to act as a public adjuster and has held the license continuously for the past year. The certificate or letter of authorization must be signed by the insurance commissioner or his or her deputy or the appropriate licensing official and must disclose whether the adjuster has ever had any license or eligibility to hold any license declined, denied, suspended, revoked, or placed on probation or whether an administrative fine or penalty has been levied against the adjuster and, if so, the reason for the action.
3. If the applicant's state of residence does not require licensure as a public adjuster and the applicant has been licensed as a resident insurance adjuster in his or her state of residence or any other state, a certificate or letter of authorization from the licensing authority stating that the applicant holds or has held a license to act as such an insurance adjuster and has held the license continuously for the past year. The certificate or letter of authorization must be signed by the insurance commissioner or his or her deputy or the appropriate licensing official and must disclose whether or not the adjuster has ever had

any license or eligibility to hold any license declined, denied, suspended, revoked, or placed on probation or whether an administrative fine or penalty has been levied against the adjuster and, if so, the reason for the action.

At the time of license application as a nonresident public adjuster, a \$50,000 bond must be filed with the department that was issued by a surety insurer authorized to transact surety business in Florida, conditioned on the faithful performance of duties as a nonresident public adjuster under the license applied for. The bond must be in favor of the department and must specifically authorize recovery by the department of the damages sustained if the licensee commits fraud or unfair practices in connection with his or her business as nonresident public adjuster. The aggregate liability of the surety for all the damages may not exceed the amount of the bond. The bond may not be terminated unless at least 30 days' written notice is given to the licensee and filed with the department.

The usual and customary records pertaining to transactions under the license of a nonresident public adjuster must be retained for at least three years after completion of the adjustment and must be made available in Florida to the department upon request. The failure of a nonresident public adjuster to properly maintain records and make them available to the department constitutes grounds for the immediate suspension of the license.

After licensure as a nonresident public adjuster, as a condition of doing business in Florida, the licensee must annually file an affidavit by January 1, certifying that the licensee is familiar with and understands Florida's insurance code and rules and the provisions of the contracts negotiated. Compliance with this filing requirement is a condition precedent to the issuance, continuation, reinstatement, or renewal of a nonresident public adjuster's appointment.

If available, the department will verify the nonresident applicant's licensing status through the producer database maintained by the National Association of Insurance Commissioners (NAIC) or its affiliates or subsidiaries.

Public Adjuster's Qualifications and Bond

The department will issue a license to an applicant for a public adjuster's license when it is determined that he or she has paid all applicable fees and has the following qualifications:

1. The individual is a natural person who is at least 18 years old.
2. The individual is a United States citizen or a legal alien possessing a work authorization from the US Bureau of Citizenship and Immigration Services.
3. The person must be trustworthy and have a business reputation that would reasonably assure the applicant will conduct his or her business as an insurance adjuster fairly and in good faith without detriment to the public.
4. The person has had sufficient experience, training, or instruction concerning the adjusting of damages and losses under insurance contracts (other than life and annuity contracts) and is sufficiently informed regarding the terms and effects of the provisions of the types of insurance contracts his or her services relate to. He or she may also qualify on the basis of having been licensed and employed as a resident insurance company adjuster or independent adjuster in Florida on a continual basis for at least one year.
5. The individual is licensed as a public adjuster apprentice and has complied with the requirements of that license throughout the licensure period.

At the time of application for license as a public adjuster the individual must file for a bond that is executed and issued by a surety insurer authorized to transact this type of business in Florida for \$50,000, conditioned for the faithful performance of his or her duties under the license. The bond must be maintained unimpaired throughout the existence of the license and for an additional year following license termination. The bond will be in favor of the department and specifically

authorize recovery by the department for damages sustained in case the licensee is found guilty of fraud or unfair practices in connection with his or her business as a public adjuster. The aggregate liability of the surety insurer for all damages will not exceed the amount of the bond. The bond cannot be terminated unless there is at least 30 days' written notice given to the licensee and filed with the department.

Florida will not issue a public adjuster license unless the applicant has passed the required examination. Following a suspension, the individual applying for a license reinstatement and anyone applying for a new license after termination, cancellation, revocation, or expiration of a prior license as a public adjuster must pass the required examination after approval of their application for reinstatement or for a new license regardless of whether the individual previously passed the examination prior to loss or lapse of their previous license.

