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March 15, 2021

**DECLARATION FROM THE STATE INSURANCE COMMISSIONER REGARDING
ASSISTANCE OF FLOOD ADJUSTERS FOR NATIONAL FLOOD INSURANCE
PROGRAM CLAIMS DUE TO SEVERE WEATHER/FLOODING DAMAGE
SUSTAINED IN MARCH 2021**

Pursuant to Hawai'i Revised Statutes ("Haw. Rev. Stat.") § 431:9-201(b), Insurance Commissioner Colin M. Hayashida is issuing this Declaration authorizing temporary assistance of nonresident unlicensed independent adjusters working with Write Your Own ("WYO") companies and NFIP Direct due to severe weather and flood damage in the State sustained during March 2021. The Insurance Commissioner has decided to allow nonresident unlicensed independent adjusters to operate in the State temporarily due to recent severe rains and resulting flood damage to ensure the adequate presence of flood adjusters working with Write Your Own ("WYO") companies and NFIP Direct on National Flood Insurance Program ("NFIP") claims, and to ensure timely responses to property owners' and homeowners' needs.

Haw. Rev. Stat. § 431:9-201(b) allows nonresident independent adjusters to operate in Hawai'i without a license for up to 30 days from the date of registration if they provide the Insurance Commissioner with:

1. A certified copy of the adjuster's current license issued by another state that has licensing requirements substantially similar to Haw. Rev. Stat. § 431:9-222, and
2. A letter, on the letterhead of the insurance company, independent adjusting company, or producer using the adjuster, that satisfies the following requirements **within three working days** after the nonresident independent adjuster begins work:
 - a. The name of the nonresident independent adjuster;
 - b. The nonresident independent adjuster's Hawaii mailing and business addresses and phone numbers; and
 - c. The nonresident independent adjuster's permanent home and business addresses and phone numbers.

In addition, the letter must state that the nonresident unlicensed independent adjuster:

- a. has the requisite adjusting experience to adjust for the flood claims in the State;
- b. maintains a current registration to adjust claims on behalf of NFIP; and
- c. is authorized to adjust NFIP claims.

Nonresident unlicensed independent adjusters traveling to Hawaii can avoid the mandatory 10-day quarantine if they obtain a COVID-19 test from Trusted Testing and Travel Partners no later than 72 hours prior to departure **and** the test result is negative. The most current and complete information regarding the State of Hawai'i Safe Travels Hawai'i program entry requirements may be found here: <https://hawaiicovid19.com/travel/getting-to-hawaii/>

County proclamations and orders may be more restrictive. You should consult with county authorities about their requirements and restrictions on your activity or business:

- Honolulu: <https://www.honolulu.gov/mayor/proclamations-orders-and-rules.html>
- Maui: <https://www.mauicounty.gov/2370/COVID-19-Coronavirus-Information>
- Kauai: <https://www.kauai.gov/covid-19>
- Hawaii: <https://coronavirus-response-county-of-hawaii-hawaiicountygis.hub.arcgis.com/>

For further information regarding restrictions and proclamations, see the alerts page at the Hawaii Tourism Authority:
<https://www.hawaiitourismauthority.org/news/alerts/covid-19-novel-coronavirus/>

Failure to follow the Governor's Proclamations are a misdemeanor and punishable by a maximum fine of \$5,000, or imprisonment of not more than one year, or both.

Anyone who violates Haw. Rev. Stat. § 431:9-201(b) shall be assessed a civil penalty up to \$5,000 for each violation. A person who knowingly violates this section shall be assessed a civil penalty not less than \$1,000 and not more than \$10,000 for each violation.

Nonresident public adjusters are specifically excluded from this Declaration until a determination is made by the Commissioner as to the need for additional public adjusters.

This declaration will remain in effect 30 days from today unless specifically extended by the Commissioner.

Please direct any questions regarding this Declaration to the Insurance Licensing Branch at (808) 586-2788, or visit our website: <http://cca.hawaii.gov/ins>.

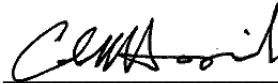
Documents that satisfy the foregoing requirements should be sent to:

Email: inslic@dcca.hawaii.gov

Fax: (808) 587-6714

Hawaii Insurance Division
335 Merchant Street, Room 213
Honolulu, HI 96813

For more information and answers to frequently asked questions about the registration of emergency nonresident unlicensed adjusters, visit: <http://cca.hawaii.gov/ins/frequently-asked-questions-regarding-emergency-nonresident-unlicensed-adjuster-registration/>).



COLIN M. HAYASHIDA
Insurance Commissioner