

MAY 26 2011

EXECUTIVE ORDER
11-12
SECRETARY OF STATE
COMMISSION DIVISION

WHEREAS, on April 22, 2011, by Executive Order 11-06, I declared a State of Emergency and directed the Missouri State Emergency Operations Plan to be activated; and

WHEREAS, on May 20, 2011, by Executive Order 11-09, I extended the declaration of emergency contained in Executive Order 11-06 through June 20, 2011; and

WHEREAS, on May 22, 2011, the City of Joplin was hit by a tornado and severe storms causing a natural disaster of historic proportions which created a condition of distress and hazards to the health, safety, and welfare of citizens of the state of Missouri beyond the capabilities of some local jurisdictions and other established agencies; and

WHEREAS, the tornado and severe storms that occurred on May 22, 2011 in the City of Joplin have produced a disruption in the insurance industry, resulting in many insureds in Jasper and Newton counties unable to timely act or respond to their insurance needs and make timely premium payments on their insurance policies in force on May 22, 2011, as well as the notification process required by insurance statutes and regulations relating to cancellations, nonrenewals, reinstatements, and claims adjudication; and

WHEREAS, the Missouri Department of Insurance, Financial Institutions and Professional Registration ("Department") is charged by law with the duty to administer Chapters 325, 354, and 374 through 385, RSMo, which includes the supervision, regulation, and discipline of insurance companies, agencies, producers, and public adjusters licensed to operate and conduct business in the State of Missouri and with enforcing a variety of insurance-related statutes and regulations; and

WHEREAS, in order to respond to the emergency and to protect and safeguard the public health, safety, and welfare of the citizens of the state of Missouri, it is necessary to adjust certain insurance-related rules and regulations on a temporary and short-term basis.

NOW THEREFORE, I, JEREMIAH W. (JAY) NIXON, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, including Chapter 44, RSMo, do hereby order:

The Director of the Missouri Department of Insurance, Financial Institutions and Professional Registration shall temporarily waive, suspend, and/or modify the operation of any statute or administrative regulation currently in place under his purview in order to best serve the interests of the public health, safety, and welfare during the period of the emergency to effectuate the following:

Coverage for insureds in Jasper and Newton counties shall continue under all insurance policies in effect immediately preceding the severe storms occurring on May 22, 2011, and shall remain in effect until such time as this Order is terminated.

Insureds in Jasper and Newton counties may request and obtain a copy of any of their insurance policies free of charge.

Any rate increase for insurance policies in Jasper and Newton counties with an effective date on or after May 22, 2011, shall be deferred during the pendency of this emergency. The coverage shall remain in effect at the previously established rate.

When prescription drug coverage exists for insureds of Jasper and Newton county, insurers shall allow insureds to obtain refills of their prescriptions even if the prescription was recently filled.

Any licensed public adjuster performing services in Jasper or Newton counties shall exhibit their adjuster license to any prospective client before entering into any contract for the performance of or before performing adjustment or settlement services.

No licensed public adjuster performing adjustment or settlement services in Jasper or Newton counties may contact any insured for fourteen (14) days from the date of this Order.

No person required to be licensed as a public adjuster by the Department shall receive as consideration for such adjusting or settling in Jasper or Newton counties more than five percent (5%) of any amounts paid by an insurance company with respect to such property claim.

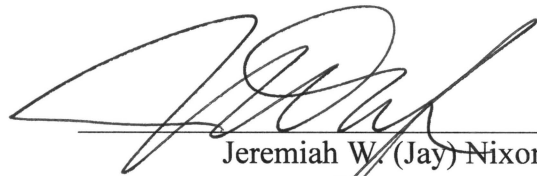
No person required to be licensed as a public adjuster by the Department shall require the insured to pay a fee in advance of the payment of the insurance company with respect to a claim in Jasper or Newton counties.

The insured has the right to cancel any contract with a licensed public adjuster performing adjustment or settlement services in Jasper or Newton counties up to fourteen (14) days from the date the insured signed any contract.

This order shall terminate on June 20, 2011, unless extended in whole or in part.




IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 26th day of May, 2011.



Jeremiah W. (Jay) Nixon
Governor

ATTEST:



Robin Carnahan
Secretary of State