

Publications

How Ohio's COVID-19 Related Legislation Impacts Insurers

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In response to the COVID-19 pandemic, Ohio Governor Mike DeWine signed into law [Amended Substitute House Bill 197](#) (the Bill) that includes many provisions intended to respond to the challenges presented by the COVID-19 pandemic. The Bill includes a provision that provides relief to persons holding licenses issued by state agencies that are set to expire during the state of emergency declared by the Governor on March 9, 2020 (See [Executive Order 2020-01D](#)).

The Ohio Superintendent of Insurance (the Superintendent), in response to the Bill, issued written guidance to major lines agents, limited lines agents, title agents, title insurance marketing representatives, managing general agents, public insurance adjusters and agents, reinsurance intermediary brokers and managers, surety bail bond agents, surplus lines brokers, third party administrators, and viatical settlement brokers, indicating the steps being taken by the Ohio Department of Insurance (the Department) to implement the Bill. The Superintendent's guidance includes the following:

License Expiration Date. If a license expires during the state of emergency, it will remain valid and may be renewed until the earlier of 90 days after the state of emergency ends or December 1, 2020. All late fees will be waived and license-holders do not need to take any actions to receive the automatic extension.

In order to ensure that licenses are able to be renewed during the state of emergency (and after), the Department will begin periodically adjusting expiration dates within the Department's computer system and the National Insurance Producer Registry (the NIPR). The adjusted expiration dates may appear to be sooner than the time period given by the Bill, but the Department will continuously adjust the license expiration dates of affected licenses until the extension granted by the Bill ends. The Department's intent is to ensure that everyone continues to have access to the NIPR system through this time period.

Continuing Education Requirements. Due to the extension of expiration dates required by the Bill, the deadline for completing continuing education requirements is also extended. However, the

Department anticipates that, during the state of emergency, continuing education providers will still be offering courses, both online and in other distance learning formats, and encourages agents to complete as much of their continuing education as possible during the state of emergency to prevent the system from being overwhelmed once the state of emergency ends.

Examination for Initial License. In addition to the extension granted by the Bill, the Department understands that the closure of examination centers has impeded the ability of persons to obtain their initial licenses. As a result, any person whose pre-license education course completion certificate expires during the examination center closings, and for a period of two weeks after the examination centers reopen, will have their pre-licensing course completion certificate deadline extended for thirty days after the exam centers reopen. This will allow an individual to sit for an examination past the 180-day expiration of the certificate.

The Bill only affects current license-holders whose licenses expire during the state of emergency. Unless specifically ordered otherwise, there is no change to the legal requirement for a person to obtain the appropriate license or to comply with all other applicable laws and regulations during the state of emergency.

Although license-holders will be provided with extra time to renew their licenses, the Department is encouraging renewals to be completed during the state of emergency in order to ensure timely processing once the state of emergency ends. The Department expects that continuing education courses will continue to be offered, NIPR will continue to accept electronic applications, and the Department will continue to process applications during the state of emergency.

If you have questions about the Bulletin, please contact Anthony Spina, Tom Szykowny, Gregg Zelasko or your regular Vorys attorney.

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Vorys COVID-19 Task Force

Vorys is continuing to monitor the COVID-19 outbreak and related guidance to insurers. In addition, Vorys attorneys and professionals are counseling our clients on a myriad of others issues related to the outbreak. We have established a comprehensive COVID-19 Task Force, which includes attorneys with deep experience in the niche disciplines that we have been and expect to continue receiving questions regarding coronavirus. Learn more and see the latest updates from the task force at vorys.com/coronavirus.