

## Kentucky Fraud Investigators Soon Exempt From License Requirements

By: Andrew L. Smith, Esq.

Effective June 29, 2017, a new Kentucky statute will exempt insurance claim investigators of all shapes and sizes from being required to obtain and maintain an adjuster license through the Kentucky Department of Insurance if they exclusively investigate fraud claims. Any investigators who also handle adjusting practices or claim payment determinations, however, will still be required to comply with all Commonwealth adjuster licensure mandates.

Specifically, the new portion of the statute, K.R.S. 329A.070, states:

*Notwithstanding any other provision of this subtitle, an individual who is employed by an insurer to investigate suspected fraudulent insurance claims, but who does not adjust losses or determine claims payments, shall not be required to be licensed as a staff adjuster.*

This Bill resolves the long-debated question of whether purely fraud claim investigators and SIU are required to comply with Commonwealth adjuster licensing requirements in Kentucky.

### ***About the author:***

Andrew L. Smith is a Partner in the Cincinnati, Ohio office of Smith, Rolfes & Skavdahl Company, LPA who concentrates his practice in the areas of construction law, insurance defense, and bad faith litigation defense. He is the creator of the AGC of Ohio construction law blog, *Between the Law and a Hard Hart*, and the co-host of *BearcatsSportsRadio.com*.