

# Your Exam Content Outline

The following outline describes the content of one of the Utah insurance examinations. The examination will contain questions on the subjects contained in the outline. The percentages indicate the relative weight assigned to each section of the examination. For example, 10 percent means that 6 questions will be drawn from the section on a 60-question exam, 10 will be drawn on a 100-question exam and 15 will be drawn on a 150-question exam.

## Utah Adjuster's Workers Compensation Exam Series 17-27

**60 questions (plus 5 unscored items)**

**1-hour time limit**

**Effective date: January 1, 2020**

### 1.0 Insurance Regulation 8% (5 Items)

#### 1.1 Licensing requirements

- Definitions (31A-26-102)
- Qualifications (31A-26-203, 205)
- Purpose (31A-26-202)
- Process (31A-26-202)
- Classifications of licenses (31A-26-204)
  - Adjusters (31A-26-102, 201, 204 (1)(c))
  - Non-resident adjuster (31A-26-208)
- License/character requirements (31A-26-204 & 205)
- Licensing exceptions (31A-26-201 (2))
- Change in name or address or phone number (31A-26-306 (1)(b))
- Emergency adjuster license (31A-26-212)

#### 1.2 Maintenance and duration

- Renewal (31A-26-213; 31A-26-214.5; Reg. R590-244-7through 9)
- Change in name, address, telephone number (31A-26-306 (1)(b))
- Records (31A-26-306 (2-4))
- Reinstatement (31A-26-214.5 (2); Reg. R590-244-8)
- Assumed name (31A-26-209(2))
- Continuing education requirements (31A-26-206; Reg. R590-142-1 through 10)
- Reporting of actions (31A-26-203)

#### 1.3 Disciplinary actions

- Probation (31A-26-214)
- Termination, suspension, revocation, refusal to issue or renew (31A-26-213)
- Monetary forfeiture (fines) (31A-2-308)

#### 1.4 Claim settlement laws and regulations

- Unfair claim settlement practices (31A-26-303; Reg R590-190-192)
- Producer regulation
- Place of business/records maintenance (31A-26-102)

### 2.0 Workers Compensation Insurance 44% (26 Items)

#### 2.1 Workers compensation laws

- Types of laws
  - Monopolistic versus competitive
  - Compulsory versus elective
- Utah's Workers Compensation Law (UT Labor Code Chp. 2, 3, 8a; 31A-33-101-105, 111-118; 31A-19a-401-408; 31A-22-1001-1010,1012,1013; 78B-4-603; R602-6-3; Bulletin 92-7 (Amended))
  - Exclusive remedy
  - Employment covered (required, voluntary)
  - Covered injuries
  - Occupational disease
  - Benefits provided
  - Subrogation
  - Bars to recovery
  - Average weekly wage
  - Notice of injury and claim
  - Medical examination
  - Managed care
  - Compensation agreements and disputed claims

- Second injury fund
- Federal workers compensation laws
  - Federal Employers Liability Act (FELA) (45 USC 51–60)
  - U.S. Longshore and Harbor Workers Compensation Act (33 USC 904)
  - The Jones Act (46 USC 688)

## **2.2 Workers compensation and employers liability insurance policy**

- General section
- Part One — Workers compensation insurance
- Part Two — Employers liability insurance
- Part Three — Other states insurance
- Part Four — Your duties if injury occurs
- Part Five — Premium
- Part Six — Conditions
- Selected endorsements
  - Voluntary compensation
  - Foreign coverage endorsement
  - Other states
  - Anniversary date
  - Sole proprietor, partners, officers and others coverage

## **3.0 Workers Compensation Claim Principles 38% (23 Items)**

### **3.1 Role of the adjuster**

- Duties and responsibilities
- Relationship to the legal profession

### **3.2 Contract basics**

- Elements of a legal contract
  - Offer and acceptance
  - Consideration
  - Competent parties
  - Legal purpose
- Distinct characteristics of an insurance contract
  - Contract of adhesion
  - Aleatory contract
  - Personal contract
  - Unilateral contract
  - Conditional contract
  - Utmost good faith
  - Representations/misrepresentations

- Warranties
- Concealment
- Fraud

### **3.3 Negligence**

- Elements of a negligent act
- Defenses against negligence
- Absolute liability
- Strict liability
- Vicarious liability

### **3.4 Controlling medical costs**

- Managed care
- Utilization review
  - Inpatient services
  - Outpatient services
- Hospital bill auditing
- Designated provider

### **3.5 Investigation and evaluation**

- Compensability
  - Employee/non-employee
  - Arising out of employment
  - Arising in the course of employment
- Documentation
  - First report of injury
  - Claimant statement
  - Insured's records
  - Witness statements
  - Current activity reports
- Medical determination
  - Medical authorization
  - Diagnosis
  - Prognosis
  - Independent Medical Examinations (IMEs)

### **3.6 Claim reserves**

- Components
  - Indemnity
  - Medical
  - Expense
- Factors affecting reserves
- Reserving techniques
  - Individual case method
  - Formula method

Round-table technique

### **3.7 Claims management**

Analysis

On-site inspections

Selecting an evaluating physician

Physician evaluation

Disposition

Litigation management

Settlement negotiation

Myelography

Arthroscopy

Electrocardiogram (EKG or ECG)

Electroencephalography (EEG)

## **4.0 Understanding the Language of Medical Reports 10% (6 Items)**

### **4.1 Medical terminology and abbreviations**

Location terms

Movement terms

Prefixes, suffixes and root words

Abbreviations used in medical reports

Medical specialties

### **4.2 Basic human anatomy**

Skeletal structure

Nervous system

Respiratory system

Cardiovascular system

Abdominal organs

### **4.3 Common occupational injuries and disease**

Strains and sprains

Dislocations

Fractures

Soft tissue injuries

Brain injuries

Burn classifications

Cumulative trauma

Repetitive motion injuries

Lung diseases

### **4.4 Medical tests**

Laboratory

Radiography (X-ray)

Magnetic resonance imaging (MRI)

Computerized tomography (CT or CAT)

Electromyography (EMG)

Nerve conduction studies