

Your Exam Content Outline

The following outline describes the content of one of the New York 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.

New York Independent Motor Vehicle No-Fault and Workers Compensation Health Services Adjuster Series 17-72

60 questions - 1-hour time limit
Live Date- September 20, 2018

1.0 Insurance Regulation 10%

1.1 Licensing requirements

- Qualifications (2108(c, g))
- Process (2108(d), (f))
- Bond (2108(l))
- Fingerprints (2108(d)(2))
- Temporary adjuster permit (2108(h, n))
- Superintendent's general duties and powers (2404, Financial Services 201, 202, 301)

1.2 Maintenance and duration

- Renewal (2108(i, j))
- Assumed names (2102(f))
- Change of address (Reg 25, Part 26.6)
- Reporting of actions (2110(i)(j))
- Cyber Security Requirements for Financial Services Companies (Reg 23)

1.3 Disciplinary actions

- Cease and desist (2405)
- Suspension, revocation, and nonrenewal (2110)
- Penalties (2127)

1.4 Claim settlement laws and regulations (Reg 64, Part 216)

- Unfair claim practices (2601)
- Misrepresentation (2108(o))
- Prohibitions (Reg 25, Part 26.5)

Consumer privacy regulation (Reg 169, Parts 420.0 to 420.4)

1.5 Federal regulation

- Fraud and false statements including 1033 waiver (18 USC 1033, 1034)
- Terrorism Risk Insurance Act of 2002 and Extension Act of 2015 (15 USC 6701; S467)

2.0 Insurance Basics 10%

2.1 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
- Legal interpretations affecting contracts
 - Reasonable expectations
 - Indemnity
 - Utmost good faith
 - Representations/misrepresentations
 - Warranties
 - Concealment
 - Fraud
 - Waiver and estoppel

2.2 Insurance principles and concepts

- Hazards
 - Physical

Moral
Morale

2.3 Policy structure

Declarations
Definitions
Insuring agreement or clause
Additional/supplementary coverage
Conditions
Exclusions
Endorsements

2.4 Common policy provisions

Insureds — named, first named, additional, defined
Policy period
Policy territory
Cancellation and nonrenewal
Deductibles
Other insurance
 Primary and excess
Limits of liability
 Per occurrence (accident)
 Per person
 Single/Split
Named insured provisions
 Assignment
Insurer provisions
 Liberalization
 Subrogation
 Duty to defend

3.0 Adjusting Losses 20%

3.1 Role of the adjuster

Duties and responsibilities
Staff and independent adjuster versus public adjuster
Relationship to the legal profession

3.2 Claim reporting

Claim investigation
Claim file documentation of events
Types of reports

Initial or first field
Interim or status
Full formal

3.3 Coverage problems

Dealing with coverage disputes
Nonwaiver agreement
Declaratory judgement action

3.4 Controlling medical costs

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

3.5 Investigation and evaluation

Workers compensation compensability
 Employee/non-employee
 Arising out of employment
 Arising in the course of employment
No-fault
 Eligible persons
Documentation
 First report of injury
 Claimant statement
 Insured's records
 Witness statements
 Current activity reports

3.6 Claims reserves

Components
 Indemnity/work loss
 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
- Arbitration
- Management of rehabilitation programs
 - Facilities
 - Coordination of treatment
 - Discharge procedure

- Motor carrier
- Coverage form sections
 - Covered autos
 - Exclusions
 - Conditions
 - Definitions
- Selected endorsements
 - New York mandatory personal injury protection (CA 22 32)
 - Additional personal injury protection — New York (CA 22 33)
 - New York mandatory personal injury protection — motorcycles (CA 22 48)
 - New York exclusion of medical expense from mandatory personal injury protection (CA 22 49)
 - New York optional basic economic loss coverage (CA 22 60)

4.0 Auto Insurance 20%

4.1 Laws

- Comprehensive Motor Vehicle Insurance Repairs Act (PIP) (5101-5108)
 - Notice of claim
 - Medical
 - Rehabilitation
 - Loss of earnings
 - Funeral
 - Substitution services
 - Tort limitation/verbal threshold
- Mandatory inspection requirements for private passenger automobiles (Reg 79, Parts 67.0 to 67.11)

4.2 Personal (2005) auto policy

- Definitions
- Duties after an accident or loss
- Selected endorsements
 - Personal injury protection coverage — New York (PP 05 87)
 - Additional personal injury protection coverage — New York (PP 05 88)
 - Personal injury protection coverage (motorcycles) — New York (PP 05 89)
 - Exclusion of medical expense from personal injury protection coverage — New York (PP 05 92)

4.3 Commercial auto (2010)

- Commercial auto coverage forms
 - Business auto
 - Garage

5.0 Workers Compensation Insurance 20%

5.1 Workers compensation laws

- Types of laws
 - Monopolistic versus competitive
 - Compulsory versus elective
- New York Workers' Compensation Law
 - Exclusive remedy (RL WC 11)
 - Employment covered (required, voluntary) (RL WC 2(3, 4, 5), 10)
 - Covered injuries (RL WC 2(7), 10, 13, 18)
 - Grave injuries (RL WC 11)
 - Occupational illness and disease (RL WC 3(2), 37-48)
 - Benefits provided (RL WC 12-16)
 - Claims reporting requirements (Workers Compensation Board Regulation Part 314.7)
 - Volunteer Firefighters Rescue (or ambulance) (WC 31 00 01A, WC 31 00 03A)
- 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)

5.2 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

5.3 Other sources of coverage

New York State Insurance Fund (RL WC 76-100)

Self-insured employers and employer groups (RL WC 50, 60-75-a; RR 317.1-317.22)

6.0 Understanding the Language of Medical Reports 20%

6.1 Medical terminology and abbreviations

Location terms

Movement terms

Prefixes, suffixes and root words

Abbreviations used in medical reports

Medical specialties

6.2 Basic human anatomy

Skeletal structure

Nervous system

Respiratory system

Cardiovascular system

Abdominal organs

6.3 Common injuries and diseases

Strains and sprains

Dislocations

Fractures

Soft tissue injuries

Brain injuries

Burn classifications

Cumulative trauma

Repetitive motion injuries

Lung disease

Diabetes mellitus

Glaucoma

Hypertension

Arthritis

Osteomyelitis

Stroke

Tachycardia

Atherosclerosis

Coronary thrombosis

Mental wellness

6.4 Medical tests

Laboratory

Radiography (X-ray)

Magnetic resonance imaging (MRI)

Computerized tomography (CT or CAT)

Electromyography (EMG)

Nerve conduction studies

Myelography

Arthroscopy

Electrocardiogram (EKG or ECG)

Electroencephalography (EEG)