

Your Exam Content Outline

The following outline describes the content of one of the Nebraska insurance examinations. The outlines are the basis of the examinations. The examination will contain questions on the subjects contained in the outline. The percentages indicate the relative weights assigned to each part 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

Nebraska Public Adjuster Examination Series 13-10

100 questions - 2-hour time limit
Effective Date: January 27, 2020

1.0 Insurance Regulation 20%

1.1 Licensing

Qualifications (44-9204, 44-9205)
Business Entity (44-9207)
Non Resident (44-9206)
Bond (44-9212)
Conflict of Interest (44-9217)
Examination (44-9208)

1.2 Maintenance and duration

Renewal (44-9210)
Contract requirements (44-9214)
Reporting Requirements (44-9210(3))
Continuing education requirements
including ethics education (44-9213)
Fiduciary Account (44-9215)
Public Adjuster Fee/Compensation (44-9218)
Record Retention Requirements (44-9216)

1.3 Disciplinary actions

Suspension, revocation or refusal to issue or renew (44-9211(1))
Administrative Fine (44-9211(4))
Unfair Trade Practice (44-1529, 44-1541, 44-1542)

1.4 Claim settlement laws and regulations

1.5 State regulation

Unfair trade practices (44-1525)
Unfair Claims Settlement Practices (44-1539, 1540, Chapter 60, Nebraska Administrative Code)
Examination of books and records (44-5904, 44-9216)

2.0 Insurance Basics 5%

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
Conditional contract
Legal interpretations affecting contracts
Ambiguities in a contract of adhesion
Reasonable expectations
Indemnity
Utmost good faith
Representations/misrepresentations
Warranties
Concealment
Fraud
Waiver and estoppel

2.2 Insurance principles and concepts

Insurable interest
Direct loss
Basic types of construction
Loss valuation
Actual cash value
Replacement cost
Functional replacement cost
Market value
Agreed value
Stated amount
Valued policy

2.3 Policy structure

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

2.4 Common policy provisions

Policy period
Policy territory
Cancellation and nonrenewal
Deductibles
Other insurance
Nonconcurrency
Primary and excess
Pro rata
Policy limits

Restoration/nonreduction of limits
Coinsurance
Vacancy or unoccupancy
Assignment
Liberalization
Third-party provisions
Standard mortgage clause
Loss payable clause

2.5 Nebraska laws, regulations and required provisions

Insurers Insolvency Fund (44-2401 to 44-2418)
Nebraska standard fire policy (44-501)
Concealment, misrepresentation or fraud (44-358, 44-393)
Federal Terrorism Insurance Program (15 USC 6701; Public Law 107-297, 109-144, 110-160)

3.0 Adjusting Losses 15%

3.1 Role of the adjuster

Duties and responsibilities
Independent adjuster versus public adjuster
Relationship to the legal profession

3.2 Property losses

Duties of insured after a loss
Notice to insurer
Minimizing the loss
Proof of loss
Special requirements
Production of books and records
Abandonment
Determining value and loss
Burden of proof of value and loss
Estimates
Depreciation
Salvage

Claim settlement options
Payment and discharge

3.3 Claims adjustment procedures

Subrogation procedures

4.0 Dwelling ('14) Policy 15%

4.1 Characteristics and purpose

4.2 Coverage forms — Perils insured against

Basic
Broad
Special

4.3 Property coverages

Coverage A — Dwelling
Coverage B — Other structures
Coverage C — Personal property
Coverage D — Fair rental value
Coverage E — Additional living expense
Other coverages

4.4 General exclusions

4.5 Conditions

4.6 Selected endorsements

Special provisions — Nebraska (DP 01 26)
Automatic increase in insurance (DP 04 11)
Broad theft coverage (DP 04 72)
Dwelling under construction (DP 11 43)

5.0 Homeowners ('11) Policy — Section I 15%

5.1 Coverage forms

HO-2 through HO-6

5.2 Definitions

5.3 Section I — Property coverages

Coverage A — Dwelling
Coverage B — Other structures
Coverage C — Personal property
Coverage D — Loss of use
Additional coverages

5.4 Perils insured against

5.5 Exclusions

5.6 Conditions

5.7 Selected endorsements

Special provisions — Nebraska (HO 01 26)
Limited fungi, wet or dry rot, or bacteria coverage (HO 04 26, HO 04 27)
Permitted incidental occupancies — residence premises (HO 04 42)
Earthquake (HO 04 54)
Scheduled personal property (HO 04 61)
Personal property replacement cost (HO 04 90)
Home day care (HO 04 97)

6.0 Commercial Package Policy (CPP) 14%

6.1 Components of a commercial policy

Common policy declarations
Common policy conditions
Interline endorsements
One or more coverage parts

6.2 Commercial property ('12)

Commercial property conditions form
Coverage forms
Building and personal property
Condominium association
Condominium commercial unit-owners
Builders risk
Business income
Extra expense
Cause of loss forms
Basic
Broad
Special

- Selected endorsements
 - Ordinance or law coverage (CP 04 05)
 - Spoilage coverage (CP 04 40)
 - Peak season limit of insurance (CP 12 30)
 - Earthquake and volcanic eruption (CP 10 40)
 - Flood coverage (CP 10 65)
 - Value reporting form (CP 13 10)

Deductibles

6.3 Commercial inland marine

- Nationwide marine definition (Reg 211 CMR 10.00)
- Commercial inland marine conditions form
- Inland marine coverage forms
 - Accounts receivable
 - Contractors equipment floater
 - Electronic data processing
 - Equipment dealers
 - Installation floater
 - Signs
 - Valuable papers and records

6.4 Equipment breakdown ('11)

- Equipment breakdown protection coverage form (EB 00 20)
- Selected endorsement
 - Actual cash value (EB 99 59)

7.0 Businessowners ('13) Policy – Property 15%

7.1 Characteristics and purpose

7.2 Businessowners Section I – Property

- Coverage
- Exclusions
- Limits of insurance
- Deductibles
- Loss conditions
- General conditions
- Optional coverages
- Definitions

7.3 Businessowners Section III – Common Policy Conditions

7.4 Selected endorsements

- Protective safeguards (BP 04 30)
- Utility services – direct damage (BP 04 56)
- Utility services – time element (BP 04 57)

8.0 Other Coverages and Options 1%

8.1 National Flood Insurance Program

- "Write your own" versus government
- Eligibility
- Coverages
- Limits