

CHAPTER 386  
FORMERLY  
HOUSE BILL NO. 379

AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE DELAWARE NONADMITTED INSURANCE ACT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Section 1904, Title 18 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1904. Definitions.

(18) *Qualified risk manager*. — The term "qualified risk manager" means, with respect to a policyholder of commercial insurance, a person who meets all of the following requirements:

~~a. The person employs or retains a qualified risk manager to negotiate insurance coverage.~~

~~b. The person has paid aggregate nationwide commercial property and casualty insurance premiums in excess of \$100,000 in the immediately preceding 12 months.~~

~~e.1. The person meets at least 1 of the following criteria:~~

~~A. The person possesses a net worth in excess of \$20,000,000; as such amount is adjusted pursuant to paragraph (a)(18)c.2. of this section.~~

~~B. The person generates annual revenues in excess of \$50,000,000; as such amount is adjusted pursuant to paragraph (a)(18)c.2. of this section.~~

~~C. The person employs more than 500 full time or full time equivalent employees per individual insured or is a member of an affiliated group employing more than 1,000 employees in the aggregate.~~

~~D. The person is a not for profit organization or public entity generating annual budgeted expenditures of at least \$30,000,000; as such amount is adjusted pursuant to paragraph (a)(18)c.2 of this section.~~

~~E. The person is a municipality with a population in excess of 50,000 persons.~~

~~2. Effective on January 1, 2016, and each fifth January 1 occurring thereafter, the amounts in paragraphs (a)(18)c.1.A., B., and D. of this section shall be adjusted to reflect the percentage change for such 5 year period in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.~~

a. The person is an employee of, or third-party consultant retained by, the commercial policyholder.

b. The person provides skilled services in loss prevention, loss reduction, or risk and insurance coverage analysis, and purchase of insurance.

c. The person:

1.A. Has a bachelor's degree or higher from an accredited college or university in risk management, business administration, finance, economics, or any other field determined by a State insurance commissioner or other State regulatory official or entity to demonstrate minimum competence in risk management; and

B. I. Has 3 years of experience in risk financing, claims administration, loss prevention, risk and insurance analysis, or purchasing commercial lines of insurance; or

II. Has:

(A) A designation as a Chartered Property and Casualty Underwriter (in this subparagraph referred to as "CPCU") issued by the American Institute for CPCU/Insurance Institute of America;

(B) A designation as an Associate in Risk Management (ARM) issued by the American Institute for CPCU/Insurance Institute of America;

(C) A designation as Certified Risk Manager (CRM) issued by the National Alliance for Insurance Education & Research;

(D) A designation as a RIMS Fellow (RF) issued by the Global Risk Management Institute; or

(E) Any other designation, certification, or license determined by a State insurance commissioner or other State insurance regulatory official or entity to demonstrate minimum competency in risk management;

2.A. Has at least 7 years of experience in risk financing, claims administration, loss prevention, risk and insurance coverage analysis, or purchasing commercial lines of insurance; and

B. Has any 1 of the designations specified in paragraphs (18)c.1.(B)(II)(A) through (E) of this section;

3. Has at least 10 years of experience in risk financing, claims administration, loss prevention, risk and insurance coverage analysis, or purchasing commercial lines of insurance; or

4. Has a graduate degree from an accredited college or university in risk management, business administration, finance, economics, or any other field determined by a State insurance commissioner or other State regulatory official or entity to demonstrate minimum competence in risk management.

Approved August 10, 2016