



Rules of
Department of Insurance,
Financial Institutions and
Professional Registration
Division 10—General Administration
Chapter 1—Organization

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**Title 20—DEPARTMENT OF
INSURANCE, FINANCIAL
INSTITUTIONS AND
PROFESSIONAL REGISTRATION
Division 10—General Administration
Chapter 1—Organization**

20 CSR 10-1.010 General Organization

PURPOSE: This rule reflects the current organization of the Department of Insurance, Financial Institutions and Professional Registration.

(1) The Department of Insurance was reorganized on February 1, 2006 by Executive Order 06-04 under the name Department of Insurance, Financial Institutions and Professional Registration (“department”).

(2) The department is organized with seven (7) divisions: Consumer Affairs Division, Insurance Company Regulation Division, Insurance Market Regulation Division, Division of Finance, Division of Credit Unions, Division of Professional Registration and Resource Administration Division. The director’s office is located in the Truman State Office Building, 301 West High Street, 5th Floor, Jefferson City, MO 65101. The Consumer Affairs Division and the central offices for the Insurance Company Regulation Division and the Insurance Market Regulation Division are in the same facility as the department director. The central office of the Division of Finance is located in the Truman Building, 301 W. High Street, 6th Floor, Jefferson City, MO 65101. The central office for the Division of Credit Unions is located in the Truman Building, 301 W. High Street, 7th Floor, Jefferson City, MO 65101. The central offices of the Division of Professional Registration are maintained at 3605 Missouri Boulevard, Jefferson City, MO 65102.

(3) A toll-free insurance consumer hotline is also maintained by the department: (800) 726-7390.

(4) Administration. The director is responsible for the administration of the department and serves as the insurance commissioner in the National Association of Insurance Commissioners (NAIC). The director may appoint a deputy director and may delegate various administrative responsibilities to the deputy director. The administrative responsibilities of the director may also be delegated to the Resource Administration Division, which is managed by a division director. The director

may appoint a general counsel, who manages attorneys who may serve in the general counsel’s office or legal section, or may be assigned on a full-time basis to a particular division. The general counsel and the department’s legal staff are available for daily consultation with the director and other members of the staff in all functional areas within the department. The general counsel or attorneys in the legal section assist and advise the director, division directors and the staff in the interpretation and enforcement of the insurance laws, represent the director in court appearances or in hearings before the Administrative Hearing Commission concerning the discipline or disqualification of licensed individuals, or represent division directors in enforcement actions or in hearings involving acquisitions, mergers and reinsurance agreements before the director. The director may also appoint the general counsel or another attorney to serve as hearing officer on behalf of the department director.

(5) Divisions. The director administers the regulatory responsibility of the Consumer Affairs Division, the Insurance Company Regulation Division, and the Insurance Market Regulation Division, but has delegated some statutory powers and functions to division directors of those three (3) divisions. The Division of Finance, the Division of Credit Unions and the Division of Professional Registration are state agencies assigned to the department by Type III transfer, and maintain statutory autonomy. All seven (7) divisions are managed by division directors:

(A) Director of Consumer Affairs. Insurance complaints or inquiries about policy coverage, unpaid claims, refusals of insurance, the meaning of policy language and any other questions or complaints arising from the treatment of the consumer by an insurance company, health service corporation, health maintenance organization or insurance producer should be directed to the Consumer Affairs Division. Complaints and inquiries regarding insurance are to be investigated by the Consumer Affairs Division, PO Box 690, 301 West High Street, Jefferson City, MO 65102, (800) 726-7390. The director of consumer affairs manages the following regulatory functions:

1. Consumer services. The consumer services section receives and investigates complaints and inquiries relating to insurance companies, health service corporations, health maintenance organizations and other companies authorized to do business by the Insurance Company Regulation Division.

Each complaint received is investigated. No complaint filed is closed until the complaint is resolved or the director is satisfied that the person or entity complained against has taken a fair and reasonable position or one which is legally defensible. Records of each complaint and its disposition are kept and indexed by company and type of complaint;

2. Special investigations. The special investigations section investigates complaints against licensed insurance producers, bail bond agents, insurance adjusters and other individuals who are otherwise engaged in illegal or unlicensed activity. This section also investigates complaints of insurance fraud by insurers, producers or claimants; and

3. Administrative enforcement. The general counsel assigns attorneys to represent the Consumer Affairs Division in administrative enforcement actions before the director.

