

INS 6.61
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STATE OF WISCONSIN
DEPARTMENT OF STATE
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DEC 21 1978

STATE OF WISCONSIN)
OFFICE OF THE COMMISSIONER OF INSURANCE) ss.

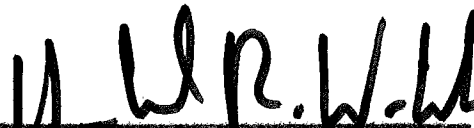
DOUGLAS LAPOLETTE
SECRETARY OF STATE

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Harold R. Wilde, Commissioner of Insurance and custodian of the official records of said office, do hereby certify that the annexed order amending a rule regarding insurance intermediary records was issued by this office December 21, 1978.

I further certify that said copy has been compared by me with the original on file in this office and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name in the City of Madison, State of Wisconsin, this 21st day of December, 1978.


Harold R. Wilde
Commissioner of Insurance

DEC 21 1978

ORDER OF THE OFFICE OF THE COMMISSIONER OF INSURANCE

Amending a Rule

DOUGLAS LAFOLETTE
SECRETARY OF STATE

Pursuant to authority vested in the Commissioner of Insurance by section 601.41 (3), Wis. Stats., the Commissioner of Insurance hereby amends a rule as follows:

Section Ins 6.61 of the Wisconsin Administrative Code is amended to read:

Ins 6.61 ~~Individual-Intermediary-Agent~~ Intermediary records.

(1) Each ~~individual-intermediary-agent~~ intermediary shall maintain or have maintained, for a 3 year period, unless a specific period is provided elsewhere, records of his-or-her the intermediary's policyholder financial transactions and records of transactions with brokerage clientele which occur in the regular course of business or are prescribed by rule, in accordance with accepted accounting principles. Such records shall include an accounting of such billings to and receipts from purchasers of insurance and payments to insurance-companies insurers or others for coverage provided, as have passed through the hands of the individual-intermediary-agent intermediary, or comparable records on an agency or partnership-wide basis. An insurer may by written agreement assume the responsibility to maintain these records for an individual intermediary-agent if the records can be made immediately available to the commissioner of insurance on demand.

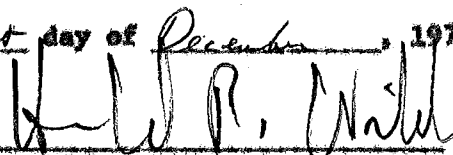
(2) Each individual intermediary-agent shall maintain records for a 3 year period giving the effective date of the coverage on all newly issued contracts and indicating that the necessary suitability inquiry and replacement procedures required by Ins 2.07, Ins 2.14 ~~(4)~~⁽²⁾ (5) (f), Ins 3.27 (7), and Ins 3.29 were followed for each ~~individual~~ individually-issued life and accident and health contract written and/or replaced.

(3) Records required by subsection (1) and (2) are to be maintained at the business address of the intermediary or the insurer recorded with the commissioner of insurance, or at another location only if notice has been provided the commissioner of insurance of such alternate location.

(4) Each agent intermediary shall, within 30 days, notify the commissioner of insurance in writing of any change in his-or-her the intermediary's business or residence address or any change of address of location of his-or-her the intermediary's records.

NOTE: Individual intermediary-agent records which are to be maintained and subject to examination by the commissioner of insurance, are limited to transactions where the individual intermediary-agent serves in a fiduciary capacity (i.e., collects or handles premiums from his clients and remits that amount of the premium due the carrier providing the coverage). This record maintenance requirement is not intended to apply to individual intermediary-agent office expense accounts, general office management records, income tax returns, or any other individual intermediary-agent financial transactions other than financial and other records directly pertaining to the individual intermediary-agent insurance transactions between clients and providers of coverage. Amendments to the rule comprehend the records of account and disclosure set forth in Ins 6.64 which are to be maintained by intermediary-brokers and do not alter the previous requirements for intermediary-agents. Some intermediary-broker records are required to be maintained for 5 years as opposed to 3 years for intermediary-agent.

Dated at Madison, Wisconsin, this 21st day of December, 1978


Harold R. Wilde
Commissioner of Insurance