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GORDON I. ITO
INSURANCE COMMISSIONER

Aug 17, 2023

**DECLARATION FROM THE STATE INSURANCE COMMISSIONER REGARDING
ASSISTANCE OF NONRESIDENT INDEPENDENT ADJUSTERS
IN RESPONSE TO DAMAGES ACROSS THE STATE OCCURRING FROM THE
AUGUST 8, 2023 NATURAL DISASTERS**

Pursuant to Hawaii Revised Statutes ("HRS") § 431:9-201(b), Insurance Commissioner Gordon I. Ito issues this declaration authorizing the temporary assistance of nonresident independent adjusters so additional support may be available for the communities and its residents in the aftermath of the devastating August 8, 2023 storm system. This declaration supersedes the Declaration from the State Insurance Commissioner Regarding Assistance of Nonresident Independent Adjusters Due to Fires Across the State previously issued by the Insurance Commissioner on August 9, 2023 ("August 9, 2023 Declaration"). Parties who have already registered pursuant to the August 9, 2023 Declaration *do not* need to resubmit registration documents.

The Insurance Commissioner is allowing nonresident independent adjusters to operate temporarily in the State so additional assistance may be readily available due to the level of damage experienced, the number of residents impacted, and the work needed going forward. The Insurance Commissioner has seen the damage on Maui first-hand. He seeks to ensure that insurance companies and their adjusters have the resources and presence needed to timely and meaningfully respond to the needs of insured property owners.

HRS § 431:9-201(b) allows nonresident independent adjusters to operate in Hawaii without a license for up to one-hundred-twenty days from the date of registration provided that:

1. The nonresident adjuster provide a copy of the adjuster's current license in another state that has licensing requirements substantially similar to HRS § 431:9-222; and
2. Within three working days of the commencement of work by a nonresident adjuster, an insurance company, independent adjusting company, or producer that is using a nonresident adjuster shall provide on its letterhead to the Insurance Commissioner:
 - a. The name of the nonresident adjuster;

Declaration from the State Insurance Commissioner Regarding Assistance of Nonresident Independent Adjusters in Response to Damages Across the State Occuring from the August 8, 2023 Natural Disasters

Page 2

- b. The nonresident adjuster's Hawaii mailing and business addresses and phone numbers; and
- c. The nonresident adjuster's permanent home and business addresses and phone numbers.

An insurance company, independent adjusting company, or producer should utilize the Emergency Independent Adjuster form available at: <https://cca.hawaii.gov/ins/files/2023/08/Form-for-EIA.pdf> to provide information on nonresident adjusters identified in item 2.

Documents may be sent to:

Email: inslic@dcca.hawaii.gov

Fax: (808) 587-6714

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

Anyone who violates HRS § 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 thirty 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>.



GORDON I. ITO
Insurance Commissioner