(B) Director of Insurance Market Regulation. The director of insurance market regulation manages the following regulatory functions:

1. Market conduct. The market conduct section reviews company operations, including those of health maintenance organizations, third-party administrators, utilization review firms and health service corporations, in the areas of marketing, licensing, rates, underwriting, claims and competitive trade practices. These examinations are triggered by market analysis, which may involve complaints received by the Consumer Affairs Division or other indications that violations of law or regulation have occurred. Market conduct examinations include a review and analysis of rate structures, rate applications, policy forms and endorsements, policy filings, selection and termination of coverage procedures, marketing and sales practices, claim practices and procedures, and licensing of producers, advertising, consumer complaint handling and unclaimed property reporting procedures;

2. Life and health. The life and health section must review and approve all policy contracts and supplemental forms filed by insurance companies, health services corporations and health maintenance organizations before they may be offered to the Missouri insurance-buying public. These policies and forms include coverages for medical hospital expense, major medical, disability income, hospital cash indemnity, loss of time, accidental death and dismemberment and special coverage policies. The life and health section must review and approve all life insurance policy contracts and supplemental forms filed



by insurance companies before they may be offered to the Missouri insurance-buying public;

3. Property and casualty. The property and casualty section reviews and files submissions by insurance companies, rating organizations, syndicates, pools and joint underwriting associations. These submissions consist of policy contracts and supplemental forms, various reports and other required filings concerning the insurance of automobile, fire and allied lines, homeowners, farm owners, inland marine, casualty, surety, commercial multiperil, title and workers' compensation. The filings also involve reporting major changes, coverage or rates to the division. This section also approves workers' compensation policies, endorsements, classifications, rates and ratemaking plans;

4. Statistics. The statistics section is responsible for compiling and evaluating all statistical data submitted by companies as required by Missouri statutes and regulations. Statistics also develops historical, local, regional and national statistical analysis of trends and variation in insurance claim incidence or other factors such as loss development factors related to insurance rate development; and

5. Regulatory enforcement. The general counsel assigns attorneys to represent the insurance market regulation division in regulatory enforcement actions before the director.

(C) Director of Insurance Company Regulation. The director of insurance company regulation may also serve as the chief financial examiner under the NAIC protocol. The director of insurance company regulation manages the following regulatory functions:

1. Financial examination. The financial examination section is responsible for examining the financial condition and affairs of Missouri insurance companies. It also participates in examinations of insurance companies domiciled in other states and doing business in Missouri;

2. Premium tax. The premium tax section assists the Department of Revenue in the collection of all premium taxes due the state;

3. Company admissions. The company admissions section initiates the processing of applications for licensing in Missouri of all foreign insurance companies and conducts pre-licensing examinations of all newly-formed domestic insurance companies. Third-party administrators are also licensed by the section;

4. Financial analysis. The financial analysis section receives audits and files

financial statements, including the annual statement, a detailed accounting of pertinent financial data of each insurance company authorized to do business in Missouri;

5. Security deposits. The security deposits section supervises security deposits, withdrawals and replacements;

6. Surplus lines. The surplus lines section licenses and examines surplus lines brokers; and

7. Regulatory enforcement. The general counsel assigns attorneys to represent the Insurance Company Regulation Division in regulatory enforcement actions before the director.

(D) Director of Resource Administration. In addition to assisting the department director in administrative responsibilities, the director of resource administration manages the following regulatory functions:

1. Insurance licensing. The insurance licensing section is responsible for receiving license applications for insurance producers, third-party administrators, bail bond agents, public adjusters and public adjuster solicitors; maintaining permanent records of licensure; and issuing, renewing and terminating those licenses. It supervises the preclicensing educational course and approves schools and instructors. This section also oversees examination and continuing education programs. Forms relating to licenses may be obtained via the website at www.difp.mo.gov or may be requested by mailing a request to Insurance Licensing, PO Box 690, 301 West High Street, Jefferson City, MO 65102, (573) 751-3518.

(E) Director of Finance. The director of finance manages regulatory functions over banks and trust companies, consumer credit companies, mortgage brokers, and savings and loan associations. The director continues to serve under the customary title of commissioner of finance. The organization of the Division of Finance is found at rule 20 CSR 1140-1.010.

(F) Director of Credit Unions. The director of credit unions manages regulatory functions over credit unions. The organization of the Division of Credit Unions is found at rule 20 CSR 1100-1.010.

(G) Director of Professional Registration. The director of professional registration manages the permanent staff employed to assist regulatory boards and commissions, which possess the statutory powers and duties to license qualified professions. The organization of the Division of Professional Registration is found at rule 20 CSR 2231-1.010.

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**Original authority: 374.045, RSMo 1967, amended 1993, 1995; 536.023, RSMo 1975, amended 1976, 1997, 2004; and 610.023, RSMo 1987, amended 1998, 2004.*

20 CSR 10-1.020 Interpretation of Referenced or Adopted Material (Rescinded May 30, 2008)

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