Rules of
Department of Insurance
Division 700—Licensing
Chapter 2—Public Adjusters and Public Adjuster Solicitors

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Chapter 2—Public Adjusters and Public Adjuster Solicitors

20 CSR 700-2.100 Public Adjusters

**PURPOSE:** This regulation explains the scope of the public adjuster's licensing act and states the applicability of the unfair trade practices and frauds act to public adjusters.

1. **Definition of Public Adjuster.** The term adjustment or settlement of claims as used in section 325.010(1), RSMo (1986) shall include any person not otherwise exempted by that definition who negotiates with an insurer on behalf of an insured as to the amount or extent of a loss covered by a policy of fire or allied lines of insurance. This shall include the acts of representing the insured or speaking on behalf of the insured toward any agent or other person granted the authority to adjust claims by an insurer. No person shall so act unless licensed as required by sections 325.010—325.055, RSMo (1986).

2. **Licensing.** Each public adjuster license shall be numbered. That number shall be entered upon any proof of loss, estimate or any other correspondence from the adjuster to an insured or solicitor.

3. **Applicability of Unfair Trade Practices Act.** Notice is provided to all public adjusters that they are within the scope of the unfair trade practices act, sections 375.930—375.948, RSMo (1986), with attendant penalties. Particular attention is directed to the prohibitions of section 375.936(1), RSMo (1986), relating to restraint of trade; section 375.936(2), RSMo (1986), defamatory statements; section 375.936(4), RSMo (1986), making untrue, deceptive or misleading statements with respect to the business of insurance or any person in the conduct of that business; and section 375.936(5), RSMo (1986), misrepresentations of the benefits of an insurance policy.


20 CSR 700-2.300 Public Adjuster Contracts

**PURPOSE:** This rule specifies information which must be contained in contracts for the services of public adjusters. It requires that the right of cancellation provided in section 325.050, RSMo (1986) be disclosed in each contract by an insured who negotiates with an insurer on behalf of an insured as to the amount or extent of a loss covered by a policy of fire or allied lines of insurance. This shall include the acts of representing the insured or speaking on behalf of the insured toward any agent or other person granted the authority to adjust claims by an insurer. No person shall so act unless licensed as required by sections 325.010—325.055, RSMo (1986).


20 CSR 700-2.200 Claim Checks or Drafts

**PURPOSE:** This rule effectuates or aids in the interpretation of 375.936(10), RSMo as applied to claims involving a public adjuster or solicitor.

No insurance company authorized to do the business of insurance in Missouri shall make payment of any insurance claim, or any portion of a claim, to a public adjuster or solicitor on account of services rendered by a public adjuster or solicitor to an insured unless the name of the insured is added as a joint payee on any claim check or draft. The payment, whether by check, draft or otherwise, should be sent to the address designated by the insured.