Public Adjuster Apprentice Appointment

Even though apprentices were eliminated, there is still law on the books regarding them. 626.8651 reads: The insurance department will issue an appointment as a public adjuster apprentice to a licensee who:

1. Is licensed as an all-lines adjuster under s. 626.866;
2. Has filed with the department a bond executed and issued by a surety insurer that is authorized to transact such business in this state in the amount of \$50,000, which is conditioned upon the faithful performance of his or her duties as a public adjuster apprentice; and
3. Maintains this bond unimpaired throughout the existence of the appointment and for at least one year after termination of the appointment.

The bond must be in favor of the department and must specifically authorize recovery by the department of the damages sustained in case the licensee commits fraud or unfair practices in connection with his or her business as a public adjuster apprentice. The aggregate liability of the surety for all such damages may not exceed the amount of the bond, and the bond may not be terminated by the issuing insurer unless written notice of at least 30 days is given to the licensee and filed with the department.

An appointing public adjusting firm may not maintain more than four public adjuster apprentices simultaneously. However, a supervising public adjuster may not be responsible for more than one public adjuster apprentice simultaneously and shall be accountable for the acts of the public adjuster apprentice which are related to transacting business as a public adjuster apprentice. This subsection does not apply to a public adjusting firm that adjusts claims primarily for commercial entities with operations in more than one state and that does not directly or indirectly perform adjusting services for insurers or individual homeowners.

A public adjuster apprentice has the same authority as the licensed public adjuster or public adjusting firm that employs the apprentice except that an apprentice may not execute contracts for the services of a public adjuster or public adjusting firm. An individual may not be, act as, or hold himself or herself out to be a public adjuster apprentice unless the individual is licensed as an all-lines adjuster and holds a current appointment by a licensed public all-lines adjuster or a public adjusting firm that employs a licensed public adjuster.

Employee Adjuster or Independent Adjuster

Individuals holding a license as a company *employee adjuster* or *independent adjuster* for 24 consecutive months or longer, beginning with his or her birth month and every two years thereafter, must complete 24 hours of certified continuing education courses, five of them in law and ethics. The course subjects must be designed to inform the licensee regarding current insurance laws of this state, to enable him or her to engage in business as an insurance adjuster

fairly and without injury to the public and to adjust all claims in accordance with the policy or contract and within the laws of Florida.

Public Adjuster

An individual holding a license as a *public adjuster* for 24 consecutive months or longer, beginning with his or her birth month and every two years thereafter, must complete 24 hours of certified continuing education courses; 5 law-and-ethics (this course in other words) plus 19 elective hours. The course subjects must be designed to inform the licensee regarding Florida's current laws pertaining to all lines of insurance other than life and annuities, the current laws of this state pertaining to the duties and responsibilities of public adjusters, and the current rules of the department applicable to public adjusters and standard or representative policy forms used by insurers, other than forms for life insurance and annuities, so as to enable him or her to engage in business as an adjuster fairly and without injury to the public and to adjust all claims in accordance with the policy or contract and laws of this state.

In order to receive credit for completed continuing education courses, public adjusters must take courses that are specifically designed for public adjusters and approved as such by the department (CE-320). However, no continuing education courses are required of public adjusters working with workers' compensation coverage or health insurance.

The Department will adopt rules necessary to implement and administer the continuing education requirements of this subsection. If good cause can be shown for not completing required continuing education by the licensee's due date, the Department may grant an extension of time during which the continuing education requirements may be completed, but when an extension of time is granted, it would not exceed one year.

Nonresident Public Adjuster

Nonresident public adjusters must complete continuing education requirements. A nonresident public adjuster may be deemed to have met the education requirements if the continuing education requirements of his or her public adjuster's home state are determined to be substantially comparable to those of this state's continuing education requirements as long as the resident's state recognizes reciprocity with Florida's CE requirements. A nonresident public adjuster whose home state does not have comparable continuing education requirements for adjusters, and if he or she is not licensed as a nonresident adjuster in Florida, then the individual must meet the continuing education requirements of this section.